

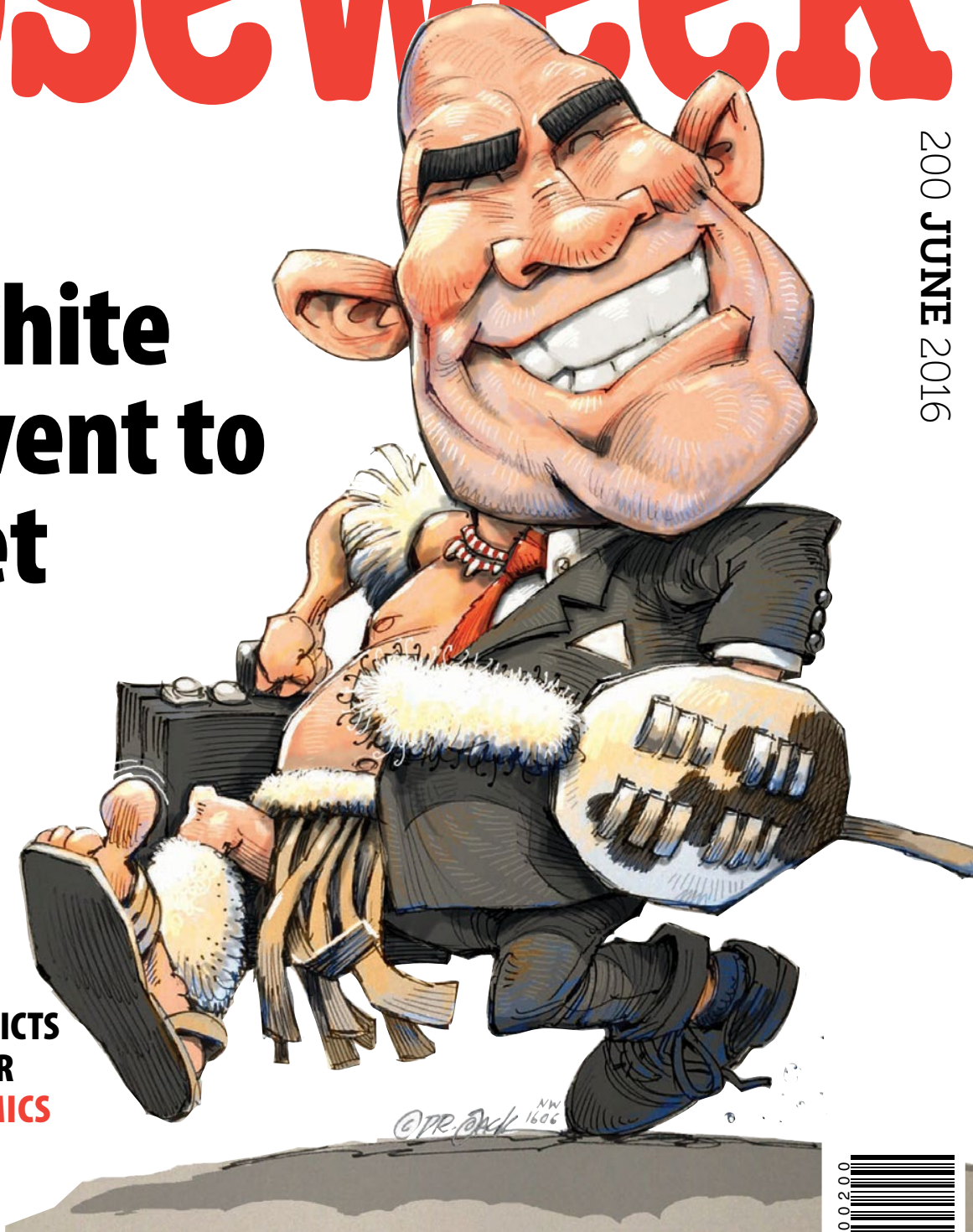
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# noseweek

200 JUNE 2016

## This white Zulu went to market



**PROF JANSEN PREDICTS  
VARSITIES DISASTER  
FLIGHT OF ACADEMICS  
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**IQBAL AT WAR ON TWO FRONTS  
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## A most unsaintly president



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# Letters

## Why flay your best writer?

SHAME ON YOU, MR EDITOR, FOR YOUR cringing apology for Jack Lundin's jokey (and so true) quip at the heartless money-grubbing ways of banks and lawyers (Letters, *nose199*), following Lundin's fascinating account of the epic duel between Nedbank and law firm Findlay & Niemeyer (*nose198*).

Over the years you yourself have made far ruder assessments of these "sub-species" (ie "Standard Wank" as you repeatedly refer to that fine banking house). Yet when Lundin follows your lead and a self-proclaimed "honest and hard-working" lawyer, one Herman Smith of Durbanville, complains, you flay your writer for his "unnecessarily crude" introductory paragraph and tender your apology to Smith and all honest attorneys. Bah. Humbug!

Mr Welz, you are a pathetic shadow of your former self. Lundin is the only writer worth following in *Noseweek*. His wide-ranging subject matter, his meticulous research, combined with a deliciously sardonic sense of humour and irony, make for compulsive reading. You should treasure your stars, not condemn them. And you wouldn't even allow Lundin to respond!

**C Pringle**

Chiang Mai, Thailand

*Jack Lundin could hardly have written a better testimonial for himself. I am pleased you share my long-standing appreciation for his writing and reporting skills. As editor I take joint responsibility for everything I publish. Tendering an apology to an attorney (and a *Noseweek* reader) who protests he is neither*

*dishonest nor moneygrubbing – and I have no reason to believe otherwise – strikes me as the only decent thing to do, without detracting from my generally negative impression of most members of that profession. I would expect nothing different from Lundin. Flaying my writer? Humbug!* – Ed.

## Wake up to the world, SA

THANK YOU FOR PUBLISHING "GOOGLE IS watching you" (*nose199*). The article is illuminating, although I fear few South Africans will have bothered to read it.

What is happening in world politics is even more frightening than what is happening here, where no-one I know even seems to know who Assange and Snowden are. The South African public are as parochial as the Americans. Their ignorance encourages our administration to ignore public outcry against wrongdoing and carry on regardless.

What affects others in the global community will likely ultimately affect us.

**Lin James**

Cape Town

*I fear you are probably right about what interests the general public in South Africa. I do, however, remain confident that a significant number of regular *Noseweek* readers are, like yourself, interested and wish to keep up with developments in the outside world.* – Ed.

## Bare-faced ignorance

TRANS AND NON-BINARY PEOPLE USING THEIR bodies to protest (UCT circus, *nose199*) is about more than you are wanting to sexualise. Nude protests are not "to

be noticed". You seem wholly underinformed and your lazy thinking on this is disappointing. You are a white man and do not understand the long history of naked protest by black people.

The Trans Collective put out a long and detailed statement on the method, reasons and outcomes of the protest

**Puddin**

via Twitter

*Not to be noticed? Who are you kidding? The exhibitionism all but obscured the true reason for protest: the macho-misogynist ethic of the FMF/RMF crowd. I admit, it's the first I hear of "a history of naked protest by black people". In my lifetime yours was the first.* – Ed.

## Strachan wants a class war?

IN *NOSE198* HAROLD STRACHAN WRITES THAT it is time for the redistribution of wealth in South Africa. He wants a class war. As a communist he probably means a revolution by which the poor take away all the assets held by the wealthy and distribute them amongst themselves.

Would this work? Look at Germany: on one side the prosperous and free West; on the other, the communist East which had to erect walls to prevent their people escaping and who were subjected to the Stasi, a typical brutal police force. What about North and South Korea? Which system works for the best interests of all its people? What of the millions killed in Russia and China to enforce the failed communist system? It is surprising that Strachan and ilk cannot understand the lessons of history.

**OD Hart**

By email



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## Winners and losers

**T**HE LOSING PARTY IN A CIVIL ACTION IN South Africa's courts is as a general rule also required to pay its opponents' legal costs. Seen in the light of the shatteringly high cost of litigation today, "justice for all" and "all citizens are equal before the law" are old-fashioned myths that, despite being enthusiastically promoted by a self-serving legal profession, are by now believed by absolutely no-one.

Faced with the risk of having to pay not only your own lawyers but also the (invariably still more numerous and costly) lawyers hired by your opponent, only the government, politicians, the insane in search of martyrdom or the extraordinarily wealthy would risk briefing lawyers to argue an uncertain case in court on a matter of principle, in the hope of breaking new legal or constitutional ground.

On May 4, at the conclusion of his judgment in just such an uncertain case (the Free Market Foundation [FMF] vs the Minister of Labour, various bargaining councils and trade unions) Judge JR Murphy of the North Gauteng High Court articulated why, in some cases, the general rule should not apply, such as when the losing party is a civil society organisation that has argued a case in good faith, thereby advancing debate on a legal issue of public importance.

In his words: "While the Free Market Foundation's application has been shown in a number of respects to be fundamentally misconceived, I have no doubt that it was motivated by the best of intentions. Our country prides itself on the promotion of a strong civil society. Although there will be many opposed ideologically to the classic liberal and free market agenda advanced by the FMF, there should be no quibble with its activism on behalf of small business and the unemployed. The most intractable problem facing our country is the persistently high level of unemployment and its attendant negative social consequences."

How to solve it? "Many will argue that we need to think outside the box and cannot simply continue with business as usual.

"The FMF is intent upon challenging the prevailing dogma. It does so as a morally responsible citizen whose opinion, if not heeded, deserves at least to be heard. We need not look back far into our history to recall that the censured opinions of today

may well become the moral directives of tomorrow. As the Constitutional Court said in *S v Mamabolo*, the open market-place of ideas is all the more important to us in this country because our democracy is not yet firmly established and must feel its way. For that reason civil society activists should not be discouraged from pursuing constitutional claims for fear of being mulcted in costs.

"Although the FMF's constitutional argument misses the mark [...and] might not have yielded what the FMF asked for, by compelling the debate in the way it did, the application has usefully demarcated the parameters of power and administrative justice in the legislative scheme governing collective bargaining at sectoral level."

For those reasons, despite its lack of success in the application, the FMF was not required to pay its opponents' costs.

**O**N PAGE 12 WE REPORT ON WHAT THE celebrated vice-chancellor of Free State University, Jonathan Jansen, has to say about the state of our universities and the prognosis for their future. Asked where he gets the strength and humour to have carried on doing what he does for so long, he replied: "The incredible support of students, staff and communities around the university, at home and abroad. Truly amazing, the breadth of support for what we do." But that was clearly not enough to stop him – after the past year of turmoil on all our campuses – from being the first of the vice-chancellors to leave for greener pastures. I suspect it has a lot to do with a feeling of great disappointment, or what he referred to as a broken heart.

Who can fail to understand that?

**S**EE OUR REPORTS ON THE SORRY STATE OF democracy in Angola, (page 8) and Mozambique, (page 32), then take a look at what Gupta, Zuma & Sons (Pty) Ltd are up to. It does rather look as if they are desperate to keep up with the neighbours. The expectation that the masses will again vote for them, is a sad reflection on the media's failure to properly inform the people. But then, if all that remains to be decided is whether it is to be Iqbal Survé or the Gupta brothers who will control the mainstream media (see page 18), what more's to be said?

**The Editor**

# Transforming the way the world moves

TWO WEEKS AFTER 175 GOVERNMENT representatives came together in New York City to sign the historic Paris Climate Agreement, leaders from national and local governments, civil society, academia, and the private sector gathered in Washington for a Climate Action 2016 summit. While the challenges to tackle climate change span numerous sectors and require actions on multiple fronts, including in agriculture and energy, one area deemed particularly crucial for lowering the world's carbon footprint is transportation.

"We will be outlining the main principles for a plan to transform the world's transport systems," said World Bank President Jim Yong Kim in his opening remarks. "We are calling it 'sustainable mobility for all'. It means moving people and goods in an accessible, efficient and safe way to help cut poverty, cut emissions and increase resilience to a changing climate."

Speaking on behalf of the COP22 presidency, Dr Hakima El Haité, of Morocco, said: "We should establish the link between sustainable transportation and the whole vision for the transformation of society, and the goals of the Paris Climate Agreement."

Today, transport accounts for nearly a quarter of energy-related global greenhouse gas emissions. With the global population set to rise to 9.6 billion by 2050, business as usual will increase emissions from transport to 33%, and the number of vehicles on the road could double to two billion by 2030. This will also threaten road safety, as road crashes already claim some 1.3 million lives every year and injure 50m people worldwide. The lack of road safety also costs up to 5% of countries' GDP, mostly affecting the poorest ones.

"We can and must enter a new era



World Bank President Jim Yong Kim

in mobility. Technologies necessary to significantly reduce the footprint of transport and to make transport accessible to all already exist," said Denis Coderre, Mayor of Montreal, Canada. "The new eco-friendly electric public transit network proposed for the Montreal region is one example of what can be done. We need to unite behind a clear vision and clear targets. We must make these choices now because today's transport investments will determine the mobility patterns and the greenhouse gas emissions of tomorrow. Making mobility more sustainable translates into transport systems that are more accessible, efficient, safer, and climate responsive.

Many countries are already implementing projects that aim to realise them. In Rio de Janeiro, for example, the World Bank is helping the government to upgrade and green the city's rail system by funding more than 100 new energy-efficient trains to improve services and reduce travel time for low-income families living on the city's outskirts. This will increase people's access to jobs, schools, and health care. And it will help reduce 93,700 tons of greenhouse gas emissions, equivalent to taking off the road some 25,000 gasoline passenger cars per year. – *World Bank Group Weekly Update, May 11, 2016*

## Free State corruption eruption

ON 12TH MAY 500 PEOPLE MARCHED TO the SAPS and the Free State Prosecuting Authority in Bloemfontein to demand that SAPS urgently conclude its investigation of corruption charges laid two years ago by the Treatment Action Campaign (TAC) against Health MEC Benny Malakoane and commence prosecution.

They charged that in June 2014, Malakoane and other senior Free State Health officials had ordered an ICU bed in Dikhalabeng Regional Hospital be made available to a patient despite the responsible doctors at the hospital having found that the patient did not qualify for the bed. When the doctors explained to MEC Malakoane that the patient did not qualify for an ICU bed, the MEC replied he had promised the patient's family the patient would be given the bed. The MEC then forced the patient to be admitted. As a result, an elderly woman with good chances of recovery was forced out of the ICU. She later died. – *TAC newsletter, May 2016*

## Interesting interests

DOCUMENTS AMONG THE LEAKED PANAMA Papers suggest that Zimplats, the Zimbabwean subsidiary of Impala Platinum Holdings Ltd (Implats), used an offshore company to pay (most of) the salaries of its senior

employees, presumably enabling them to avoid paying income tax in Zimbabwe (or anywhere, for that matter). However, Implats insists it is not even aware of the company – HR Consultancy – and says that all salaries are paid internally.

According to the South African Parliament's Register of Members' Interests, Finance Minister Pravin Gordhan owns 250 Implats shares. Maybe, as a shareholder, he might be inclined to seek reassurance on that score from the directors themselves? Or maybe he could suggest that SARS does the odd lifestyle audit on senior Implats executives to see whether their cars and homes match their modest salaries.

The (former-communist) finance minister owns a share portfolio with a combined worth of over R3.4 million. His shares include over R865,000 in banks: ABSA, First Rand, Nedbank and Standard Bank. Perhaps the finance minister should leave his investment decisions to his pension fund, lest he be unduly affected by the fact that his state borrowing and tax-making powers can heavily impact the companies in which he has a direct interest?

## Watch that man

ANOTHER CHAPTER IS DEVELOPING IN President Jacob Zuma's complicated relationships with finance ministers after the quiet swearing-in of Sifiso Buthelezi MP in March. A former chairman of PRASA, who has fingers in many pies, from media, to finance, to tourism, Buthelezi is considered by many in Parliament as being groomed to take a job in the Ministry of Finance, probably as the next deputy finance minister.

Speculation is rife about the possible removal of Mcebisi Jonas, the current deputy minister who angered Zuma by lifting the lid on the most recent Gupta scandal: he revealed that he had been offered the job of finance minister to replace Nhlanhla Nene. Buthelezi is the one to watch.

## ANC spins half-hearted launch

DESPITE PLENTY OF SINGING AND DANCING, Zuma had nothing to celebrate when the ANC's local election campaign got off to a weak start, managing to fill barely more than half a stadium for its manifesto launch. The ANC had initially claimed that 110,000 peo-

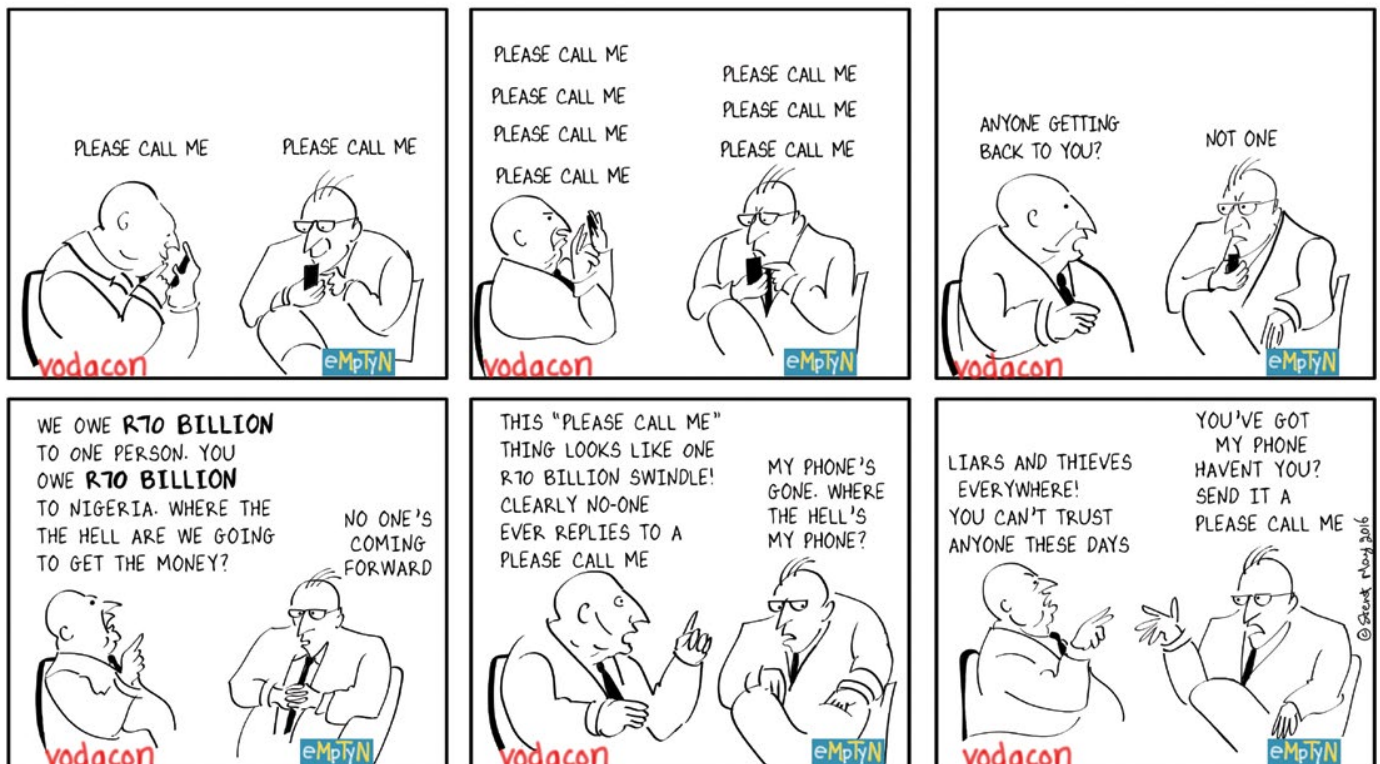
ple were due to show at the Nelson Mandela Bay Stadium, but then only an estimated 30,000 pitched. Party chairperson and National Assembly speaker Baleka Mbete told the crowd that the official record of attendees at the ANC's local election manifesto launch was 42,000, a clearly optimistic assessment when compared with photos of the event.

She insisted that many supporters had moved from their seats because of the sweltering heat. Where to, she did not say.

City Press reporters interviewed local residents who stayed at home on the day; many declared they were disillusioned with the ANC and planned to vote EFF or UDM.

As telling: an ANC spokesman later explained that a number of busloads of supporters from faraway places had sadly not arrived – because the [wise] bus drivers had refused to drive unless they were paid in advance. They weren't. The word has clearly got out that last time round numerous service providers were never paid by the ANC.

Great organisation. At least they're not tasked with organising the country – oh, hang on... – Todd Gillespie ■



Stent

# A most unsaintly president

Angolan President José Eduardo dos Santos has hinted that he's keen to abdicate – but he's holding back because he fears that his sins will be avenged when he relinquishes power. **By Greg Penfold**

**F**OR YEARS, ANGOLA HAS BEEN touted as the epitome of “Africa rising” – the new frontier of investment, where fortunes stand to be made for those with the acumen and audacity to take the risks and reap the profits. And indeed, on paper, Angola has been just that.

From 2003 to 2013, Angola had one of the fastest-growing economies in the world and the third-largest in sub-Saharan Africa, with oil revenues reaching over US \$450 billion and annual average GDP growth at the 11% mark – a remarkable performance by any standards. Kudos to the leadership of Africa's second-longest serving president, José Eduardo dos Santos. This version of the facts was endorsed in February by the UN General Assembly, which resolved that Angola's status will rise from low to middle income by 2020. Concrete proof of progress and cause for congratulations all round.

However, there is a jarring disparity between these figures and facts on the ground. In fact, under current economic circumstances, not even middle-income status may suffice Angolan citizens – most of whom get by on two dollars a day. Yet the “cost of living in Angola is 60.25% higher than in United States (aggregate data for all cities, rent is not taken into account). Rent in Angola is 327.97% higher than in United States (average data for all cities)” ([www.numbeo.com](http://www.numbeo.com)).

Luanda is the most expensive city

on earth. Angola is also among the ten countries with the lowest life expectancy (51.3), while its child mortality rate has led to it being described as the world's most dangerous place to be a child under the age of five – even during the height of the oil boom.

Now oil has gone from boom to bust, parts of the country are experiencing severe food shortages, banks are rationing withdrawals to deal with cash shortages and the real-estate market has crashed. Meanwhile, the informal dollar exchange rate has risen 500% in one year against the official 60% at a time when private-sector companies are either slashing their staff complements or simply going bankrupt. Government institutions are utterly dysfunctional.

Why is Angola suddenly looking like a failed state? It's not just about the oil; it's about how failure has been built into the fabric of the state under the leadership of José Eduardo dos Santos, who also happens to have become Africa's wealthiest president. Unofficial estimates put Dos Santos's worth at a cool US\$20bn.

How did the son of a poor immigrant stonemason ascend to such lofty heights? It all began with revolutionary zeal. Even as a schoolboy, Dos Santos agitated for the overthrow of Portuguese rule. At age 19, he became a member of the Popular Movement for the Liberation of Angola (MPLA) when it was still banned and persecuted. In

Léopoldville (now Kinshasa), his obvious leadership qualities led to his appointment as deputy president of the MPLA youth wing. Two years later he joined the MPLA office in Brazzaville, where “he could not have had more than two pairs of trousers and two pairs of shirts,” according to Dr Makuta Nkondo. Then, in 1963, Dos Santos went to study petroleum engineering in Soviet Azerbaijan. Graduating in 1969, he delayed his return to take a course in telecommunications and radar and marry Soviet chess champion Tatiana Kukanova, who bore his eldest child, Isabel.

Returning to Angola in 1970, Dos Santos spent three years with the MPLA armed forces on the Cabinda front and was appointed second-in-command of telecommunications services. In 1974, the year of the Carnation Revolution that saw the peaceful overthrow of the Portuguese fascist dictatorship, Dos Santos became a member of the MPLA executive committee. Angola's independence in November 1975 saw his appointment as Minister of Foreign Affairs in President Agostinho Neto's government, on the strength of his loyalty, military track record and education.

In 1977, with Angola now mired in civil war between the rival MPLA, FNLA and UNITA, Dos Santos was assigned to head the National Planning Commission. Neto died in September 1979. At the age of 37, José Eduardo





Angola's President José Eduardo dos Santos

dos Santos was unanimously chosen by the MPLA Central Committee as party leader, commander-in-chief of the Armed Forces, and President of Angola.

The office of president carried the right to appoint the board, chair and CEO of all state-owned companies directly, affording him direct access to national oil company Sonangol, the sole oil concessionaire, regulator, tax collector and manager of revenue on behalf of the Angolan state. Sonangol was founded in 1976, the very year in which the MPLA officially adopted Marxist-Leninism.

Angola specialist Ricardo Soares de Oliveira points out that late colonial Angola had a vibrant and diversified economy, growing at 4.7% between 1961 and 1974. The civil war put paid to that: massive infrastructure destruction and an exodus of educated and technically able personnel led a desperate President Neto to introduce central economic planning. Catastrophe ensued. Nationalised companies and collective farms led by inexperienced political appointees were run into the ground, until very little remained of the economy at all – except for oil.

To win the war, the MPLA needed to buy weapons. Pragmatism dictated that Sonangol be exempt from the strictures of Marxist-Leninist economics. While every other sector nosedived, Sonangol was allowed to flourish. Whatever it takes, the oil must flow, was the prevailing wisdom. The first step was to woo back the multinationals, starting with Gulf Oil. The American firm had previously accounted for the bulk of Angolan oil production through its subsidiary, the Cabinda Gulf Oil Company (CABGOC), but pulled out of the country in November 1975. A combination of diplomacy and promises of “business as usual” persuaded Gulf Oil to return. It didn’t seem to matter that Angola was a sworn enemy of the USA, backed by Moscow and Havana in a flashpoint of the Cold War. Gulf Oil was followed by other players such as Petrofina and Texaco.

Although the MPLA took control of the oil company ANGOL, in line with its policy of expropriating all Portuguese property without compensation, the blow was softened when the An-

golan oil commission visited Lisbon in 1976 and signed an MOU with Petrogal, ANGOL's Lisbon-based principal, agreeing to staff Sonangol with ANGOL staff, many of whom stayed on to become long-serving Sonangol employees.

As one such executive told De Oliveira, "In no other area of the Angolan economy was there such a degree of continuity, with both structures and people kept in place. You see, through colonialism, foreign invasion, Marxist-Leninism and capitalism, I have not left the same building."

Maintaining good relations with Western oil investors took precedence over all political concerns. Covering any skills gaps with the best international expertise (including Arthur D Little, the highly renowned consulting firm from Cambridge, Massachusetts), Sonangol soon established an enviable reputation for reliability and competence. It was a good company to do business with.

Late colonial production levels were surpassed in 1983; the first Sonangol subsidiary, Sonangol Limited, was established in London to trade Angola's 40% share of oil production directly. Chevron bought out CABGOC in 1984 and remained Angola's biggest private-sector ally throughout the conflict period. It didn't matter that 80% of Angola had been over-run by US-backed UNITA – it was protected by Cuban troops and Soviet weaponry, paid for with Sonangol petrodollars. Not once, in the midst of one of Africa's lengthiest, most devastating wars, did oil production cease. Chevron was joined by ELF, British Petroleum, Royal Dutch/Shell, ExxonMobil, Statoil, Norsk Hydro, Petrobras, Marathon, CNOOC, Sinopec, and others.

Angola dropped Marxist-Leninism in 1991; Sonangol restructured. The Sonangol Group comprised a far-flung net of international business interests, including Sonils (logistical support of oil exploration and services companies), Sonadiets (technical assistance, maintenance and professional training), AngloFlex (manufacturing of umbilicals and pipelines for underwater production systems in the oil and gas industry), SonanGalp (distribution and marketing of fuels and refined products), Sodispal (food retail and agriculture), SOPOR (distribution and

## Maintaining good relations with Western oil investors took precedence over all political concerns

marketing of fuels and refined products in Portugal), BAI (Banco Africano de Investimento) (banking), Bricomil (civil engineering) and Wapo Angola (services for the oil industry and other businesses).

Naturally, when the civil war ended in 2002, the Sonangol Group was expected to power Angola into an era of accelerated national development. Despite incredible economic growth figures from 2003-2013, this didn't happen. The reason is simple enough: from the outside, Sonangol was a good company to do business with; on the inside, it has been treated as a private piggy-bank by a rentier elite grown fat on the spoils of war.

For *O Chefe* ("The Boss"), President José Eduardo dos Santos has never won a presidential election. The MPLA rules by right of conquest. The contested 1992 election was inconclusive (Dos Santos did not gain the 50% mandate required), yielding only the bloody Halloween Massacre and a return to civil war; in 2008, direct presidential elections were formally done away with. Since 1979, his power has been based on patronage purchased with oil money and backed by military muscle. Already in the 1980s, unlimited access to oil revenue had allowed Dos Santos and his cronies, known as the *Futurgo de Belas* ("the Palace"), to build a parallel state accountable only to the Presidency.

Sidelining official MPLA structures, this web of officials and businessmen, with the president at its centre,

treated Sonangol like a private bank account, enriching themselves through offshore money laundering, running up debts against future oil production, procuring military hardware at inflated prices, and other crooked practices. The lack of internal regulation at Sonangol makes it difficult to trace where the money goes. For example, some \$4,22bn simply disappeared between 1997-2002, into what the IMF called a financial Bermuda Triangle.

One thing is for certain: the state's oil revenues are not invested where they should be. On the contrary, state institutions have been neglected to the point that they have been completely undermined. A strong, healthy democracy is diametrically opposed to the interests of the rentier elite. This year, the president set the cat among the pigeons by announcing his intention to step down in 2018. (The next election is in 2017; since the winning party gets to appoint the president directly, Dos Santos is confident of maintaining his seat.) Immediately, talk turned to the question of who he would choose to succeed him. An orderly succession would guarantee the continued influence of the Dos Santos family and its associates and ensure that their financial interests are not investigated. The prime candidates are two of the president's numerous children, Isabel dos Santos and José Filomeno dos Santos.

Born in 1973, Isabel has become Angola's First Lady of Business, with large stakes in Angola's banking, cement, diamonds and telecom industries. Most of her assets are held in publicly traded Portuguese companies. Indeed, her ranking on the 2012 Forbes list of Africa's 40 Richest was based on Portuguese shareholdings in ZON Multimedia and Banco BPI, amounting to some \$500m. However, one year later, Forbes revealed that she also owned stakes in an Angolan bank, a share in Angolan mobile network UNITEL, and a 6.9% stake in Portuguese oil company GALP, which raised her net worth to \$3bn – making her Africa's eighth-wealthiest billionaire. According to the authors of the Forbes report, "As best as we can trace, every major Angolan investment held by Dos Santos stems either from taking a chunk of a company that wants to do business in the country or from a stroke of the president's pen that cut

her into the action.”

However, the London-educated, photogenic and well spoken Isabel dos Santos has repeatedly denied ever benefiting from undue influence, instead ascribing her success to honest hard work. She is attached to a personal myth that would have had her starting up in business as a six-year-old selling eggs “to finance her candy floss habit”.

Angolan activist Raphael de Moraes tells a different story. During the war-torn 1990s, several companies were formed in order to control diamond sales intended to finance the war; Isabel dos Santos’s mother Tatiana Kukanova was awarded a 25% share in a company that, by presidential decree, received a monopoly to buy and sell Angolan diamonds. De Moraes also reports that in 2014, the Princess, as she is unaffectionately known in Angola, acquired 75% of the Swiss jeweller De Grisogono for over \$100m. The stake was acquired by Victoria Holding Ltd, a shell company, owned by Sodiam, the Angolan state diamond company, and Melbourne Investments, whose sole owner is Sindika Dokolo, Isabel dos Santos’s husband.

Dokolo reputedly owns Africa’s largest private art collection. He also sits on the board of Amorim Energia BV, a holding company that owns a third of Galp Energia, the Portuguese oil company. He was appointed in 2006 by Esperanza Holding, a company entirely owned by Sonangol at the time.

This year, Isabel has expanded into politics. In February, she was appointed to head three key government commissions charged with overseeing the restructuring of Sonangol, the oil sector as a whole, and Luanda’s US \$15bn Urban Redevelopment Master Plan. This effectively puts Isabel directly in control of everything that matters from a financial point of view, even though she has never held a government appointment before. She has also been granted a US \$615.2m contract to develop the southern waterfront of Luanda.

To recap: the president’s daughter, a businesswoman with no previous political experience, has been given the keys to 95% of Angola’s GDP. The President’s 36-year-old son, José Filomeno dos Santos, known as Zenú, is chairman of the Angolan Sovereign Wealth Fund (FSDEA), which was es-



established in 2012 with \$5bn of initial capital, plus oil revenue derived from the sale of 100,000 barrels a day, in order to develop and diversify the economy away from oil.

Although his appointment was defended on the grounds of his experience in the banking sector, it is clear that other factors were at work. Questioned in 2013 by the *Wall Street Journal*, Zenú said the fund’s investments “would depend on priorities set by parliament and his father”. In other words, the FSDEA is just another type of family-and-friends piggy-bank. For example, Raphael de Moraes reports, on 22 January 2015, the FSDEA transferred the equivalent of US\$100m in kwanzas to Kijinga SA, a shell company created by Banco Kwanza Invest (BKI), which had been run by Zenú before he resigned to become chairman of the FSDEA. Such a shell is Kijinga SA. In fact, according to official documents, it doesn’t even have a single employee on its payroll.

Questioned on this, the FSDEA responded blandly: “The Angolan Sovereign Fund provided the equity capital of 9.950.750.000,00 kwanzas for a company which is focused on setting up incubators for micro-business for Angolan businesspeople. This initiative represents the first project of social integration in the country undertaken as a sustainable business enterprise.

“FSDEA has scheduled the public announcement of this investment in the coming days, in tandem with five

other investment funds recently certified, which all aim for social and economic development in Angola and for the whole of sub-Saharan Africa. We invite you to refer to these imminent announcements for any additional information.”

Some US\$3bn of the FSDEA’s assets are managed by Quantum Global Investment Management (QGIM), whose founder and chairman Jean-Claude Bastos de Morais has a long-standing business relation with Zenú, and who just happens to be a majority shareholder in Banco Kwanza Invest. Despite the FSDEA’s Sovereign Wealth Fund Institute having given the FSDEA a clean bill of health, its efforts towards development and diversification have signally failed, since low oil prices have now pushed Angola into asking the IMF for help.

Clearly, neither Zenú nor Isabel are likely to improve the situation of Angola’s desperately poor citizens. The fact of the matter remains that nobody seeking to invest or do business in Angola can do so without the direct or indirect approval of the Presidency.

Since no such approval will be granted unless it furthers the interests of the elite, it should be understood in no uncertain terms that any potential enterprise or investment is guaranteed to prolong the status quo, postponing the day when the Angolan people can have a say in their own destiny, or see the resources of their country applied to improving their prospects in life. ■

**I**N HIS ADDRESS TO THE FRANSCHHOEK Literary festival in May, Jonathan Jansen quipped that his work as Vice-Chancellor of the University of the Free State was the second-most difficult job in the world – after that of National Assembly Speaker.

“Right now, I should be spending time raising R100 million to fund students at my university. I should be developing curricula. I should be meeting with scholars to urge them to come to my university. But I’ve recently had to cancel three meetings with top international scholars in order to deal with constant protests and instability.”

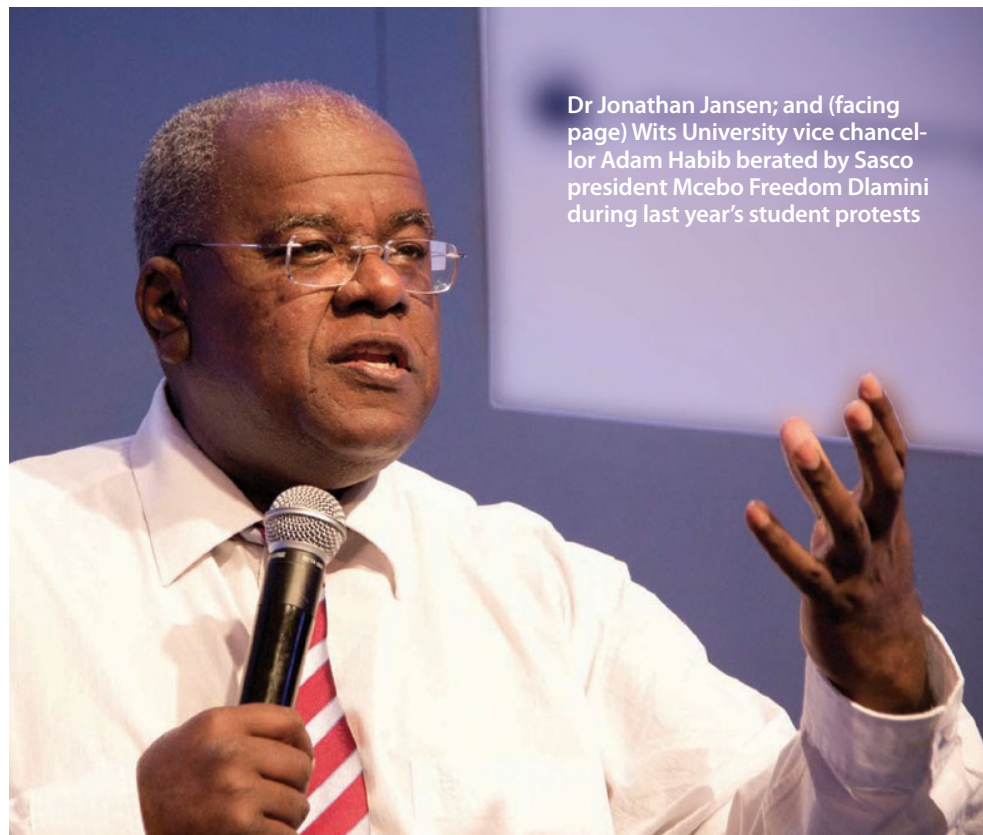
Three days later, Jansen announced that he is to step down from his post as Vice-Chancellor and Rector at the end of August, to take up a Fellowship at the Centre for Advanced Studies in the Behavioural Sciences at Stanford University in the USA. The UFS said his departure was a great loss, but an opportunity for him to further his career as an internationally renowned education academic.

To those who had attended his Franschhoek talk, the announcement came as no great surprise, given what he had told them about the state and plight of university leadership in a year in which South Africa’s campuses have erupted in protests over a range of issues, culminating in millions of rands’ damage, abusive confrontations with staff, violent clashes with security personnel and police, and running battles between student groups.

“Many 18-year-olds, arriving at universities, have already participated in burning schools... and they think it is normal to burn things. On top of that, when young people turn on their televisions, they see the spectacle of impunity and incivility that is Parliament.

“Professors are trained to teach, to develop curricula, to write books, to manage budgets. Now, what we are doing is managing security forces. We are dealing with angry students, anxious parents, and managing right-wing alumni and left-wing alumni.”

Jansen said he had recently interviewed four of the ten vice-chancellors in South Africa and had discovered that none wants to stay in the job. Vice-chancellors were no longer sure whether the benefits of being leaders of universities outweighed the costs, he said. Much of the anger related to conflict



Dr Jonathan Jansen; and (facing page) Wits University vice chancellor Adam Habib berated by Sasco president Mcebo Freedom Dlamini during last year’s student protests

# Jansen prophesies academic ruination

on and off campuses was transferred to the leadership. “It becomes personal... and is also directed at family members, often on the social media... You get your heart broken in a million pieces but you have to keep picking up... for the sake of higher education.” Vice-chancellors were not accustomed to the new anger being expressed on campuses, he said.

Jansen, in his recent book, *Leading for Change: Race, Intimacy and Leadership on Divided University Campuses*, looks at the current tensions on campuses and at transforming leadership and higher education by employing physical, intellectual and emotional closeness with young people.

Following President Jacob Zuma’s announcement that there would be no fee increases, Jansen embarked on a mission to raise R100m in bursaries for 1,000 students, but in recent months he had spent all his time dealing with security issues. “The problem is, you are not a vice-chancellor anymore.”

He felt as if he was constantly playing a US arcade game called whack a mole in which players hit pop-up toy moles with a mallet: “You are always having to anticipate and manage crisis after crisis,” he said, adding: “We are in very serious trouble.”

On the bright side, his mission to raise R100m was going well, he said, with “major” funding in the bag. “It



Photograph: Alon Skuy/The Times

takes persistent, back-breaking work, but we're confident that by the end of 2017, we should reach our goal,"

However, Jansen says he has been overcome by pessimism. He predicts it is "a matter of years" before our universities will have been reduced to mere "teacher training colleges". He foresees that within ten years South African universities will become almost exclusively black. And that the top professors on the campuses will start walking away.

"At UCT, for instance, about ten

**In a matter of years  
universities will  
have been reduced  
to teacher training  
colleges**

professors give the university its excellent reputation. If you take away Prof Bongani Majosi (Medicine) and Prof George Ellis (Mathematics) and a few others... you are soon reduced to a campus of ordinary lecturers who do not have the mobility that comes with offers from international universities."

The next development is when middle-class students start leaving because of declining quality of education and security concerns. "The rich will go elsewhere, to private universities."

Jansen advocates a two-pronged approach at universities. He says bringing people together in forgiveness and reconciliation is not enough; simultaneously we must deal with social justice, poverty and inequality. "It has to be done in tandem."

What should the government be doing to save our universities? "Not interfering (except in dysfunctional institutions), funding adequately and addressing root causes of instability on campus by, for example, [providing] models of leadership for students in public behaviour, eg. Parliament."

See Editorial. ■



Jana Loots

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# The contested Midas touch

No love lost as ex-partners squabble in byzantine row over property deal millions. **By Jonathan Erasmus**

IT WAS MEANT TO RANK AS ONE OF THE most insignificant property deals in history but it has snowballed into a legal fight-to-the-death between two Johannesburg property developers, one relatively small fry, the other who has since made the bigtime and now owns Earl Spencer's former residence in Constantia, Cape Town.

In December 2003 Barry Sneece sold his shares in the company that owned a Pretoria property (occupied by the vehicle parts group Midas), to his co-director and now multi-millionaire property mogul, Rui Nobre, for a paltry R2.5 million. They were co-directors and equal shareholders at the time.

Two years later, when Sneece learned that prior to taking transfer of his shares in December, Nobre had secretly negotiated the sale of the property for a massive undisclosed profit, he hired lawyers to challenge Nobre's alleged non-disclosure of information. That, he said, would materially have affected the price he had been prepared to accept for his shares.

But in a controversial 2008 ruling an arbitrator decided that Nobre had had no duty to disclose new developments in their joint company, Blue Dot Pty Ltd, to Sneece after 6 June 2003. His reasoning was that, since by then Sneece had made clear he was eager to sell his shares to Nobre, it could therefore be regarded a "done deal". Even though a price had yet to be agreed upon, another buyer was also in contention and the actual sale was only concluded six months later.

This vindicated Nobre, who after June 2003 – and unknown to Sneece

– had negotiated a lucrative new long lease with their tenant Midas and discounted it with Absa for a R65m payout (again without informing Sneece who was then still his co-shareholder and co-director) of the windfall that had come their company's way. Neither had Nobre informed Sneece that shortly thereafter he had negotiated the sale of the property itself at another huge profit – for himself only.

The arbitrator's ruling set off a series of legal actions, the latest being the summons Sneece has recently issued, suing Nobre for R71m.

The two partners had first discussed the possible sale of Sneece's shares to Nobre in March 2003, after Sneece approached Nobre for a R100,000 loan.

**Two years later, when Sneece learned that prior to taking transfer of his shares in December, Nobre had secretly negotiated the sale of the property**

On 26 March 2003 Nobre confirmed the transfer of R100,000 to Sneece, but proposed they agree on a number of terms for repayment. The R100,000 could be deemed "part of payment due to you on the Blue Dot share sale agreement" (still being considered) or it could constitute payment for the purchase of 2.17% of Sneece's shares. In the alternative, if Sneece didn't agree to sell any or all of his shares to Nobre, the loan would become "refundable with interest at prime".

Sneece accepted the loan terms, and negotiations for the sale of his shares to Nobre commenced. On 13 April 2003 Sneece emailed Nobre asking his views on possibly negotiating a new long lease with Midas, which they could then discount to a bank for a large cash sum. On 5 May Nobre replied: "I assure you that the refinancing exercise is a zero-sum game, at best, and most probably it would incur a loss for us". (Just eight months later Nobre would secretly do exactly what he had persuaded Sneece not to do – and make a substantial profit.)

Nobre continued to work on a proposed share sale agreement with his attorney, Andrew de Jongh. On 20 May a "structured" offer of R2.3m which involved part-payments, was sent to Sneece. Five days later Sneece sent it back requiring various changes of his own. Nobre's final revised offer was sent to Sneece on 27 May 2003.

But Sneece, who was cash-strapped at the time, had simultaneously been talking to Gordon Odgers, the managing director at Midas. Odgers (on behalf of Midas) offered Sneece R3.3m



Smoking buddies: Rui Nobre (left) and friend

cash, to be paid within a week. Sneece then phoned Nobre to tell him about Odgers's offer. They set up a meeting for 5 June to discuss this development.

The meeting didn't take place, but it would later become key to the arbitrator's ruling against Sneece.

Nobre maintained that on 5 June 2003 he and Sneece were meant to sign the agreement but Sneece didn't turn up. Sneece, however, was adamant that Nobre had pulled out of the meeting because he wasn't prepared to match the Midas offer.

Sneece's negotiations continued with Midas but suddenly Midas couldn't do the deal and pay within a week after all: board resolutions were required and terms needed to be negotiated. By the end of June their negotiations had simply fizzled out. As far as Sneece was

concerned he still had his shareholding and was still a director of Blue Dot.

On 12 December 2003, unaware that his co-director had secretly taken up the negotiations with Midas where he had left off, and had in the interim concluded a very profitable new deal of their own, Sneece finally signed a contract agreeing to sell his shares to Nobre for R2.5m (just R200,000 up on the previous offer made in May) and signed over his shares.

Everyone seemed happy. As far as Sneece knew, Nobre had a blue-chip client with about five years remaining on the existing lease and Sneece could play golf at any number of courses in the leafy suburbs of Johannesburg and move on to any number of new projects, from petrol stations to golf estates. He even became a non-executive director

at Quantum Property Group (QPG), once a bull on the JSE, but jumped ship, before it went belly up in 2012 (see *nose157*).

Then, one day in 2005, Sneece learned on his golfing rounds that Nobre had sold the Midas property for R110m to the Paramount Property Fund – significantly now with a fresh eight-year lease to Midas. And that Nobre had made a profit of about

## **Sneece sought legal recourse and damages of R33m. He said Nobre had failed to disclose the new Midas lease agreement**

R45m on this deal. The sale was not in dispute but the extension of Midas's lease was, as it had been negotiated without Sneece's knowledge when he was still a co-director and shareholder of Blue Dot.

Sneece sought legal recourse and significant damages of R33m. He said Nobre had failed to disclose the new Midas lease agreement, which would have likely changed his mind about wanting to sell – or at the very least, caused him to seek a higher price for his shares.

But between 2008 and 2012 he lost in arbitration (chaired by Advocate Michael Kuper SC), and then again before a three-man Appellate Tribunal (Judges Johann Kriegler and Craig Howie and Adv Alistair Frankin SC); a review in the North Gauteng High Court before Judge Roland Sutherland, an application for leave to appeal to the same court and an application for leave to appeal at the Supreme Court of Appeal. Each one upheld the original arbitration ruling in Nobre's favour, or refused Sneece leave to appeal.



Barry Sneece

## Do the sums

**I**RONICALLY SNEECH HAS CLAIMED IN previous hearings, that he had asked Nobre early in 2003 if the Midas lease could be extended and money be made by discounting the new lease. Nobre then purported to “do the sums” and informed Sneece it came to a “zero sum game” – it would not be worth the trouble.

Sneece claims the allegedly illegal non-disclosure to him of the true facts makes the 12 December 2003 sale of his shares null and void – thus reinstating Sneece as a shareholder of Blue Dot, entitling him to receive 50% of “any of the net funds generated and released by Blue Dot”.

But Nobre maintains Sneece has been “unable to grasp the legal basis of the [Kuper] ruling”, and points to his series of lost appeals. “He has been using every angle he can think of to avoid my [legal] cost order,” Nobre told *Noseweek*.

Nobre has called Sneece’s new line of attack “another misguided attempt” and that he “expects no different outcome”. Documents are still being filed in the matter lodged by Sneece with no court date set yet. Meantime Sneece will appear in the North Gauteng High Court on 13 June to face a civil claim, launched by Nobre, for the costs of the previous hearings. ■

Sneece’s case was that neither the sale negotiations in March 2003 nor May 2003 mattered, only the signed sale on 12 December 2003 did. He claims it was when Nobre was seeking to use his shares as collateral for an unrelated property deal in Boksburg and needed company financials, that Nobre made him an improved offer for his shares on 10 December 2003. He contends that until he signed two days later, he was legally entitled to act freely with his shares as he wished.

Nobre’s defence was that the sale happened in March 2003 and he therefore no longer had a duty to disclose, with just the terms and a written agreement needed to be finalised. Nobre said he had made it clear to Sneece that he couldn’t sell to Midas as they had a deal. Kuper largely agreed with Nobre that even if the actual sale was only concluded on 12 December 2003, because they were meant to sign the agreement on 5 June 2003 – as Nobre claimed and Kuper accepted – they already had a “done deal”.

“Sneece had sold his shares, or was certainly going to do so, and had no further interest in their fate. By December, and for his own reasons, he chose to sign the deal... on terms which... were... agreed back in May [except the price had increased]. I see no reason in the circumstances to hold that a duty of disclosure continued after 6 June,” said Kuper.

Kuper said that an email sent by Sneece to fellow property developer Rob Hulme on 8 June 2003 (whom he was asking for money) confirmed that Sneece was going to sell to Nobre, or at least to Midas. Sneece admitted to Hulme in the email that he was “about to sign an offer on [5 June 2003] from Rui” but he delayed it “stupidly? in favour of Odgers’s offer of “R3.3 million cash in three days”.

He wrote that “Rui was not going to take up his right to pre-emption” to meet or beat the Midas offer for his shares. Odgers had in the meantime delayed the deal (with Midas) “due to corporate governance issues”.

In an interview with *Noseweek*, Sneece calls the arbitrator’s ruling “bizarre”. “Just because a person is thinking of selling to one – or another – person doesn’t mean they lose all rights to what they are proposing to sell!”

## Sneece has laid a charge of ‘company hijacking’ against Nobre

Down but not out, Sneece has now changed tack and has issued summons against Nobre in the High Court, Johannesburg. Forgetting about the unsuccessful rulings, he now claims Nobre broke the law. (Inter alia he claims he can prove that Nobre effectively used the company’s money to fund his purchase of Sneece’s shares in the company, which is illegal.) He is seeking R71m with interest, which includes his claimed share of the Paramount deal and of the (prior) long-lease agreement with Midas that Nobre secretly secured and then discounted with Absa for R65m in cash.

In the summons Sneece claims that, unbeknown to him, in early December 2003 Nobre had “secretly arranged to discount the newly extended Midas lease with ABSA”. He alleges this was illegal in terms of section 226 and various other sections of the old Companies Act, in that Nobre failed to inform Sneece – a co-director and shareholder – of the transaction.

The Absa deal was meant to settle their company’s existing mortgage loan from Rand Merchant Bank and fund Nobre’s purchase of his partner Sneece’s shares. In addition, R9.5m of the proceeds was a kick-back to Midas for taking on a new lease. (Midas was heavily leveraged at the time. In 2002 it had completed a buy-out of its majority shareholder Dorbyl Group Limited and the lender, Absa Bank, was concerned about its exposure.

The R9.5m deal was gladly accepted and paid back to the bank to reduce Absa’s exposure.)



# Who is Rui Nobre?

**R**UI NOBRE, NOW 45, HAS BUILT UP AN empire named Griffin Holdings, based in both South Africa and the UK (known as Griffen in the UK), of which he is chairman. In June 2015 Nobre would have made a fortune when Investec acquired 22 properties for R826 million from Griffin. The company website claims Nobre has “successfully led Griffin to become a multi-billion-rand group”.

He now spends his time documenting his travels on an online “Motorcycle Diary” including Cape to Cairo and a crossing of the American continent, the most recent being a trip in 2015 to Las Vegas.

He also owns Tarrystone Estate, the former Constantia home of Earl Spencer, brother of the late Princess Diana. It is currently on the market. In 2010 Nobre lost in the Western Cape High Court when he refused to give his 94-year-old Constantia neighbour a remote control for a security gate on a servitude lane dividing their properties. Nobre claimed that handing pensioner Wilfred Johl and his partner a remote was a security risk as the couple could get “mugged” while walking their dogs and thus compromise his family’s security.

Judge Yasmin Meer didn’t buy it. She said considering Nobre had an armed guard at the gate, another gate further up and CCTV at the entrance to their property, there was no security risk. Judge Meer said Nobre’s “intransigence” was “somewhat difficult to comprehend”. She awarded costs

against him because of his “conduct”. Johl got his remote.

A twist to the tale: from 1998 to June 2004 Sneece and Nobre each owned shares in Blue Dot 56 (Pty) Ltd, whose sole asset was the leased commercial property. Their shares were held through companies they controlled; Sneece’s through a British Virgin Islands-registered company called Hannington and Nobre’s through his local property company, Griffin. Nobre and Sneece both held 25% of shares in the company via their proxies, while a further 50% of “invisible shares” lay with Midas, which on completion of the lease, Midas had a pre-emptive right to acquire.

While Nobre’s ownership was fairly straightforward Sneece’s was not. The BVI firm’s sole director was Derard Limited in Jersey and the sole shareholder was Sarong Trust, also in Jersey.

From 1998 to 2003 Hannington was de-registered, as fees had not been paid, making it legally impossible for Hannington to transact any deal. Before the final sale of its shares to Nobre could be concluded, Sneece had to pay its outstanding registration fees to have it legally reinstated – which he did only in December, days before the transfer of its shares to Nobre.

The arbitrator chose to ignore this legal element, preferring simply to deal with the matter on the premise that Hannington was, in fact, Sneece. ■

That left a R10.6m profit for Nobre which should, in any event, legally have been shared with his then-partner in the company, contends Sneece. In the summons Sneece alleges the loan was proposed to Absa on 5 December 2003, verbally awarded on 6 December 2003 and given written approval on 12 December 2003 – the day Sneece agreed to hand over his shares to Nobre.

The loan was negotiated with Absa on the basis that Nobre had (unknown

to his co-shareholder and co-director, Sneece) secured confirmation from Midas on 22 October 2003 that they would enter into another 10-year lease which kicked-in early in 2014.

Sneece claims he never got his share of the profit; that it had instead gone as a “loan” to EXG Investments, controlled by Nobre – to, inter alia, fund the purchase of his shares. Sneece has also laid a criminal charge of “company hijacking” against Nobre at SAPS Sandton. ■



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# The Survé settlement – claim no easy victories

Vilification and vindication claims fan the flames in newspaper ethics battle. **By Ed Herbst**

**O**N 9 MAY INDEPENDENT MEDIA executive chairman Dr Iqbal Survé reached an out-of-court settlement with former Editor of the *Cape Times* Alide Dasnois, which negated the need for him to testify against her under oath in the Labour Court. But then, clearly ignorant of Amil Cabral's clarion call to "Claim no easy victories", he immediately did so: next morning the front page of the *Cape Times* carried an article headlined "Independent vindicated as Dasnois settlement reached".

The article quoted Survé saying: "Alide Dasnois will forever be known as the editor who failed to tell the story of the death of Nelson Mandela on the front page of the newspaper she edited. No other editor in the world would have recorded his death in a wraparound."

Strange to say, *Die Burger*, the Afrikaans morning newspaper in Cape Town, also carried the momentous news in this way (as did the *Daily Dispatch* in East London) but perhaps one can forgive Survé for not letting the facts interfere with his story, given that *Die Burger* sells twice as many newspapers as the *Cape Times* and does so without the benefit of an almost R1-billion loan, on extraordinarily lenient terms, from the Public Investment Corporation.

Survé, a confidante and one-time business partner of the late Brett Kebble, went on: "When we called an editors' forum and asked every editor whether they would have even considered a wraparound for the story of Madiba's death, every one of them said, 'Absolutely not!'"



**Dasnois claims in her court papers that Survé verbally abused her at a disciplinary hearing**

Four of those editors – Moshoeshe Monare (*Sunday Independent*), Makhudu Sefara (*The Star*), Philani Mgwaba (*Natal Mercury*) and Chris Whitfield (*Executive Editor INMSA*) voted with their feet and left his employ within months – and another 50-or-so senior news personnel and columnists were subsequently driven out of the organisation, resigned, asked for early retirement or otherwise ended their association with INMSA. That's a stirring vote of confidence in the man who claimed in an SABC interview that his adoring staff call him "The Fearless Leader". Survé, as quoted in the *Cape Times*, went

on to claim that Dasnois "...chose to reduce her entire career to one indefensible decision based on everything but editorial imperatives that night".

There is a problem with this statement – as the Dasnois court papers, published on *Biznews* on the day of the hearing, reveal that the buck did not stop with her. Survé's designated subordinate, Group Executive Editor Karima Brown was in the newsroom on 5 December 2013 to keep a watching brief on his behalf. She neither called a halt to the editor's plans, nor telephoned her employer for further instructions. Fortunately she did not, or else the "wraparound" cover tribute to Mandela – which *Time* magazine rated as one of the best in the world – would never have received that accolade, an accolade that Survé now bizarrely dismisses as a "fabrication".

SANEF, the South African National Editors' Forum, does not agree with his denigration of Dasnois either. Six months after he fired her, SANEF awarded her its prestigious Nat Nakasa award for courageous journalism. According to reporters present at the function, Survé added gravitas and lustre to the occasion by departing in high dudgeon, proclaiming that the decision was "bullshit" and, predictably, that it was clear evidence of racism.

Dasnois claims in her court papers that he verbally abused her at a disciplinary hearing and promised to use his "billions" to destroy her reputation and harm her future employment prospects. He did not deny this. Nor did he sue her for defamation but he has, claiming defamation, sued Cape Town human rights activist Rhoda Kadalie for R250,000. It remains to be seen whether this makes it to court and whether, if it does, he will choose the Dasnois option to settle out of court and, once again, avoid testifying under oath.

"Reputational damage" is much in the news at the moment and it is interesting to note that in November 2014 Survé resigned as executive chairman of JSE-listed holding company Sekunjalo (once saved from insolvency with an injection of – probably stolen – cash provided by his then best friend Brett Kebble).

In April last year Sekunjalo Investments Limited changed its name to the anodyne African Equity Empow-

## And the answer is...

**I**F READERS HAVE BEEN WONDERING these past few years how come Independent Media has been so free to publish stories critical of the President's dearest friends, the Guptas, when those same newspapers have been so embarrassingly ingratiating of the President himself, the answer finally emerged in the Western Cape High Court in May.

For the past three years the Guptas, via their company Oakbay, have been suing Independent and its executive chairman, Dr Iqbal Survé, for delivery of half his shares in the Independent Media Group, as he allegedly contracted to do some years back, when state capture was still a competitive sport recognised by the IAF.

More interesting still: as part of the package, the Guptas were also to have been given a deciding say in the appointment of senior staff at Independent Media. (Why not? After all, they have the same arrangement when it comes to cabinet appointments.)

Is Survé's resistance to the Guptas' demands perhaps the reason why the government has been withholding the promised wedges of state advertising that were supposed to make Independent Media hugely profitable – and reward state pensioners for their R1bn investment via the Public Investment Corporation? We would love to say Survé and the Guptas may deserve one another, but do we deserve either of them? – *The Editor*. ■

erment Investments Limited. The non-executive chair, Prof. Vukile Mehana said this rebranding had had a very positive effect: "The change of name has already had a positive influence on our organisation. There is a fresh level of energy, perspective and future focus," he said.

● A final question: Who has been funding the expensive High Court war waged by poo protestor (and alleged misogynist) Chumani Maxwele, much celebrated in Independent Media publications, against UCT, given that he is a student with no known source of income? ■



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# King or queen?

**For the amaMpondo, rule by a queen is undermining of male authority and promotes botched circumcisions – so say government representatives in the High Court. (It also happens to be in the interests of the mining industry that Princess Wezizwe should not succeed to the Pondo throne.) By John Clarke**

**D**ESPITE HAVING BEEN TEASED WITH “Murphy’s law” jibes ever since his appointment to the High Court in 2006, Judge John Murphy has earned great respect because of his innovative judgments and exceptional competence.

In November 2015 his Facebook friends were heaping congratulations on him for having cracked a part-time appointment to the United Nations Appeals Tribunal for showing the requisite “high moral character”, impartiality and “at least 15 years of aggregate judicial experience in the field of administrative law, employment law or the equivalent”, which is what the UN General Assembly rules say.

Domestically, he has been willing on more than one occasion to defy the “law” that carries his name to venture courageously into the terrain of judicial law-making by putting some things right that would otherwise keep going wrong and lead to greater injustice in society. In September 2013 he ruled to declare that decisions to withdraw or discontinue serious criminal and disciplinary charges against suspended police crime intelligence head Lieutenant-General Richard Mdluli were unlawful. “At times it would be naive of the courts to pretend to be oblivious to the political context and consequences of disputes before them. In politically contentious matters, the courts should expect to be called upon to explicate the source, nature and extent of their powers,” he reasoned.

More recently in May 2016 while sitting on a full bench of judges adjudicating a labour law matter brought by the Free Market Foundation against the Minister of Labour and others, Judge

Murphy found cause to deviate from the general rule in civil cases which requires the losing party to pay the winning party’s legal costs in addition to its own. (*See Editorial.*)

The executive arm of government might not have liked Judge Murphy’s boldness in these instances of judicial law-making, but the judgment he handed down on the ongoing kingship dispute of the amaMpondo in December was at least evidence of his impartiality; it largely favoured the case brought by the Director-General of Co-operative Governance and Traditional Affairs (COGTA) and the President.

In effect the judgment said “yes, the President made a mistake due to ambiguities in the wording of legislation governing the certification and appointment of kings and queens, but he could now lawfully appoint Zanozuko Sigcau as King to fill the vacuum since the death of Mpondombini Justice Sigcau” (see *nose195*).

But the judgment did not go all the way in satisfying the applicants. Judge Murphy did not grant their first request for an order declaring that the Princess had no claim to the monarchy. He said that, since the Constitutional Court had not ruled on this substantive issue (Mpondombini’s argument that the Commission on Traditional Leadership Disputes and Claims was wrong to have found in favour of Zanozuko), Princess Wezizwe Sigcau still had every right to now have that matter ventilated again and adjudicated by the Constitutional Court.

Princess Wezizwe and her mother the Queen (who has been ruling as Regent since the death of her husband in March 2013) instructed their legal

team to appeal. It took six months before Judge Murphy could consider argument as to whether another court could come to a different conclusion.

In turn the Director-General of Co-operative Governance and Traditional Affairs (COGTA), Charles Nwaila, brought a motion that, should Judge Murphy grant the Princess the right to appeal to the Constitutional Court, President Jacob Zuma should, in the interim, be permitted to instal Zanozuko as King even though the Constitutional Court might yet find that his cousin, Princess Wezizwe, had a more lawful claim to the throne.

Curiously, even though Zanozuko obviously stands to benefit from being named King, he is listed among the respondents, together with the Queen and Princess, and not among the Applicants. He was present in the public gallery with his supporters but had no legal team of his own to participate in proceedings. This means he will simply abide by the court’s decision (while pinning his hopes on the government).

Judge Murphy expressed compassionate concern for all parties. “Who would suffer the greater prejudice by whatever ruling I make?”

Norman Arendse SC, acting for the DG of COGTA, said it was Zanozuko (although he had no mandate to represent his interests) but that, from the government’s point of view the greatest prejudice by further delay would be felt by vulnerable Mpondo boys at risk of mutilation of their genitals and death, due to botched circumcisions done by illicit initiation schools. Government needed a strong male authority at the apex of the Mpondo Royal family to oversee the traditional custom.



Game of thrones: Zanozuko Tyelovuyo Sigcau (left) and Wezizwe Sigcau

Government might have shown a better sense of strategy by positing Zanozuko as the one best able to help the vast numbers of amaMpondo men who are sick and dying of silicosis and TB. It would be a great service to them for traditional leaders to now assist in the identification of victims to ensure they join the class action that another progressive judge, Judge Phineas Mjapelo, has just certified. It would speed up compensation claims before more of them die from what has been a much more devastating scourge on the lives of amaMpondo men than botched circumcisions, serious as these may be.

But that would have set Zanozuko in an adversarial position against the mining industry. He would then be at variance with the ambitions of that industry to mine the Pondoland Wild Coast for heavy mineral deposits. Zanozuko is a firm supporter of the Xolobeni Mining scheme as well as Sanral's N2 Wild Coast Toll Road schemes.

Which by contrast Princess Wezizwe is not. Her attendance, with the Queen at the funeral of the assassinated chair of the Amadiba Crisis Committee Siko-siphi Bazooka Rhadebe on 2 April was significant. The statement made by her spokesperson Chief MG Cinani left no doubt as to where their sympathies lay.

"If a 'crisis' lasts more than ten years, and people lose their lives in the process, it says that the government has not simply failed to resolve the crisis. It is part of the crisis.

"The local residents have said no to mining on their land, but the government has not respected that decision."

To great applause from the mourners, he concluded, "the keys to the Xolobeni heavy mineral deposits have now been effectively buried six foot underground in the grave of Bazooka Rhadebe".

But Judge Murphy is constrained by what is in the papers before him, and nowhere is mention made of what this writer believes are the real issues behind the Pondo game-of-thrones judicial caution and a reluctance to undermine the lawful prerogatives of either the Executive or the Legislature, could further inhibit any inclination he might have to take note of these undoubtedly serious issues. Nevertheless, because Arendse SC cited facts that were not in evidence about the exact number of

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deaths due to illicit initiation schools, Judge Murphy adjourned proceedings to consider his decision.

One can only hope that he will not be "naive... to pretend to be oblivious to the political context and consequences of the disputes" before him, to quote his own words, and read the report carried by *City Press* in September last year in a front-page story. It reported that Zanozuko, in the process of defining himself as uniquely capable of addressing the problem of illicit initiation schools and the harm caused to young Mpondo men, had insulted both Zulu King Zwelithini and President Jacob Zuma by saying that they could not do so because they were "amakwenke" (boys), for not having undergone traditional circumcision rituals. The incumbent Royal Family had to apologise to King Zwelithini for the foolish remarks.

Princess Sigcau, by contrast, says: "The distinctive cultural quality of the amaMpondo is our inclusiveness. Since the rule of King Faku who died in 1867, the amaMpondo have been known as 'ikhaya leziwe' – the refuge of the nations. We are not in the business of making distinctions between people based on particular cultural practices, but in assimilating and integrating people into our culture."

According to *City Press*, President Zuma immediately set up a mediation team led by Deputy Minister of COGTA, Obed Bapela, which included Presidency Director-General Cassius Lubisi and his COGTA counterpart, Charles Nwaila, to smooth relations. Given that, it seems an extraordinary own-goal for the government to punt Zanozuko as a good leader with wisdom to offer on that score.

The institution of traditional leadership is entrenched in the Constitution, so we are stuck with it. If it is to serve a useful purpose, the leaders within it have to side with the people, not the politicians. The dispute over whether Wezizwe or Zanozuko should assume the throne of amaMpondo aseQaukeni must surely be decided not simply over whether Nelson (Zanozuko's grandfather) or Botha (Wezizwe's grandfather) should have inherited the throne from their brother Mandlonke, who died without an heir 80 years ago, but who has shown the better sense of principle and accountability to the amaMpondo over the past six years. ■

# The white Zulu in the heart of the huge black market

Did you know that muti is a R6 billion industry? Or that SA imports 300,000 goats annually for ceremonial purposes? **By Sue Segar**

**I**N *KASINOMICS*, HIS BOOK ON AFRICAN informal economies, GG Alcock tells the anecdote of how he bumped into a black associate who had just bought a beautiful new Jeep Grand Cherokee. “Nice car,” commented GG. “Thanks,” said John Dube (not his real name), who runs his business from a tiny shack/shop in Orlando East. “I am so happy to have this car, but yo, I struggled to get it.”

“Ja, they are expensive,” said GG, imagining that Dube had saved long and hard for his dream car.

“No, not the price,” said Dube. “I had over R500,000 with me when I went to Jeep, but they wouldn’t take my money. Some Fica or such-such thing. They asked me to fill in a form saying where I got my money. Ja, so I filled in the form and, where it asked ‘Where did the money come from?’ I filled in ‘ama-Kota’. So the salesman says, ‘What’s a kota?’, looking at me like it’s a drug. I explain and he shakes his head. I call the black guy washing the Jeeps. ‘*Tshe-la umlungu wakho what is a kota?*’ Tell your white man what is a kota, I say.

A kota is a hollowed-out quarter-loaf of bread – hence the phonetic name “kota” – filled with different ingredients: slap chips, polony slices, fried egg, atchar, tomato sauce. This is the burger of the Gauteng townships where there is a kota outlet on every street, schoolyard and taxi rank.

“And this white man says, ‘*Suka! Go away! You can’t make this money from selling those kota thingies!*’ So I had to ask my friend who has a business in town to pay for the Jeep and I paid him. *Hayi*, you white people, so ignorant of the township.”

GG Alcock is also the author of *Third World Child – Born White, Zulu Bred*, which describes his childhood as the son of humanitarians Neil and Creina Alcock, who raised their two sons in the impoverished and violent area of

Msinga in rural Zululand.

He explains: “The kota, this township burger, is so popular that John Dube’s little outlet on its own has 600 loaves of unsliced bread delivered each day, to be cut into 2,400 kotas. His staff peel 80 bags of potatoes to make the slap chips. Yep 80 bags of potatoes a day, six days a week. That’s 2,400 kotas a day at one outlet, making a profit of around R12,000 a day for the owner – and there are kota outlets everywhere, even if they are not as big as John’s. Do the maths. It is massive and a seemingly invisible business. Yet it’s not invisible, it’s there.”

The kota anecdote is one of many that Alcock uses to demonstrate the theme of his latest book and, in fact, is the basis for most of the business he does as founder of his highly successful specialist marketing company, Minanawe. (Zulu for “you and I”).

“There are invisible markets all around us – in or around which one can you create entire new industries,”

says Alcock. “We just need to open our eyes to the economies, markets and product categories that are under the formal market radar.”

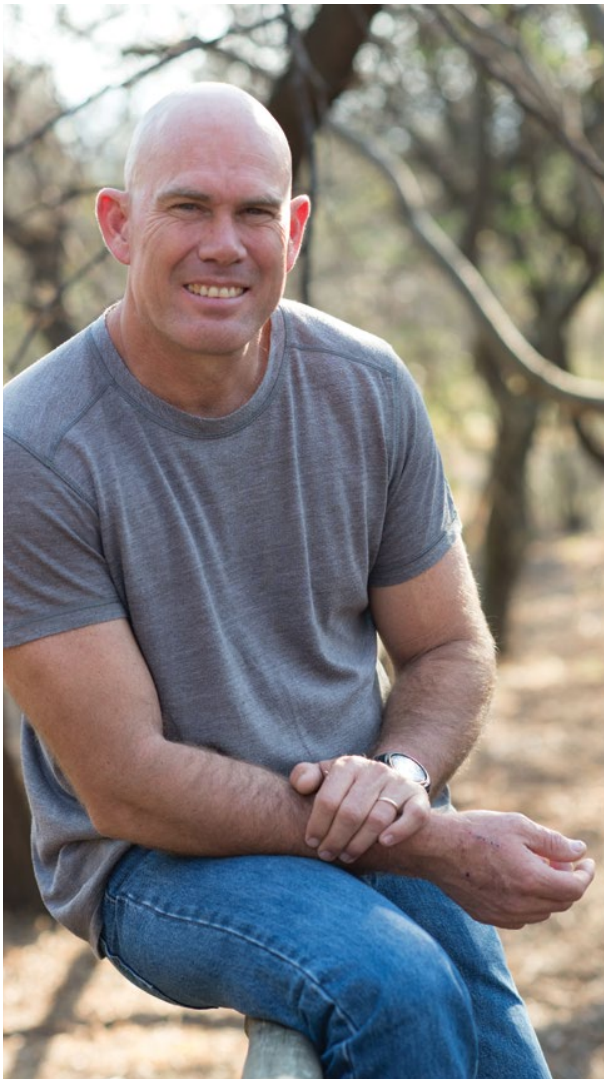
By all accounts, Alcock’s childhood – minus electricity, running-water, formal education and toys – which saw him become fluent in Zulu and several other South African ethnic languages, gave him some unique insights, including marketing to black Africans. Advising “white” corporates on how to speak to their black customers is second nature to him. And, he warns, “some do it so wrong.” An example: “Don’t use a picture of a light bulb to convey a sudden idea or inspiration, as most South Africans who have not enjoyed a decent early education will immediately think you are talking about something to do with lights or electricity!”

Today Minanawe is the leading events and activations marketing agency in the mass informal market and has large companies like Unilever and Tiger tapping into their expertise. The hugely successful business was recently bought out by Publicis, an international network of agencies.

Says Alcock: “Too many of us in business are so busy analysing stocks and shares and staring at spreadsheets and Powerpoint presentations in boardrooms, that we are ignoring the township economy – with its thousands upon thousands of hawkers, spaza shops, muti sellers, stokvels, taverns and taxis – which is as fascinating and important. There is unbelievable stuff happening there.

“How many people know that there is R44 billion sitting in coffee tins or under mattresses in thousands of homes throughout South Africa; that there are more than 800,000 stokvels; and that the muti market is a R6bn industry? Some 27 million people use muti – one in two people in our population – and more than 133,000 people

**How many people know that there is R44 billion sitting in coffee tins or under mattresses in thousands of homes throughout SA?**



GG Alcock (left) and images of the target market (above)

are employed in the muti trade. All this with no marketing involvement!

“And, who knew that South Africa imports 300,000 goats every year from SADC countries, worth R500m – for ceremonial purposes?”

“The township economy looks informal,” says Alcock, “but it is incredibly structured and organised. We don’t see it, but there is this amazing infrastructure and order to it”.

The massive informal economic market includes fruit and vegetable vendors that operate around every taxi rank, the numerous muti sellers and the huge informal fast-food market.

“To what extent is our economy sustained by large informal sectors which we do not even quantify?” asks Alcock.

“And to what extent do we bother to open our eyes to this informally structured society, and realise there are massive sectors with huge turnovers?”

It is with the kota anecdote that Alcock goes on to describe how, as one of South Africa’s top marketing specialists, he and his manager Fats Mululeka, “a huge, affable, charismatic Soweto boy with the street-sense and urban investigation instinct of an elite intelligence agent”, dragged a brand team from Parmalat into the townships at 5am, township breakfast time, to suss out the market. Parmalat’s brief to Mivanawe had been to explore the township lunchbox market. Alcock knew that convincing Parmalat would not be done in a Powerpoint presentation.

“Wiping the sleep out of our eyes, we climb out of the taxi at Bree Street in downtown Jo’burg and join the huge surge of people moving in every direction in organised confusion towards a million destinations. The smell of oil and pastry wraps around us like a London smog and the mamas chatter to each other and regular customers as, for every 50 metres walked, thousands of vetkoek are sold.

“Block after block we go, leading the marketing and brand managers, who are chewing on yummy *gwin-yas* [*vetkoek*] and pointing excitedly like Japanese tourists in the Kruger National Park: “There’s another and there and there and there... Bliksem, Fats, do you really think that we can

get cheese slices into all of these?”

Alcock and his team convinced Parmalat to drop their idea of “getting cheese slices into English sandwiches in the township” but rather into the kotas and the vetkoek. They developed a marketing and sampling drive, along with a local campaign aimed at getting people to try their kotas and vetkoeks with a slice of melting cheese inside.

“It was an instant success... and today Parmalat is the generic quality standard for cheese slices in the thousands of kotas sold every day.

“Vetkoek and Parmalat becomes a normal order. Parmalat, quickly becoming the generic term and quality standard for cheeses slices...”

According to Alcock: “It’s all about knowing what to look for in the informal sector.”

The Parmalat story is just one example of how Africa’s informal market works. Alcock says 13 cheese slices are being consumed every second of every day. “That’s more than 200 million slices a year, worth R1 billion!”

It makes a lot of strategic sense, he says, to enter the third-world informal markets, thanks to the low levels of competition, massive consumer numbers and high consumption. “People must eat, drink, party, dress, clean etc even if they are at the lower end of the income spectrum.”

That’s where his company, Minanawe comes in. “Immersion is our staple diet at Minanawe... and it amazes me how few advertising agencies, marketing departments or researchers immerse themselves in the environments within which they plan to work to attract to convert...”

When they need to understand a consumer segment, a buying pattern, or form of behaviour, Minanawe and its clients roll out of their fancy offices “and we immerse ourselves, staying in shacks, riding taxis, eating tripe and chicken heads and washing in a basin outside the tiny shack with water we fetched from the tap down the street.

“It remains an uncommon practice in our marketing world,” he says

Anecdotes abound in the book – such as how Minanawe learnt that the disinfectant brand Jeyes Fluid is perceived by many South Africans to have supernatural ability to ward off evil. Against a backdrop of increased competition in the

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# From mud hut to mahogany row

**I**N HIS BOOK *KASINOMICS*, GG ALCOCK describes his upbringing as one mired in “deep poverty” on the banks of the Tugela River.

“My home was a mud hut with no running water beyond the river that ran below the rocky terrace on which our hut was built. The river was our bath and our laundry. My brother and I were as barefoot and brown as the local Zulu kids and we grew up as Zulus, learning the skills of a herdsman, a hunter and a warrior. We spoke Zulu before we spoke English and felt closer to the Zulus of our valley than to the white people surrounding our valley who called us *kaffirboeties* and who saw us as revolutionaries, troublemakers and deviants.”

GG (christened Marc) was born in Ladysmith in 1968 to anti-apartheid activist parents Neil and Creina Alcock, who were community workers in rural KwaZulu-Natal. GG was nicknamed after the Government Garage (GG) trucks and bulldozers that rolled in on the day he was born, to carry out forced removals in areas where his parents were working – they ran a community project at a Catholic Mission, and were involved in fighting forced removals.

Convinced that the rural Zulu people would not take them seriously unless they lived among them, the Alcocks moved to dirt-poor Msinga when GG was seven years old. There they started Mdukatshani, a community-based non-profit NGO that opposed apartheid policies and helped facilitate rural development.

The idealist and visionary Neil Alcock dreamed of turning the Msinga area into a flourishing agricultural project. His dream suffered a variety of setbacks, mainly drought and the continual conflict between the rival Them-

bu and Mchunu tribes in the area.

The family lived in a single-room mud hut with no running water or electricity. “We had no toys, no television. Sometimes we had no food. Our kitchen was a gas ring under and an acacia tree and our bath was the mighty Tugela River,” he writes.

As children, GG and his younger brother Rauri (called Khonya by the Zulus) were taught at home by their mother, under a tree. If volunteers came to work with their parents, Creina would rope them in to help teach the boys.

“We were really poor and it was terrible. We had malnutrition at one stage... and the local doctor said to my father: ‘You can’t have your children as malnourished as the people around them.’ Once I got typhoid. I was the first white person in 50 years to get typhoid. When I arrived at Grey’s Hospital, they couldn’t believe it. Then the doctor from Tugela Ferry said, ‘but you don’t know how they live!’”

Nevertheless, the young GG adored his parents. He says he followed his father everywhere. He recalls how his mother, a journalist who often reported on Msinga and researched the history of the Msinga people, “taught us the magic of the written word in her amazing newsletters about the daily struggles of Msinga...” and remembers how “the rattle of the typewriter was eventually even copied by the local robin”.

The Alcocks, who had the only phone in their immediate community, became the go-betweens for local residents and their absent relatives doing migrant work in far-off places. Alcock recalls how, as the boys got older, his parents were approached by government officials “who tried to force us to go to a white school”.

“They said we needed to meet other





children. My father said, ‘But they have friends’, and the officials said, ‘they have to do sport’. My father said, ‘but they do sport!’ My parents fought against this concept that black people didn’t matter.”

The boys were eventually forced to go to a “real” high school – as boarders – and GG hated every second of it.

Tragedy struck the family in 1983 when Neil Alcock was killed in the crossfire of a battle between rival Zulu factions. While some people believed his death was accidental, GG is convinced his father was assassinated in an operation by apartheid police.

“My dad’s death was a huge thing... apart from the way it happened, it was like the whole world had turned against us. My mother really struggled after that. I was suddenly forced to understand how many black kids become the breadwinners or decision-makers in a home. How tragic it is. And you are just not prepared for it. I was the oldest man [*in the family*]... and the men of the district and the tribe would ask me to make decisions.”

GG matriculated in 1984 and spent six months working with his mother on the community project at home, before being reluctantly conscripted into the army.

“After refusing to do township duty and later putting up End Conscription Campaign posters in the military base and getting into lots of trouble as a result, I was transferred as a hope-



less soldier to work with the KwaZulu Bureau of Natural Resources for the remainder of my two-year service.”

After the army, he worked for a few anti-apartheid organisations before moving to Johannesburg “as a migrant worker” in the early 1990s. Initially employed on a construction site, he hooked up with some businessmen who wanted to instal phone booths in black townships and hostels. He then met some people from the marketing company Group Africa, which specialised in marketing to the (then) inaccessible township and rural audiences. They asked him to join them, which he did, for a year, becoming a director.

In 1997, Alcock established Ingwe Communications, an advertising agency specialising in television, radio and face-to-face concepts for the mass black market. In 1999, he was bought out of Ingwe and he started Minanawe Marketing, with the same specialisation in the mass market. The highly success-



Left: GG Alcock, his brother Khonya, father Neil and friends; above: fourteen-year-old GG distributing drought relief to local women

ful agency boasts clients such as Unilever, Tiger, Adcock Ingram, Kimberly Clarke and Parmalat, among others.

In 2014, Alcock published *Third World Child, Born White, Zulu Bred*, the story of his life, and in 2015, he published *KasiNomics*.

Last year, he sold Minanawe to the international agency network Publicis.

A passionate motorcyclist, he lives in Kyalami, Johannesburg with his wife Sue and two horse-mad daughters, both of whom have Zulu names – Consi, 16, and Zandi, 11 – and has a grown-up stepson, Josh.

“I will expect lots of lobola for my daughters one of these days,” he jokes.

His mother still lives in Msinga. “She is still strong, like the statue of Paul Kruger. People always expect to see a butch woman when they visit her. She is weatherbeaten, but still very beautiful, with long blonde hair.

His brother, Khonya, runs the Mdukatshani Rural Development Project which their parents started. Its focus is on livestock development in the poorest rural communities of KwaZulu-Natal, including Msinga.

GG Alcock’s work takes him deep into Africa... and the work keeps coming. “I realise that a poverty-stricken childhood and the life my parents made for us among equally poor Zulus was a unique business school, one in which I am able to think and talk like an African and to move confidently and casually from the dirt path to the city boulevard. More importantly, it has enabled me to recruit talent and personalities who, like me, have no degrees but a passion for and an understanding of an invisible sector.” ■

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disinfectant industry, his company worked on a campaign which capitalised on this belief, promising customers that Jeyes Fluid would protect them from germs “and other bad things”.

In another stroke of genius, and drawing on his childhood memories of eating *shishebos* (stews generally cooked in a three-legged pot) with his Zulu friends, Alcock-and-Co created the reality TV series, Unilever’s *Your Perfect Shishebo Show*, aimed at promoting Unilever brands such as Robertsons spices, Knorr soup and Rajah Curry powder. In it, modest South African housewives compete to produce the perfect *shishebo* in 20 minutes. Now in its sixth year, it still drives massive sales for Shoprite and the Knorr, Robertsons and Knorrox brands which sponsor the show, which has a much higher audience reach than *MasterChef SA*.

Says Alcock, there are 2.1 million people in South Africa active in the informal economy, accounting for about 28% of the GDP – about R160bn. About one-fifth of all money that changes hands in South Africa is spent in the informal sector, which sells goods valued at about R46bn a year. There are 100,000 informal stores, of which 70% are run by non-South Africans and of which about 70,000 are spazas. They are making profits of between R15,000 and R25,000 a month. There are also about 500,000 people running “table top” businesses, making on average R1,500 to R3,000 profit a month.

And, he says, don’t forget the informal sector’s 150,000 hairdressers, raking in pretty fortunes in their little salons. And take note, they are following the trends set by Nollywood, and not Hollywood!

It is worth noting that just under a third of all households in South Africa spend more than 10% of their income on public transport, so shopping closer to home in informal stores is that much more convenient and cost-effective.

Alcock has many lessons to impart: don’t under-estimate the extent of inter-township trade; don’t equate poverty with unhappiness; and don’t ever underestimate the power of culture.

“A big mistake is to confuse westernising with modernising. There is this sense that a black man in a BMW,

**Neil Alcock said to his son: “I won’t be able to send you to university but I will prepare you well to live in Africa”**

dressed in western clothes, is suddenly ‘a coconut’, white on the inside and black on the outside. Think about it: a Jewish guy, working as a stockbroker in New York, still remains Jewish, an Italian guy working at Unilever remains Italian. In Africa, we under estimate how important culture is within our society. We see it in how we deal with death... Even Patrice Motsepe asks for lobolo for his daughter.”

In a nutshell, says Alcock, there are big opportunities for the government and for business to support and grow the massive (informal) markets that exist in South Africa and all Africa – be they for goats, muti, transport for hawkers and foreign traders, kota sellers or stokvels.

“It needs, first, a realisation that the street is a market, the hole-in-a-wall spaza is a retail sector, the goat and chicken in the yard is a farm, smoky muti shops are a pharmacy sector, a stokvel is a financial sector and a shack is a home. It is in these spaces where we need to cast our shadows, to be present and aware of the forces which shape and influence the people and their economies.”

Key among the influences are:

1. Community, (ubuntu) and its manifestation in group social behaviour.
2. Kasinomics, the formality of informality, economic survival and inter reliance;
3. Social stratification, social groups and classes;

4. African spirituality, the rise of independent churches, muti and spirits;

5. Language, the complexities of language, iconography and communication barriers;

6. Dirt street and locavore shopping, the matrix of informal sector retail.

“Living and doing business in African marketplaces requires an ethos uniquely suited to the informal, to the invisible, the intangible. As you tread those rural pathways, weave between claustrophobic mazes of shacks or browse a muti market, remember to:

- Open your eyes to finding or seeing markets in new invisible sectors;

- Seek expert insights into what will work, knowing that the expert is the hawker on her crate, the gogo in her stokvel, the informal trader or a shembe priest;

- Understand and cater for the role of informal versus formal markets, particularly where each represents a different shopping occasion;

- Create marketing campaigns that build enduring, credible and emotive presences in communities which are in turn shared from lip to lip.

- Seek to add value to people’s lives, making their daily grind easier, more convenient or richer in experience.

- Immerse yourself here as readily as you would in obtaining an MBA; the returns may be higher.

- Capture the imagination to create talkability... creatively share experiences people want to be part of, share, marvel at; experiences that they cannot imagine within their life’s parameters, but which alter those parameters or entertain and delight.”

As young boys, Alcock and his brother often asked their parents why they did not have lives, homes and toys like the white children they occasionally visited when they went to town.

As a boy he once asked the father he worshipped what would become of him. Neil Alcock said to his son, “I won’t be able to send you to university but I will prepare you well to live in Africa”.

“It was hard to understand why my parents would choose this harsh poverty-stricken lifestyle. It was only later that the value of my upbringing became clear to me. I could shift from one culture to another in a flash. I realised my whole life had been a preparation for this exciting marketing career I was embarking on, says Alcock.” ■

# Please call me maybe

It takes investors with deep pockets to champion the rights of the little folk. **By Barry Sergeant**

**J**UDGMENT IN THE CONSTITUTIONAL Court case of Vodacom vs Kenneth Makate, handed down on 26 April, has been applauded as a victory for the small man, a classic case of David versus Goliath.

True – and also misleading. This David would never have reached South Africa’s judicial battlefield had he not had the backing of some serious financial musclemen. It was Makate, a junior Vodacom employee at the time, who conceived the Please Call Me service back in 2000 – an app that has subsequently raked in billions for Vodacom, and other mobile phone operators, here and abroad. All Makate asked was for a slice of the cake, something he had negotiated upfront with his seniors at Vodacom when he introduced them to his idea.

Vodacom, while initially celebrating Makate’s idea at staff meetings, was quick to reinvent the narrative and shamelessly attributed the idea to its long-standing CEO, Alan Knott-Craig.

In due course, Makate sued – and lost, on the basis that his seniors had not been authorised to strike a deal with him on behalf of the company, and even if they had been, his claim had prescribed (that is, he took too long to sue). The trial court refused Makate leave to appeal, as did the Supreme Court of Appeal.

When he approached the Constitutional Court, Makate won on all bases. Although that court was somewhat split on the technical points of estoppel and ostensible authority, there was no impact on the outcome. The judgment runs to 92 pages. Much of Makate’s dramatic reversal of fortunes can be ascribed to section 39 (2) of the Constitution, quoted here verbatim: “When interpreting any legislation, and when developing the common law or customary law, every court, tribunal or forum must promote the spirit, purport and

objects of the Bill of Rights.” These few words introduced an approach to statutory interpretation entirely different from that followed under the doctrine of supremacy of Parliament. “While technical issues must, of course, be considered, the Constitutional Court – and any other relevant entity, as mentioned by section 39 (2) – can apply a far broader interpretation.”

In this case, Justice Chris Jafta found that “The stance taken by Vodacom in this litigation is unfortunate.” An understatement if ever there was one. Guided by the Constitution, the court embraced the notion that if you have a fair case, the court is there to assist you, where it can. When the facts of the Makate case – which are really quite simple – are considered in terms of the Bill of Rights (sections seven to 39 of the Constitution), it is arguable that Vodacom could, and should, have applied basic rights such as equity, fairness, transparency, and so on, in its approach to sorting Makate out.

Despite having heaped praise on Makate for the rather brilliant idea, when payday came, instead of tender-

ing a penny or a cupcake, Vodacom reinvented the origins of the service and chose to treat Makate like a pest, raising legal defences, and, of course, having its day in court.

However, as Justice Jafta noted: “It is ironic that in pursuit of its constitutional right, Vodacom invoked legislation from the height of the apartheid era, to prevent the applicant from exercising the same right.” In applying the precepts of the Bill of Rights to the Makate case, the Constitutional Court found that there was an agreement. It also found that there was no “debt” and that prescription legislation therefore did not apply. On the prescription issue, thus, Vodacom scored an own-goal.

The court ordered Vodacom to negotiate a settlement with Makate within 30 days of judgment being handed down. It is apparent that Makate had always had a figure of 15% – presumably of turnover – in his mind. If so, then he could be in for compensation that runs into many hundreds of millions of rand.

The Vodacom case is significant to the extent that it exemplifies the ruthless, disingenuous conduct of a large corporate and a shockingly dishonest CEO. For many of us, Vodacom’s attitude to Makate – “let’s squash this inconvenient bug” – is the rule, not the exception. More significant still, is that Vodacom’s anticipated outcome of the case was stunningly reversed at the highest level.

As was to be expected, Vodacom hired a formidable legal team to fight Makate’s case, including four advocates (three seniors), led by the celebrated Stephanus “Fanie” Cilliers. It is crucial to note that Makate’s legal representation was more than up to the Vodacom offensive – solely, it can be argued, because it was financed by Sterling Rand. Since 2004, in the wake of the National Potato case, “cham-



Alan Knott-Craig



Kenneth Makate

is perhaps what Vodacom had been relying on. The legal costs in Makate's case (which started 16 years ago) are not known, but can be estimated in the tens of millions.

Sterling Rand agreed with Makate that he would not be paying any legal costs; in the outcome, the Constitutional Court ordered that Vodacom pay legal costs for all the parties in the case, but restricted to the costs of two counsel. The highly unusual facts of the Makate case were strong enough to attract an investor who risked financing legal costs running into millions, with the prospect of zero return.

One case that may be compared in this context is the Randgold minorities saga, where Investec, a bank, is being sued for hundreds of millions of rand.

Investec argues strenuously, under equally shady circumstances, that there is absolutely no merit in the matter, but it has spent tens of millions of rand on funding lawyers who have for years been doing whatever it takes to keep the main case out of court.

Those who need reminding should re-read *nose146* (Investec in court), *nose197&199*. ■

perty", which is the funding/investing in someone else's case for a stake in the outcome, was in effect legalised in South Africa. There are specific rules for lawyers, who can agree to waive up-front costs, in return for double normal fees, or 25% of the final award, if any, whichever is less.

The obvious "gap in the market" is created by the fact that, under normal circumstances, the courts in South Africa are inaccessible to the vast majority of citizens because of the cost. Without an "investor" with extremely deep pockets, their lordships would never have seen or heard of Makate, which

**F**EW CASES BETTER DEMONSTRATE THE great value of DNA-matching in crime detection than this one: in the past month, Western Cape police investigating a string of rape and murder cases announced they had arrested a suspect whom they identified as the perpetrator in several of them – based on DNA specimens retrieved from the victims .

In four of the cases where the DNA samples matched the now-arrested suspect, police had previously arrested other suspects on the basis of reports from the community. They were almost immediately released for lack of evidence.

The fact that they are now provably innocent is, tragically, of no account to these men: they were promptly murdered by angry mobs.

It is cases like these that prompt people to herald DNA matching as science's ultimate gift to crime detection. But such over-enthusiasm brings its own perils. Daily, the gullible public are bombarded with small-screen trash in the form of forensic programmes with ever-more gruesome images of the post mortem room. Generally, a white coated individual (often covered in tattoos) takes one look at the minutest piece of evidence, places the same into a shiny new machine/instrument and, hey presto, the answer pops out and the culprit is tracked down and arrested.

Much of forensic "science" that was the mainstay of police work has come under intense scrutiny since the publication by the US National Academy of Science (NAS) of a report titled "Strengthening Forensic Science in the United States. The Path Forward." This report was in response to the so-called Mayfield case, where senior FBI fingerprint experts, in their enthusiasm to assist their Spanish colleagues in identifying those responsible for the Madrid train bombings in 2004, wrongly matched the fingerprint on a plastic bag containing detonators found lying near Madrid station, with a fingerprint on the FBI's database: that of an Oregon lawyer named Brandon Mayfield.

On the basis of that fingerprint identification, Mayfield was arrested and only released when the Spanish police, by means of basic, old-fashioned detective work, found the real



*"They either have more taste than money or more money than taste, but I can never remember which."*

# NCIS – South Africa style

## DNA testing not a magical cure-all for the problems of crime detection. By Dr David Klatzow

owner of the fingerprint – in Spain. Re-inspection of the fingerprints, showed that the two were, in fact, a very poor match: the match was only in the prejudiced eyes of the analyst, whose sight had in all probability been distorted by the knowledge that Mayfield had converted to Islam and was married to an Egyptian woman.

To compound the embarrassment of the fingerprint community, Itiel Dror, a cognitive psychologist in London, sent sets of fingerprints off to several senior fingerprint experts. He gave the fingerprints a slightly misleading contextual colour by labelling them falsely as coming from the by-now-notorious Mayfield case. What Dror did not tell them was that these were prints taken from case files in which they had themselves given expert evidence five years earlier. Three of the five experts could not match the prints despite having matched them five years previously. The issue of cognitive bias had well and truly raised its ugly head.

DNA technology was supposed to get away from all this subjective stuff. I am not so sure. Send a mixed DNA sample to ten different labs and certainly there will not be a single answer. Ultimately a subjective human has to make a judgement call.

Fingerprint matching having lost its certainty, DNA has replaced it as the latest catch-all technique in the armoury of forensic science. The danger lies in the enthusiasm with which it is touted as the ultimate crime-solving tool. It, too, is not infallible. The advent of DNA technology has undoubtedly taken forensic identification out of the Stone Age into an era of much more certainty. But context remains vital in interpreting any forensic evidence, DNA included.

In the Mayfield case, the FBI would



have been well advised to have looked at his passport before coming to any conclusions: from it, they would have learned that he had not left the shores of his native America for 13 years – and would have been less inclined to make such asses of themselves.

Let me illustrate the point with two more cases involving the matching of DNA samples. In 2009, a murder took place in a post-graduate laboratory at Yale. Tragically, on what was to be her wedding day, a student's body was found in a chase behind the laboratory wall. Her body had snagged on a pipe within the chase. Significant quantities of DNA – not her own – were found on the waistband of her underwear. On submitting the DNA results to a computerised search of the police database, a match was found to a known and convicted offender who lived in the area. Case closed.

Unfortunately for the authorities, the known offender they had identified as the probable murderer had the most perfect alibi: he had died two years earlier. Alibis do not get much better than that.

On more thorough investigation, it

was shown that the dead suspect had worked in construction, building the very chase some years earlier and had clearly deposited quantities of his DNA within the structure, which had been transferred to the deceased as she fell down the chase. Had this man still been alive, he would have had a tough time proving his innocence. His previous conviction and his knowledge of this particular structure would have counted strongly against him.

Similarly, a man who was arrested on suspicion of a felony in the USA had his DNA taken and submitted to the national database. Although he was acquitted of the crime, his DNA matched a sample taken in a rape case some ten years before. He was duly arrested, charged and incarcerated. Were it not for the fact that the rape victim was alive, and knew him well, things would have gone really badly for this suspect. The complainant was able to tell the police that she had been in a relationship with this poor fellow at the time of the rape and that his DNA was to be expected as they had consensual sexual relations at the time. And that he was not her rapist.

# Foiled again

Those delectable and healthy-looking roasted vegetables may not be as good for you as they appear. **By Dr Ghada Bassioni**

**U**SING ALUMINIUM pots to cook in isn't a bad thing, but wrapping food in foil and cooking it in the oven is problematic. This is particularly true if the food you're cooking is acidic or spicy and you're cooking it at a high temperature. The reason? These conditions lead to aluminium leaching into the food at levels that aren't healthy.

Minimal exposure to aluminium is not a problem: the World Health Organisation (WHO) has established a safe daily intake of 40mg per kilogram of body weight per day. So for a person who weighs 60kg the allowable intake would be 2,400mg.

But most people ingest far more than this suggested safe daily intake. Aluminium is present in mealies, yellow cheese, salt, herbs, spices and tea. It's used in cooking utensils, as described above, as well as in pharmacological agents like antacids and antiperspirants. Aluminium sulfate, which is derived from aluminium, is used as a coagulant during the purification process for drinking water.

Scientists are exploring whether over-exposure to aluminium may be posing threats to human health. For instance, high concentrations of aluminium have been detected in the brain tissue of patients with Alzheimer's disease. Scientists have exam-



ined the community of old people with Alzheimer's and concluded that it is a modern disease that's developed from altered living conditions associated with society's industrialisation. These conditions may include high levels of aluminium in daily life.

Aluminium poses other health risks, too. Studies have suggested that high aluminium intake may be harmful to some patients with bone diseases or renal impairment. It also reduces the growth rate of human brain cells.

Pots and other cookware tend to be oxidised, providing an inert layer that prevents the aluminium from leaching into food. The problem is that when you scrub your pots after cooking, that layer is worn away and the aluminium can seep into your food. Leave them matt. They may look nicer

when they're scrubbed and shiny, but a matt base is better for your food and your health.

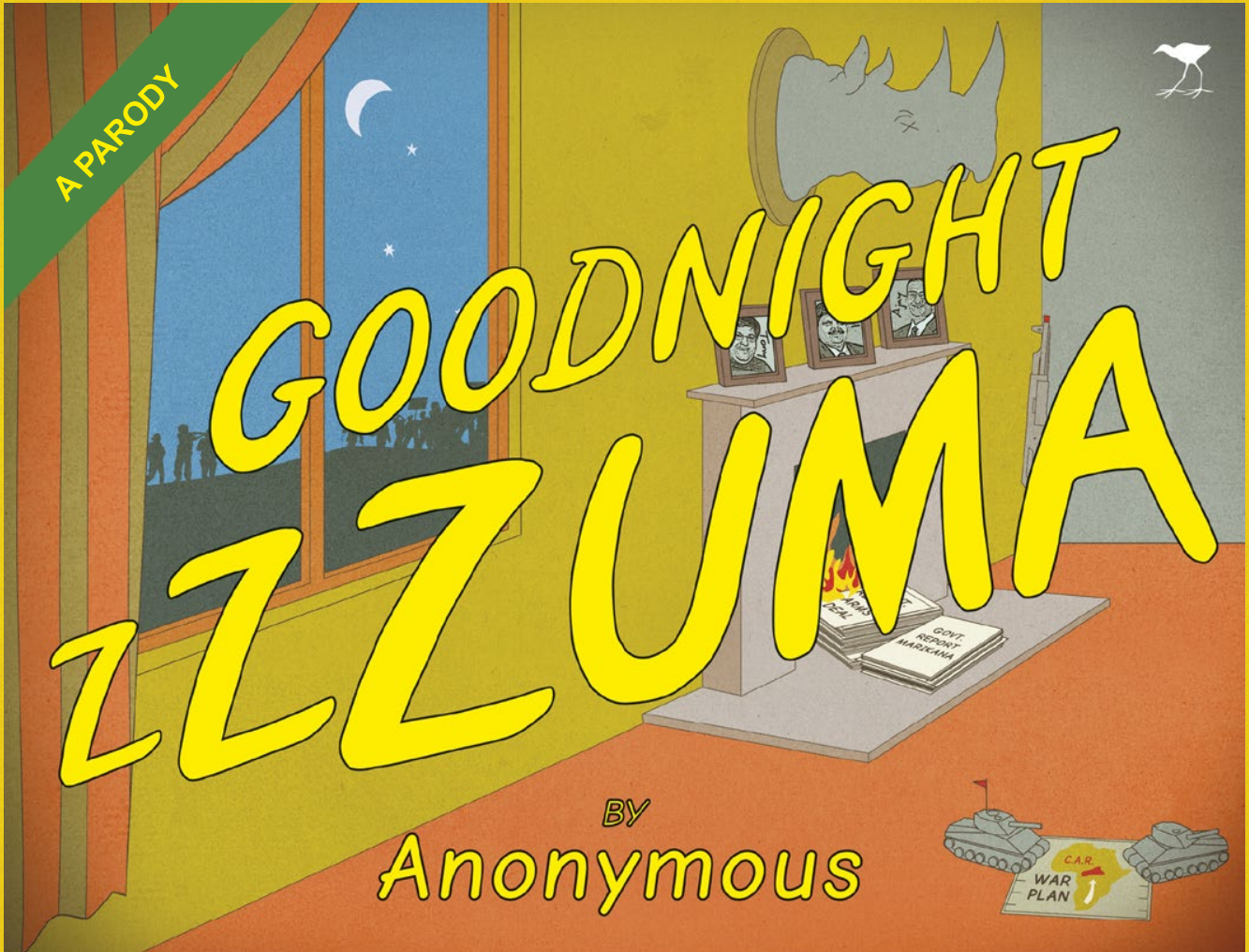
Cooking your food in foil is a different story. Aluminium foil is disposable and you will not be able to create that inert layer prior to using it. My research found that the migration of aluminium into food during the cooking process of food wrapped in aluminium foil is above the permissible limit set by the World Health Organisation.

Aluminium is significantly more likely to leach into food, and at higher levels, in acidic and liquid food solutions like lemon and tomato juice than in those containing alcohol or salt.

Leaching levels climb even more when spice is added to food that's cooked in aluminium foil. Anything acidic sparks a particularly aggressive process that dissolves layers of aluminium into food.


This research suggests that aluminium foil should not be used for cooking. Instead, we'd recommend using glassware or porcelain when preparing baked dishes. It's safe to wrap cold food in foil, though not for long stretches of time. – *The Conversation*

● *Dr Ghada Bassioni is Associate Professor and Head of the Chemistry Division at the Faculty of Engineering, Ain Shams University, Cairo. ■*



This book is a razor-sharp poke at a regime whose only real purpose ... is wealth accumulation for the leadership and its friends, without regard for what may happen to everyone else. ★

– Brooks Spector, *The Daily Maverick*



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President Filipe Nyusi

## Secret security debts devastate Mozambique economy

**A**S MOZAMBIQUE'S MOUNTAIN OF dubious debts tops US\$2 billion, there are growing calls for a forensic audit and an international police probe into the officials and entities involved in this massive fraud.

The deals and loans arranged under former President Armando Guebuza, and largely kept secret under his successor Filipe Nyusi, mean that Mozambicans now face the prospect of penury under the yoke of debt repayments on an epic scale.

The role of the banks involved in the deals, whose terms were far above market rates, is also attracting regulatory interest and criticism. It is clear that the secret lending was undertaken by the country's state security and intelligence services, and *Africa Confidential* (AC) has now revealed yet more detail of the astonishing malfeasance at the heart of the state and who was responsible.

The International Monetary Fund (IMF) leads an international financial community aghast at the enormity of the deceptions of leaders of the governing Frente de Libertação de Moçambique (Frelimo) and is still pondering its response. It is sure to be severe and donors have already suspended budg-

et support funds and grants. Debt-to-GDP levels will soon hit 100% and the metical stands at 55 to the US dollar, and is still heading south. Foreign exchange reserves are critically low.

Sources close to Rosário Fernandes, ex-head of the revenue authority, the Autoridade Tributária de Moçambique, have told AC of systematic diversions of taxes straight into the pockets of the Frelimo elite, especially in the later years of President Guebuza's term of office, when he exercised enormous patronage. Massively inflated contracts were commonplace. The latest to emerge is the extravagant, nearly complete, Bank of Mozambique building in Maputo, which boasts a helicopter landing pad on the roof. Originally estimated to cost \$90 million, the final cost is reckoned to be at least \$300m, with kickbacks and "commissions" accounting for the cost inflation, say Frelimo sources.

Guebuza engaged in an ultimately doomed attempt to extend his term of office, which ended in October 2014, and this partly explains the extraordinary scale of his liberality towards loyalists, sources formerly close to him have said. The schemes became increasingly brazen, and the creation in 2013 and 2014 of three com-

panies – Empresa Moçambicana de Atum (Ematum), Proindicus and Mozambique Asset Management (MAM) – was the culmination of this programme. The companies, which received the totality of the \$2 billion now owed by the state, were mainly in the field of maritime security, even though it was the intelligence and security services that provided the management. They bypassed parliament, illegally, and defence procurement, effectively privatising, as one commentator put it, national security while lining the pockets of the elite into the bargain.

Yet the ill-equipped companies could not cope and quickly collapsed. Ematum, which originally claimed to be focused on tuna fishing, is no longer operating its few licensed vessels because it cannot pay salaries. The three companies also own VIPAS (VIP and assets security), which was created in February this year to supply protection services to embassies. It's unclear what the outlook is for the fledgling VIPAS, but it is hard to imagine Maputo's diplomats being keen. The only public face common to all the companies is their chief executive, António Carlos do Rosário, a previously little-known director of Serviço de Infor-



mação e Segurança do Estado (SISE, Mozambique's intelligence service). Behind him stand senior Frelimo politicians, and defence and security personnel. Do Rosário is the shop window, but he answers to the current SISE Director, Grégorio Leão José, who was appointed by Guebuza in 2005, AC sources say. Leão's wife, Ângela Diniz Buque Leão, is in business with Do Rosário, a trusted Guebuza loyalist.

Many have often wondered how President Nyusi, who was Defence Minister at the time, could have remained uninvolved – which was the public impression as the Ematum scandal broke. However, the CEO of the company supplying the patrol boats, Iskandar Safa, commented that the parent company of his shipyard, Constructions mécaniques de Normandie (CMN), had struck other deals with Mozambique. One of them was with Proindicus, one of the previously secret massive debt-holders, which is half-owned by the Defence Ministry-run company Monte Binga. Commentators have remarked it would have been impossible for Nyusi not to have been aware of deals of such magnitude. This could well explain his reluctance to move against his predecessor over the Ematum bonds and similar opaque debts.

Some Frelimo members who are opposed to Guebuza nonetheless have little sympathy for Nyusi. Veteran senior member Sérgio Castel Branco da Silva Vieira said, "I, and my children and grandchildren, are not going to pay the debt of this robbery". He added that Nyusi "humiliated himself" during his recent visits to Germany and Brussels, where he tried to cling to donor support. German Chancellor Angela Merkel asked Nyusi when he met her in Berlin on 19 April, "Where is the money?" and also, "Are you in charge?", according to a source in Nyusi's delegation – which also included elusive SISE head Leão. Germany supplied radar equipment for the maritime security programme, as did France and Switzerland.

Merkel's questions go to the heart of the scandal, as the heaviness of the external debt is obscuring the question of where the cash ended up. There is widespread fear that, with its insistence on unity at all costs and its long record running a one-party state,

Frelimo is constitutionally incapable of pursuing the generals, spies, and party cadres who won the equivalent of lottery jackpots. The wealth of many of them – in the form of lavish entertainments, luxury cars, and stunning homes – is on conspicuous display in Mozambique's cities. For now, Nyusi is taking the blame. Prime Minister Carlos Agostinho do Rosário even spoke recently of the Nyusi administration as a "transition government", in tacit acknowledgement of the long shadow Guebuza casts.

In the absence of action by the government – although the Attorney-General's office has announced an investigation into the illegalities – the United States may take an interest, since it has de facto jurisdiction given the US dollar denomination of the debt. It is Mozambique's largest bilateral donor, at \$400m of aid per year, which is now under what we hear will be "very tough" review. The whiff of a multi-billion-dollar arms deal involving Russia could easily pique American interest. Given the secretiveness to date, it would hardly be surprising if more diversions, and more secret loans, turned up. Following talks with the IMF in Washington, ending on 21 April, the Prime Minister confirmed the additional loans: \$622m to Proindicus (which was topped up to \$900m, although the extra line of credit was not activated) and \$535m to Mozambique Asset Management (MAM).

Of Proindicus's \$622m, AC has learned from senior banking sources that only \$311m is shown to have gone to the company. The other half may have been diverted to other projects and possibly into private hands. The same suspicions apply to MAM, which has not explained its procurement plans. The company is meant to operate port facilities for Proindicus, including in Pemba – and to compensate General Albertio Chipande for being cut out of the original Pemba deal, AC is told.

Finally, Mozambique confessed to funders that it was holding other state-backed loans to the Ministry of the Interior. They have refused to name the bilateral lender, or detail the purpose of the loans. They total \$221.4m and were obtained between 2009 and 2014. It is clear that the maritime security project previously claimed by the au-

thorities as being the military component of Ematum is actually Proindicus, as AC can see from the Credit Suisse feasibility study document produced in February 2013. This means the Ematum money allocated to the Defence budget was probably used for other purposes. Indeed, the total value of Ematum's fishing assets cannot be worth more than \$100m – probably far less – so the unexplained sum may reach over \$700m. (AC Vol 56 No 14). But since the three companies effectively own each other, it is harder to trace money and assets, which can be easily moved in an opaque manner.

The authorities, including António Carlos do Rosário and senior military personnel, are now trying to give the impression that large amounts of defence equipment were purchased. But security sources on the ground see little evidence of that, even though Mozambique's defence and security spending now equates to around a quarter of the national budget. As a percentage of gross domestic product, the amount allocated to defence is among the highest in the world, at a staggering 5%. But it has little to show for its money, and a more probable scenario is that the money enriched individuals.

Yet more debt may be in the pipeline. AC has learned that China is believed to have made as yet undisclosed loans to SISE, which has undergone significant expansion in recent years. SISE is part of the Interior Ministry. Mozambican independent newspaper *CanalMoz* recently reported that Chinese company ZTE provided the intelligence service with an extensive telephone surveillance suite in a deal which netted Guebuza's son Mussumbuluko an 8% commission, equivalent to \$11m.

Security sources also report two new training centres outside Maputo, where Israelis are also assisting. Possibly, the sheer level of abuse in the system caused the Ministry of Finance to lose track of Mozambique's debts. But three years is a long time in which to conceal \$2bn worth of debt, and the Prime Minister beggars the belief of many in calling it an "error". "Cover-up" is widely thought a more accurate description. – *Copyright © Africa Confidential 2016; www.africa-confidential.com*



## Not ideal. A cautionary tale

**T**HE CYNICAL ROMANS REMARKED, perhaps with amusement, that novelties popped up constantly from darkest Africa. *Fordsburg Fighter* would have confounded them. This memoir of the sufferings of a group of idealistic uMkhonto we Sizwe freedom fighters conjures a 1960s microcosm of the schisms that bedevil South Africa to this day. So nothing new then.

Same old cultural and ethnic prejudices, same old corruption, inflicted on a group of young men who had volunteered to fight for democratic freedom. Cajee's tale is moving in its depiction of the hopeful innocence of youths who left their families to take up arms against the apartheid regime. And devastating in its cool recollection of selfish and wasteful incompetence on the part of leaders.

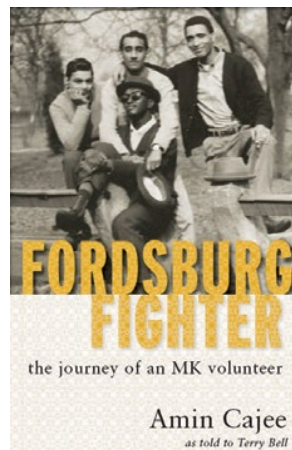
The central drama that motivates the telling is a trumped up "hearing" before officers in a Tanzanian bush camp, where some 400 young people were supposedly being trained to take up arms and liberate their homeland.

The accusations of treason and betrayal all seem embarrassingly familiar. Cajee is threatened with bloody death if he fails to point the finger at a chosen soldier victim. And we do mean bloody: "My sentence, I was told, could mean being taken to a game park where I would be left for wild animals to tear me to bits".

It was at this point that Cajee realised he had been thrust into a bitter power struggle based on language lines – a battle between Xhosa speakers from the Cape and Zulu speakers from Natal. Although the senior "judge" Joe Modise (he of Arms Deal and other shenanigans notoriety) was a Setswana speaker, he had allied himself with members of what was called the "Cape group". In a previous encounter, Modise had ordered Cajee to clean his boots. Comrade Cajee declined the honour.

Interestingly, Chris Hani, among the inquisitors, also spoke menacingly of consequences. Then another officer, named

**FORDSBURG FIGHTER:  
THE JOURNEY OF AN MK  
VOLUNTEER**  
By Amin Cajee  
(As told to Terry Bell)  
(Face2Face)



"Paul", said sweetly that "all this could be sorted out" if Cajee fingered two men who were accused of initiating a mutiny.

It seemed that Modise suspected the pair of threatening his position as senior commander, at a time when there was much jockeying for position. The two were well known in the movement in South Africa and held top positions in the ANC before it was banned. Both were among early recruits to MK and had been sent to China for training. But now China and the ANC's main backer, the Soviet Union, were at loggerheads. The Russians had embarked on a policy of peaceful co-existence with the United States, which the Chinese opposed. The South African Communist Party (SACP) took the Moscow line.

This shameful mock trial was probably the culminating disillusionment for the young Cajee and his friends. Their naïveté had been abused almost from the day they fled South Africa in a noble cause. In a series of confusions that would almost be laughable if the young volunteers had not suffered so much, they were shunted from pillar to post without guidance, comfort or even, sometimes, food and shelter. The exile trail dragged Cajee from Czechoslovakia, to Kongwa Camp in Tanzania, to England, and seemingly all ports north.

In an afterword, Terry Bell notes: Many of the MK volunteers were young, in their teens and early twenties, most with little experience of the world outside their rural villages or urban townships. A few, such as 21-year-old Chris Hani, were well-educated and they were quickly absorbed into the ranks of the SACP and catapulted into leadership roles.

Cajee was not among the elect. Home-sick though he was for his beloved Fordsburg suburb in Johannesburg, he survived much danger and eventually ended up living in London, a successful businessman with a large family.

His truths are bravely stated. *Fordsburg Fighter* should be a salutary textbook for militants. ■



## Problems, problems. Smoke and mirrors

IT'S BEEN DUBBED THE ELECTION of the shapeless against the faceless: Prime Minister Malcolm Turnbull versus opposition leader Bill Shorten. The date has finally been confirmed for 2 July and, for want of an inspiring opposition leader, the disappointing incumbent Turnbull looks set to win. He's shapeless because, despite high hopes post-Tony Abbott's disastrous stint as PM, the man with oodles of charm and even more money appears to be a dud – having abandoned one progressive reform after another. In his election announcement speech he did not even mention climate change once, harping only on fiscal management.

And the most heroic thing the charisma-less Shorten has done is reportedly lose 15kg to be more appealing to voters. Shorten was one of the “faceless” backroom plotters against two previous Labour Prime Ministers in previous coups.

One of the few welcome announcements in the pre-election budget (not least because it's easy for a non-economist to understand) is that the price of cigarettes, now AU\$25 (R275) a pack of 25, will increase by 12% annually from mid-2017, for four years, to about \$41 by 2020, by which time 75% of the cost will be made up by tax. Combined with plain packaging and strenuous anti-smoking campaigns, high prices have helped drive smoking rates in Australia down to one-in-five. It's a real incentive to give up, as present company can attest, the other reason that her teenage son has been so thoroughly schooled in the ills of smoking that he took to flushing her packs down the toilet.

Air too, is increasingly valuable. Entrepreneurs are selling canned Australian air, with reports of Chinese personal shoppers snapping up the product for their clients. Beijing air



Shapeless: PM Turnbull



Faceless: Bill Shorten

pollution is apparently so bad that a traffic policeman only makes it to age 43 on average because of exposure. There are several flavours, including Bondi and the Blue Mountains, with a sea tang and eucalyptus traces respectively. At \$18.80 a can, it can provide about 130 deep breaths, a small percentage of the average 23,000 breathed by most people daily.

Mobile phone use, it seems, does not cause brain cancer. Phew. Commenting on the results of a study of 19,858 men and 14,222 women diagnosed with brain cancer in Australia between 1982-2012, and national mobile phone usage data from 1987-2012, Emeritus Professor of Public Health at the University of Sydney, Simon Chapman, said: “...we are seeing no rise in the incidence of brain cancer against the background rate”.

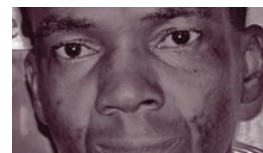
Australia, which is reputed to have the worst mammal extinction rate in the world – many of which are not found anywhere else – has 49 newly listed critically endangered, endangered and vulnerable species. Among them are the three-toed snake-tooth skink, the bar-tailed godwit, the swift parrot, the ghost bat, the brush-tailed bettong, the carpenterian grasswren and orchids whose names can make you dream, such as the blue star sun orchid, the copper beard orchid,

Firth's midge orchid and the myrtle orchid.

Australian Conservation Foundation campaigner Jess Abrahams says it's all due to habitat loss and commercial activities. The ghost bat, for example, which has joined the large-eared horseshoe bat and Semon's leaf-nosed bat as endangered, all live in the Melody Rocks near Cooktown on Cape York Peninsula, where a mining proposal is being considered by the Queensland state government. The limestone karst formations and cave systems are key habitats.

People aren't doing too well either under Aussie care: saying he couldn't take it anymore, 23-year-old Iranian, Omid Masoumali, has died by self-immolating after three years in an Australian-run offshore detention centre on Nauru. Masoumali had been recognised as a refugee: he was judged to have a “well-founded fear of persecution” in his homeland. And Somali refugee Hodan Yasi is in hospital with burns to 70% of her body after setting herself alight in a detention centre for boat arrivals.

If there were a neighbourhood watch group around here, Australia would be the neighbour they'd be watching, writes *Sydney Morning Herald* columnist Tim Dick. Rich, large, rude and loud, its government has managed to infuriate most nearby countries in one way or other. “Some have to deal with the consequences of our peculiar, unjustified obsessions with refugees and dole bludgers... Australia has behaved scandalously towards East Timor; selfishly towards New Zealand; high-handedly towards its former colony, Papua New Guinea. It acts towards tiny Nauru as if it is a shameful illegitimate child, to be paid off to do our dirty work, running a refugee gulag hidden from view.” ■



## F\*\*\* crisis. TAC tactics urgent

**G**ATVOL, I CALL MY FRIEND MARLIES Liebenberg, a passionate supporter of the SPCA here in Barberton. I bitch, I yell and I ask her: “With all the money that has been injected thus far, how the hell can such things still be happening? No vehicles, workers hiding and only one professional to render service.” She says, “Bheki there is nothing we can do, everyone is crying about this problem – black, white, locally and nationally”.

And no, this was not about the SPCA shelter but rather what I had experienced at Barberton General Hospital. On this subject I cannot subscribe to the rapper’s call to “throw your hands in the air and wave them like you just don’t care”. Instead, our public health system needs the slogan that screams out “make some noise”.

Though we have been making some noise through the media about the way-too-many scary stories coming out of our hospitals, we are clearly not being loud enough because it seems we are not being heard. We need a much louder public outcry about the state of our public health system. Better still, a public attack in the tradition of the Treatment Action Campaign (TAC). If only this organisation had realised that it could contribute to the bigger picture of public health shortcomings and, after it succeeded in pushing for the roll-out of ARVs, it should have expanded its focus. God knows we could use the oomph!

And just as the TAC pointed out that lives were being lost needlessly due to the failure to roll out ARVs, so too do lives continue to be lost or (to be diplomatic) lives are at risk, due to easily avoidable shortcomings at our hospitals. We cannot throw our hands in the air and act like we don’t care.

That was driven home to me when in mid-April I received a call from some friends who begged me to meet them at Barberton General and inter-vene to help get the hospital to summon an ambulance to take their relative to another hospital for a CT scan.

Why call me? Power of the media. And because of this-here *nose* having published the story on the botched circumcision that resulted in the amputation of a young boy’s penis. Lawyers expect a settlement soon in the boy’s R10 million damages claim.

This time round, the patient had been viciously assaulted late on a Friday night, resulting in his head swelling like small beach ball and blood streaming from his eyes. The good doctor – and I really mean good doctor, doing his residency – was so concerned about the victim’s injuries he wanted him to be taken for a CT scan. But there were only two ambulances available serving the province – yes, the whole bloody Province of Mpumalanga. And, wouldn’t you know it, one of them had broken down, out of order. The overwhelmed good doctor was understandably frustrated because there was no CT scanner at Barberton General so he had to send this critically ill patient roughly 100km away to Witbank. The drivers of the one ambulance were not sure what time they could make it to Barberton.

To make matters worse for the good doctor, he is the only doctor on duty on a bloody Saturday morning. As you can imagine, the patient’s family is on his case about the ambulance and all the while more patients are pouring in to the hospital.

This-here journo sees an opportunity to approach the doc, but I decide that the guy is already overwhelmed so I say to myself: approach him with respect and take off your journalism cap. Wise decision, because as I approach the doc and question him about the mugging victim he stops me in my tracks and says: “Please, I don’t need any more harassment from you relatives, I am doing my best”. I say, “Doc I understand, and I will ask the family to step outside. In the meantime, can you please try the ambulance again?”

The doc says, “You are not family? Who are you, a counsellor or what?”

“No, just a caring friend and someone who knows the shit conditions you have to work under.” He put a smile on his face and got on the phone.

Roughly 20 minutes later the ambulance arrived. Now here is another, what-the-f\*\*\* moment: the good doctor is looking for the nurse who is supposed to accompany the patient to Witbank. She is nowhere to be found. Another staff nurse volunteers to go instead and informs the doctor and us that the nurse is hiding in the kitchen because she does not feel like going all the way to Witbank. And get this: that hiding-in-the-kitchen nurse happens to be a matron! Yes, a f\*\*\*ing an matron. We have heard too many stories about uncaring nurses and the question is: Why are they allowed to continue working at our hospitals?

There are three major problems highlighted by this scenario. First, with millions of rands being spent on the initial phase of the National Health Insurance (NHI) scheme, why does a hospital such as Barberton General, one of the country’s premier training hospitals, not have a CT scanner? Two: how could something as crucial as ambulances not be working? Lastly, how could there be only one doctor on duty at a f\*\*\*ing public hospital? We know the country has a shortage of doctors, but surely there are private doctors on health’s books? What, no-one in management saw fit to call one of these guys and ask them to come in to help the good doctor?

Now, to the kitchen-hiding matron. It is high time the Department of Health set up a hotline for complaints so the public can expose the likes of this matron.

To the young Good Doctor: I take my hat off to you sir, likewise to all the other doctors who have to put up with the shit at our public health facilities, and certainly not forgetting the likes of the staff nurse who volunteered for the Witbank trip. Thanks to them the victim is recovering. Now, TAC, please guys, we need you back. ■



## Floating. Evolution, revolution

**S**O I'M POTTERING AROUND IN THE front garden when a stupid woman with two stupid disciples comes to my gate to confront me with a denunciation of Darwinism. Why me f'chrissakes? Why Darwin? I weave my fingers about my ears to suggest I'm stone deaf and loony and go indoors for a cuppa. Such stupid debate continues after 157 years; comes to mind an Honorary Doctor game ranger name of Ivan Palaver who on Darwin's anniversary in 1959 set out to swim backwards across Lake Saint Lucia in Zululand midst hordes of hippos and blood-crazed crocodiles to disprove that charlatan's mere theory. The Hon Doc would now give a demonstration of evolution according to the laws not of Natural Selection but of the Shaman Jung.

In the parking lot of the Mtubatuba Bazaar (no supermarkets in those days, hey) a certain Madame Enbonpoint (pron. Onbonpong) had a gypsy tent with stars and moons all over and Saturn with rings, also a small paraffin stove inside for making tea so she could read folks' tea leaves, and one day she stuck upon a pole at this bazaar in Zululand a photograph from the new observatory on top of a volcano in Hawaii, clearly showing a 30-mile human face on Mars which could only have been constructed as a signal to Earth that somebody was there with a message.

The Hon Doc buying his bananas instantly recognised this as a portrait of Jung, and the message probably was that he'd run out of fuel for another Earth-journey. Nobody had known whence he'd arrived on his last sojourn nor whither he'd departed. And here it was, here was the answer! All a-tremble with this perception Hon Doc entered the gypsy tent. Mme Onbonpong pinned up a notice outside saying "Psychism in progress. Please come tomorrow. Thanking you".

She lit up the stove for tea leaves and set about the star charts with her slide-rule (no calculators in those days, hey). Chart and tea drinking complete



she studied the leaves, the Hon Doc's palms, his navel, toenails and toehis and announced that Mother Nature had declared him Jungian Ambassador to Planet Earth. Starting now.

Mother Nature is like Mrs God, you should understand. She sits at His right hand all done up in white sheets. It's okay for Michelangelo's Adam to float around heaven all starkers and flash his tiny little piepie, but God you will notice doesn't display His, if indeed He needs one, and as for His missus revealing all, well God forbid; they wear these old-style bioscope-style curtains, see, which billow about in the heavenly winds. When Mother N billows Her curtains in your direction and gives you the green light you're in business, boet. Hon Doc there and then decides to construct a great big self-portrait with big white stones up in the Natal Midlands where Shaman Jung will see it. The project is to make a great big thing like Mount Rushmore with those US presidents' portraits in stone, only here they will be of Hon Doc, flat on the ground, and the place will be called Sametime Dreamland.

Well then, the swimming. Mother N explains to Hon Doc that Darwin's motto is If You don't Use It You Lose It. By his theory evolution is purposeless, it comes from random mutations, you see, and if such mutations aren't

of advantage for better surviving they just get sort of diluted in the species by other mutations until they are no more. By Shaman Jung's theory evolution is purposive. He got it from Mother N herself, straight. She makes mutations because they are moral and will pretty soon be useful according to her design.

If you lie on your back in Lake St Lucia and hold your arms against your sides and pull the water towards your bum with your heels you will move backwards, if a little slowly (take note that one cannot heel-swim backwards belly-down because one's knees bend the wrong way). Paddling with the back of your hands will help somewhat, of course, but this would make you directionally unstable and anyway you might need your hands for towing a raft with all your clobber on board like Homo/Homa sapiens crossing the Straits of Hormuz out of Africa 150,000 years ago on her/his historic global migration to improve peoplekind.

By Darwin's reckoning, of course, this ability of heel-swimming should aëons ago have been lost. But recently another Jungian game ranger (no names) one morning undertook to swim across the Midmar Dam backwards. Training, see, for the great Midmar Mile. By nightfall he had travelled only 100 metres and certain campers had to haul him ashore with a tent rope. ■

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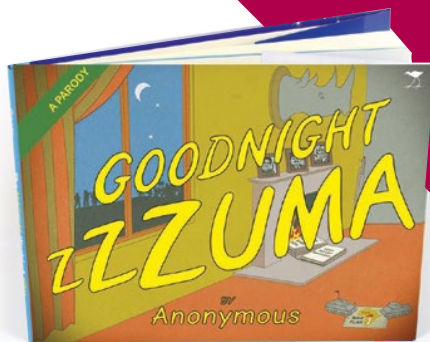
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