

Bill passed: Go ahead for polls

By Brian Stuart

CAPE TOWN. — Senate approval last night for the polls Bill will ensure that elections go ahead on November 1 in 701 local authorities, with some 7 400 candidates seeking election to municipal and rural councils.

The Bill was approved by 57 votes to 18, with the National Party, Inkatha Freedom Party and Freedom Front voting against it.

Moving the Local Gov-

ernment Transition Act Second Amendment Act, Deputy Constitution Minister Valli Moosa said about 150 000 people would staff between 12 000 and 15 000 polling stations on November 1.

A total of 17,5 million voters had registered, or an estimated 76 percent of eligible voters in South Africa.

"We have removed any possibility of the National Party launching a Constitutional Court challenge — of course they are free to do so if they want to," added Mr Moosa.

"It is unfortunate that the entire exercise we have had to go through — the court cases and these sittings of Parliament — have cost a lot of money.

"They have cost the taxpayer about R1,5 million.

"I think the taxpayer

TO PAGE 2

Go ahead for polls

FROM PAGE 1

would well be entitled to send the Bill to Mr Hernus Kriel and Mr Pieter Marais," Mr Moosa said.

Since the elections were being delayed in KwaZulu/Natal and areas of the Cape, they should be postponed in rural areas until there had been consultation and proper agreement among all the interest groups.

Senator Ruth Rabinowitz said the Inkatha Freedom Party was opposed to "the package as a whole", because it summarily removed the competence of a provincial government over the provincial committee

dealing with local government.

"The political message is one of profound mistrust of politicians in the province, and of the IFP in the province of KwaZulu/Natal in particular," she added.

Elections could not go ahead in KwaZulu/Natal's rural areas, because amendments proposed by the provincial government had been rejected by the ANC.

Senator Mohammed Bhabha, senior ANC Senate spokesman on constitutional affairs, said Western Cape MEC, Mr Pieter Marais, refused to accept the authority of the law, "but like a petu-

lant child proceeded to the courts".

"The most interesting aspect of this whole fiasco is that Mr Marais, who is supposed to represent the interests of the so-called Coloured people, has deserted them in their hour of need.

"He did this to please Mr Hernus Kriel, who wishes to maintain his privileges as a White byu striking fear in the hearts of the so-called Coloured people."

NP Senator Alex van Breda said the reason for Parliament meeting on the eve of local government elections was that it had never been foreseen that the president would issue proclamations that exceeded his powers.

"The government of the Western Cape had no option but to take this to the Constitutional Court to stop the abuse of power by the president — not the president personally, but the ANC executive under his signature.

Democratic Party Senator James Selfe said that on the whole there were sufficient improvements brought about in the Bill to justify the DP's support.

Senator Andries Bruwer of the Freedom Front, who heads the Transvaal Agricultural Union, said the Bill indicated that there had been insufficient consultation on local government in the first place.

A political system was being imposed, without sufficient consultation with such interest groups as agriculture and traditional leaders, who would be stripped of a voice in matters affecting their own land.

Crime inherited from NP govt, says Mandela

PRESIDENT Mandela yesterday said crime levels had rocketed under the previous government because of its disproportionate deployment of the police among Whites.

Pres Mandela, however, told reporters at Midrand, between Johannesburg and Pretoria, that he did not blame the former government for the crime problem, and he accepted the African National Congress had to take the lead in solving crime.

"But it is a fact that 80 percent of the police under the previous regime were deployed among Whites, a minority of 14 percent, and only 20 percent among

Blacks," he said.

"The equipment was deployed in the same proportion. What would you then expect? Crime rocketed because there were no security forces (in Black areas) to see to the maintenance of law and order," Pres Mandela said.

He earlier launched the youth development centre initiative of the Nelson Mandela Children's Fund at Leeuwkop Prison between Johannesburg and Pretoria.

Pres Mandela said there was also hostility between the police and the community in the past.

"We are now saying to the communities: 'These are your police,

they are no longer enemies. Co-operate with them, tell them where the criminals are and where the arms are'."

If communities did that, the police would succeed in preserving law and order.

Pres Mandela added it was to be expected that people would be concerned about the high level of crime.

"But this is a situation we have inherited from the previous regime," he said. "We are not blaming them because it is the ANC that is the majority party in government today. It is our task to take the lead in solving all the problems of the country, including crime." — Sapa.

THE CITIZEN, 13 OCTOBER 1995, PAGE 4

KwaZulu/Ntl won't be in poll: MEC

PIETERMARITZBURG. — KwaZulu/Natal will not take part in next month's local government elections, provincial government and housing MEC Peter Miller said in Pietermaritzburg yesterday.

He proposed KwaZulu/Natal local polls should be held on March 27 next year, four days before central government's cut-off date for provinces to hold delayed elections.

KwaZulu/Natal Premier Frank Mdlalose had

applied for exemption from the November elections, but had not yet received a reply on the matter, Mr Miller told a Press conference.

He said elections could not be held until the disputes over the boundaries of several transitional local councils and the Durban Metropolitan Council had been resolved.

The disputes were largely over the inclusion, or exclusion, of tribal areas in the TLCs.

The disputes would be referred to the Electoral Court next week, Mr Miller said.

Negotiations on the demarcation of boundaries had deadlocked after Mr Miller failed to get the support of four of the six members in the provincial committee on local government.

Mr Miller said the Electoral Court would also have to decide on whether or not tribal areas should be included in urban areas for the

elections.

He believed tribal areas should be left out of metropolitan and local councils.

"However, I emphasise that no municipal boundary is cast in stone and there is no reason why there should not be an ongoing process which over time could result in certain areas currently under tribal authorities being included into a town."

The exclusion of tribal

areas would exclude an estimated 2,6 million voters, 1,5 million of them registered.

Mr Miller said the inclusion of tribal areas into urban areas was an extremely complex issue which entailed widespread consultation with chiefs and tribes.

The House of Traditional Leaders earlier this month rejected suggestions that traditional communities be included in the TLCs. — Sapa.

Over 6 000 nurses still on strike in Transkei

BISHO. — More than 6 000 nurses at 32 hospitals in Transkei remained on strike yesterday, Eastern Cape Health and Welfare MEC Dr Trudie Thomas said.

With the strike having entered its 14th day, disruption to essential health services in the former homeland was "gross", she said in a statement.

Sixteen patients had died during the strike and

although the deaths of many of them had been expected, the affected patients did not get the care they needed in their dying hour, Dr Thomas said.

At one hospital she had visited she had seen a youth with extensive burns deteriorating into progressive shock lying unattended.

He had to be transferred to a hospital some 200km away. His case was but one of a common situation.

Dr Thomas said there was cause for "acute concern" about the many who probably could not get needed medical help because of the strike either because clinic doors

were closed or they were chased off by intimidators.

The affected hospitals were taking only serious cases — others were having to go elsewhere for treatment.

Intimidation had been persistent and severe.

Non-striking nurses, volunteers and doctors caring for patients had been threatened, photographed and had had their names taken by unauthorised people.

Relatives had been warned to remove sick family members from hospitals, patients seeking medical attention had been assaulted, and workers had been prevented from feeding babies, Dr Thomas said.

While the police had been of great assistance in securing the strike-bound hospitals, they could not guard people still doing their work or volunteers at their homes.

Dr Thomas called on communities to protect "these faithful and courageous people".

Because of the intimidation and disruption of services the military remained on standby. — Sapa.

Disarray in Kei courts, says report

CAPE TOWN. — A Department of Justice investigation into conditions at court houses in the former Transkei and Ciskei in March this year found records rooms in disarray, safes with no keys or doors and officials working in cramped conditions without running water or electricity.

At some of the buildings visited, the toilets were all blocked, the cells were in disuse because of missing door locks, and the records rooms were being used to store refuse.

In a report handed to Justice Minister Dullah Omar in March but which was made public through the Parliamentary Justice Committee yesterday, the department said a concerted campaign was needed — at great cost to the state — to repair the damage to the buildings caused by years of neglect and abuse under the for-

mer homeland governments.

The appalling conditions at the court buildings were videotaped by a justice task team as part of a national assessment of accommodation facilities for Justice Department officials in each of the nine provinces.

The report said the recordings showed that the court facilities in Ciskei were in a slightly better

state of repair compared to those in Transkei.

However, this distinction was only academic as all the buildings were in "dire need of maintenance and refurbishment".

At Kentani in Transkei the team found the court house had no running water or electricity. Officials were being housed in a garage on site while the court messengers were using a zinc structure as their office. — Sapa.

Bill: IFP may take action, says senator

SENATE. — The Inkatha Freedom Party would take aspects of the Local Government Transition Act Second Amendment Bill with which it was unhappy to court if investigation showed this was warranted, Senator Ruth Rabinowitz (IFP) said yesterday.

Speaking during the second reading debate on the Bill, she said her party for instance did not believe Parliament had the right to revoke Proclamation 129 in the absence of its having been declared unconstitutional.

Another issue to be investigated was whether the Local Government

Transition Act would apply at all after March 31 next year.

The IFP appreciated the political difficulties in the Western Cape, but objected to the "high-handed" way in which the province's powers had been reduced and taken over by the central government.

Mistrust

It would like to see the Gauteng provincial committee on local government also reconstituted, as it did not represent all involved.

The Bill was a motion

of mistrust in provincial governments, and KwaZulu/Natal in particular, and the IFP would oppose it "with all available means", Dr Rabinowitz said.

Senator Ernest Mchunu (ANC) said it was a "red herring" to aver that KwaZulu/Natal was being discriminated against — the Act applied to all.

It was the ANC's intention to ensure that local government elections were held as soon as possible and in an acceptable way so the results could be seen to be legitimate. — Sapa.

Transkei: Call a disaster area

DURBAN. — The Inkatha Freedom Party yesterday called on the ruling African National Congress to declare the Transkei region of the Eastern Cape a disaster area.

The IFP said in a statement that local government administration in Transkei had collapsed and was nearing a state of "irretrievable decay".

The ANC — ultimately to blame for the chaos in the territory — appeared reluctant to intervene, the IFP said.

"The ANC is apparently reluctant to intervene and balks at declaring a state of emergency in the crippled territory because it feels the political stakes are too high — it runs the risk of shedding voter support and alienating its traditional support base."

Demand for the establishment of IFP branches throughout Transkei had "surged from a trickle into a torrent". — Sapa.

Call to postpone rural areas poll

SENATE. — Elections in the rural areas should be postponed or further negotiations on ways of accommodating farmers in third tier government, Senator Dries Bruwer (FF) said yesterday.

They had not been adequately consulted in the creation of these struc-

tures, and now they were being forced to accept a system they did not want, he said in debate on the Local Government Transition Second Amendment Bill.

Earlier this week Parliament's Constitutional Affairs committee rejected a South African Agricultural Union proposal that farmers' representation on rural coun-

cils be upped from the present maximum of ten percent to 40 percent.

Sen Bruwer told the Senate this proposal had nothing to do with an attempt to retain White control over rural areas.

"It revolves around the fact that farmers in general, like traditional leaders, are now being stripped of decision making power and manage-

ment of their own land."

This was completely unacceptable.

The RDP had no hope of succeeding in the rural areas without farmers' co-operation, and the government would not get that co-operation by treating farmers like this.

Senator James Selfe (DP) said the question of rural local government was vexed and there were still a number of practical problems to be solved.

Fraud: 'Kei education chaos

PORT ELIZABETH. — Education in Transkei is in chaos and the Eastern Cape government's investigation of a big teachers' salaries fraud could lead to several arrests, education MEC Nosimo Balindlela said yesterday.

The investigation had revealed salaries paid for non-existent teaching

posts, and schools with inflated pupil ratios and incorrect salary submissions in an effort to get higher subsidies.

Ms Balindlela said there were schools under the former Transkei education department which existed on paper only. There were suspicions that some retired teachers

were still being paid salaries.

The Eastern Cape education department intended appointing a firm of consultants to do an audit. It was also carrying out spot checks of all its other departments, after it was discovered some had more employees than

was reflected on computer records.

The investigations were confirmed yesterday by Eastern Cape director-general Thozamile Botha, who said that although he did not have correct figures, he thought the government had been defrauded of millions of rands.

THE CITIZEN COMMENT

Stop insults

WE don't know what the ANC hopes to gain by insulting Deputy President F W de Klerk. First President Mandela claimed at a black-tie dinner that crime was a legacy of the apartheid past, Mr De Klerk objected, and the two had an argument in the street.

Yesterday Pres Mandela said crime levels had rocketed under the previous government because of its disproportionate deployment of the police among Whites, but he did not blame the former government for the crime problem and he accepted the ANC had to take the lead in solving crime.

This admission should put that divisive argument to rest.

At the weekend Gauteng Premier Tokyo Sexwale accused Mr De Klerk of undermining the government of national unity, of acting like a traitor, of playing the Trojan Horse and of being a "dishonest and untrustworthy" party leader.

We urged all involved in these verbal exchanges to cut it out. Let's have elections based on policies and not personalities, we said.

But in Parliament on Wednesday during the debate on the Local Government Transition Act Second Amendment Bill, Minister of Transport Mac Maharaj called for Mr De Klerk to be sacked as chairman of the cabinet committee on security and intelligence.

Mr Maharaj quoted a City Press report claiming Mr De Klerk had said: "If I still wanted to be president, I could still be president because I could simply bring in the army."

Mr Maharaj said he was proposing to the president that, "in the light of this threat, which is blackmail, Deputy President De Klerk be removed from his position of chairing the cabinet committee on security and intelligence".

Mr De Klerk replied that the City Press quote was wrong. "How would I say something which flies in the face of everything I have done since I became president in 1989?"

"I reject with contempt any interpretation that I have made any threat whatsoever of calling in the army in support of anything that the National Party wants to achieve.

"We are going to cut the ANC down to size not through force, but through the ballot box."

Although Mr Maharaj accepted that City Press misquoted Mr De Klerk, he lambasted Mr De Klerk for accusing the ANC of being soft on crime, of undermining the government when it came to the intelligence services; and of doing the same when it came to the public service.

He even blamed Mr De Klerk for Shell House because "you were in power" and did not defend the building.

Mr Maharaj, who played a leading role in the ANC's underground activities and masterminded Operation Vula, the ANC's plot to overthrow the government, still seems to harbour resentment when he says Mr De Klerk created a police force trained not to fight crime but to fight the liberation movements and the ANC.

It is time he accepted, like Pres Mandela, that the past is past and it is the present and the future that matter.

Furthermore, since Mr Maharaj serves with Mr De Klerk in the government of national unity, his intemperate outbursts against him make it difficult for them to have trust and confidence in each other as colleagues.

Besides, the last thing the ANC wants at this point is to have Mr De Klerk walk out of the government of national unity.

The mere suggestion that he might, because of Mr Maharaj's attack, affected financial markets yesterday, but fortunately official denials restored confidence.

However, if ANC leaders go on attacking Mr De Klerk personally, we fear for the government's survival, because no leader who values his reputation for integrity can allow himself to be subjected to these vile attacks.

We reminded Mr Sexwale that after the local elections the ANC and NP would have to live together in relative harmony, and harsh words now would only bedevil relations between them and harm the government of national unity.

We address the same advice to Mr Maharaj. We urge him to cut it out before he does irreparable harm to the government he and Mr De Klerk serve.

The politics of choosing a messiah's heir

Ann Eveleth

ONLY the wind stirred in Ebuhleni when Rogers Ngcobo took the podium last Sunday. Tens of thousands of white-robed Nazarites, who had gathered in the tree-cloaked shantytown to mourn the death of their spiritual leader Bishop Amos Shembe, listened in stunned silence to his message.

Ngcobo, a local bottle-store owner and non-Nazarite, told them that Shembe had entrusted him to reveal his heir, the new "black messiah", the prophet, healer and father confessor to all the faithful. He said Shembe's son Vimbeni was designated to take over the leadership of the two-million-strong, mainly Zulu, Nazareth Baptist Church, one of the largest churches in the country and a powerful force in KwaZulu-Natal.

Inkatha Freedom Party-aligned chief Nkanyisa Bityela rose to second Ngcobo's motion, saying that Shembe had come to him in a "vision" to tell him that Ngcobo would reveal the new leader.

Shembe had not yet been buried, but thousands of barefoot worshippers rose to leave the service, some shocked that their leader could send "an outsider" with such a controversial decree and others angry at what they believed was a hidden hand behind the announcement that promised to split the church anew.

Moments earlier, President Nelson Mandela had warned the congregation that "it would be tragic if the enemies of peace were to take advantage of this time of stress to create wedges in your leadership. Let us close ranks

against anyone who would try to sow division."

Political divisions between African National Congress and IFP supporters, which have plagued KwaZulu-Natal, have long been enmeshed in the church, and Mandela's message was pointed. Church sources say speculation about Ngcobo's "premature" announcement began days earlier, when Ngcobo's brother, IFP-aligned chief Mzonjani Ngcobo, was heard "reminding" parishioners that Ebuhleni was "his" land.

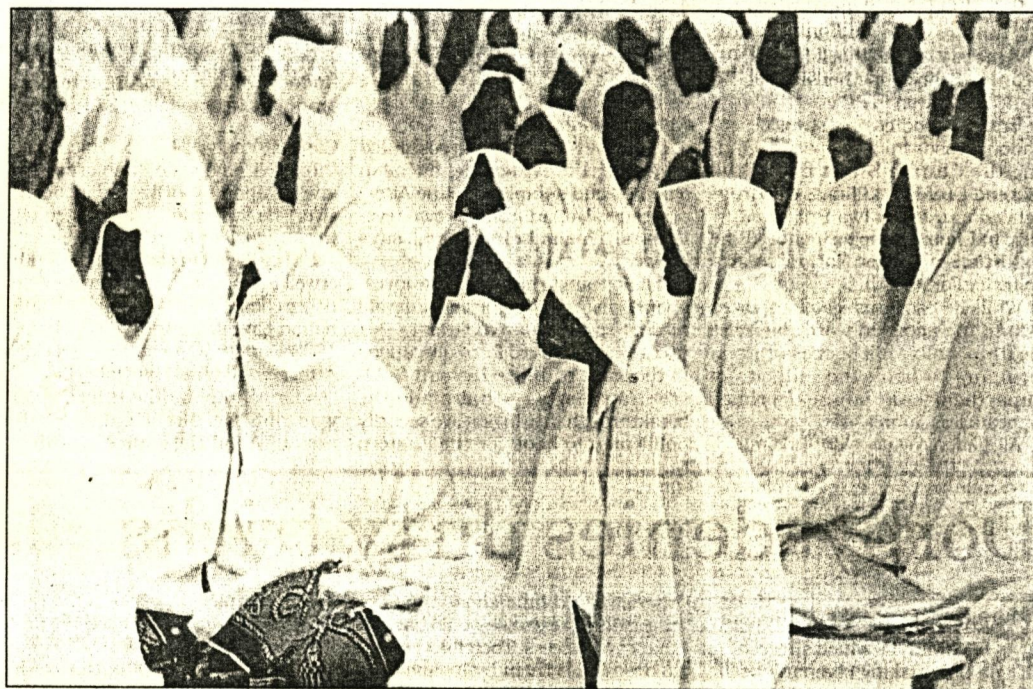
Chief Ngcobo had given the land to Shembe more than 15 years earlier, when a first split rocked the church and Shembe and his followers fled the church's Ekuphakameni headquarters down the Inanda township road. Now he wants them to support Vimbeni Shembe's ascension to the powerful — and wealthy — Shembe throne.

Church leaders earlier said they would announce the successor only after examining Shembe's will at a meeting due on Thursday. If no successor was named, a group of seven priests would pray for guidance before announcing a decision.

Sources say Ngcobo's announcement led groups of "concerned members" to hold a flurry of meetings this week to propose an alternative candidate, believing that the church would disintegrate further under Vimbeni Shembe's leadership.

"If Vimbeni is imposed on the church, there will definitely be a split," warned Mini Shembe, son of Johannes, the last Shembe to lead the church when it was still united.

"The problem is that there are few



Waiting for the word: Nazarites gathered to hear who would be the heir to their leader Bishop Amos Shembe

PHOTOGRAPH: RAJESH JANTILAL

candidates who possess the necessary theological training and leadership skills and could be acceptable to everyone," added Mini Shembe who, some sources suggest, is a possible contender for the position, given his training as a priest and his former work for the South African Council of Churches.

Succession, however, is a delicate matter among the "Shembes" as the church faithful are commonly known. Steeped in African traditionalism, the leader compares to a chief, except that "his power begins and ends with the church" and succession has thus far been patrilineal. When church founder Isaiah Shembe died, his son Johannes took over. But Johannes' death in 1976 heralded a new era of uncertainty.

Johannes' brother Amos became regent while the future leader was being sought. But as Amos Shembe refused to relinquish power, squabbles between him and Johannes

Shembe's family led to Johannes' son Londa staging a quiet coup which split the church in 1979, driving Amos and his followers out of Ekuphakameni, to which he would never return.

Housing deep contradictions between its traditionalist roots and its urban location, the church was not immune to the violence which rocked KwaZulu-Natal in the 1980s.

In 1989, Londa Shembe died in a hail of bullets at the hands of perpetrators who remain unnamed. More than a dozen church leaders died in the ensuing conflict and Ekuphakameni has since remained leaderless. Rumours of third force involvement in Londa Shembe's death abound, but his brother Mini says Londa had played "both sides of the fence".

The ANC-aligned Londa had provided a refuge for United Democratic Front activists, but was "close friends with Mangosuthu Buthelezi, via chief Simon Gumede, the KwaZulu Minister of Public Works", Mini said.

In Ebuhleni, Amos Shembe's minis-

ters, who promoted the IFP to the congregation, sparked rebellion among the UDF-aligned youths, further splintering the erstwhile tightly-knit communities.

Prior to the April 1994 election, rumours that IFP supporters from KwaMashu's volatile men's hostel had set up base in Ekuphakameni accompanied sporadic incidents of violence, while ANC returnees to a neighbouring section of Inanda began to mix with residents of Ebuhleni, changing the political texture of the former IFP stronghold.

The solemn lowering of Amos Shembe's ox-hide-clad body into the ground at Ebuhleni last Sunday etched the Shembes' divisions forever into the earth. Unable to be buried at the church headquarters in Ekuphakameni, Amos Shembe's grave will be a constant reminder that the "new covenant" which Isaiah brought down from Nhlankakazi mountain some 80 years ago, had been broken.

Leaked: Buthelezi's fury over land

The Cabinet and Mangosuthu Buthelezi are at loggerheads again over the controversial Ingonyama Trust Act, writes **Gaye Davis**

LEAKED documents from a Cabinet committee meeting show that government moves to spike a KwaZulu-Natal legislature bid to reenact the controversial Ingonyama Trust Act have sparked a major showdown.

In a strongly worded statement tabled at this week's meeting of the Cabinet committee on social and administrative affairs, Buthelezi says central government action would be "pre-emptive institutional prevarication" as the matter "affects the Zulu nation alone".

Buthelezi's furious reaction was to a memorandum tabled at the same Cabinet committee meeting by Land Affairs Minister Derek Hanekom, seeking a Cabinet go-ahead for a Bill amending the Act to come before Parliament during its next session.

"I must say that words fail me to properly express my personal outrage at the contents of this Bill, and I must warn that in this respect my reaction is going to be far more understanding and conciliatory than



King's ransom: How we broke the story in May last year of FW de Klerk ceding control of KwaZulu-Natal land to Zulu King Goodwill Zwelithini

what may emerge out of the anger of the Zulu nation," Buthelezi said.

"I plead in the name of peace and reconciliation that we do not go ahead with this proposal which has the practical effect of completely repealing the Act and transforming the Trust into a ceremonial legal entity with advisory powers only."

As it stands, the Act — passed by former president FW de Klerk in a highly secret deal two days before he was voted out of power last year — puts three million hectares or 93 percent of land in the former KwaZulu under the trusteeship of the

Ingonyama, Zulu King Goodwill Zwelithini.

Hanekom was acting in terms of a unanimous Cabinet decision in June last year that the Act be amended or replaced to ensure the Ingonyama remained guardian of tribal land and that provision be made for the alienation of land.

There are deep suspicions within government that re-enactment of the Bill by the KwaZulu-Natal legislature would allow the IFP to make further amendments to encompass all state land in KwaZulu-Natal as a whole.

Expressing his "total and unquali-

fied opposition" to the memorandum, Buthelezi warned that the country would be plunged into a "pernicious and institutional crisis" if Cabinet gave the green light to the Amendment Bill going ahead.

"No other single issue could be more sensitive and more inflammatory for the Zulu nation", he said, adding that central government amending the Act would "provoke and test the patience and tolerance which the Zulu nation has thus far demonstrated".

The areas governed by the act include not only tribal or communal land but also land in urban townships, government buildings, roads, dams, parks and commercial and industrial sites.

This was stifling development in areas that once fell under KwaZulu, Hanekom's memorandum said. Banks denied landholders loans because bonds would be invalid. Residents did not qualify for housing subsidies because they could not get registered title to their homes.

"It is not practically possible for people who need homes or land to become the legal owners or holders of land in these areas, because no land may be alienated or leased without the permission of the Ingonyama (Zwelithini), and (he) does not have the administrative facilities to deal with the very large number of requests which would be received."

In terms of last year's Cabinet deci-

sion, Hanekom consulted Kwa-Zulu-Natal premier Frank Mdlalose about the matter last month, who agreed to the Act's amendment but wanted this done by the provincial government.

Hanekom contends that as it is a land matter it thus falls to central government to do so. "In any event it is necessary to bring the situation into line with the position in other parts of the country, to give all South Africans equal rights in respect of land".

Buthelezi said he was aware of the difficulties of development where land was communal, rather than public and alienable. "The province of KwaZulu-Natal is working on this problem with a view to establishing a system which reflects our goal of pursuing the ideal of a truly modern and yet truly African state."

The Bill would be seen as "a provocation" to what the province was trying to achieve. He said "very little" would be left of "the facade that this Cabinet complies with the constitutional requirement that our decisions be taken by consensus where possible, if this Cabinet goes ahead with this Bill in spite of my most unqualified objection on such a matter which affects only my constituency".

It is understood that state law advisors have been asked to investigate and report on the constitutional position in time for next Wednesday's Cabinet meeting.