

THE NATAL WITNESS, TUESDAY AUGUST 6, 2002

## Maduna: TRC report won't be delayed

CAPE TOWN — Justice Minister Penuell Maduna yesterday denied he agreed to delay the publication of the Truth and Reconciliation Commission's final report pending further litigation by the Inkatha Freedom Party.

Maduna's spokesman, Paul Setsetse, told Sapa that "as far as we are concerned, there is no such agreement".

The report is scheduled to be handed to President Thabo Mbeki in about three weeks.

A date will then be announced for making it public, he said.

On Friday, Buthelezi said he could not allow the final report to be published without the TRC providing evidence of its allegations against him and his party.

He claimed the TRC has thus far failed to do so. — Sapa.

## Parliament to debate pardons

CAPE TOWN — National Assembly Speaker Dr Frene Ginwala has agreed to an urgent debate about the presidential pardons given to 33 prisoners.

The date for the debate in the National Assembly will be subject to Justice Minister Penuell Maduna's availability, she said.

DA leader Tony Leon asked for the urgent debate.

Before a criminal is considered for a presidential pardon, government should first consult the families of victims, he said.

Leon was speaking after meeting the family of the late Martin Whitaker in East London.

Also present was Neville Belling, who lost a leg in the Highgate Hotel grenade attack.

Dumisani Ncamazana — the man alleged to have murdered Whitaker two weeks after being pardoned in May — was originally jailed for his role in the Highgate attack.

Repeating his call for greater transparency, Leon suggested four steps.

These should include publicly disclosing the criteria for the pardoning of criminals imprisoned for murder, rape and serious assault.

Leon also called for a reconsideration of the current process of pardons in view of the extremely serious consequences when wholesale pardons are granted.

He again called for the criminal records of those who received pardons not to be expunged.

Leon also called for a finalisation of the much-delayed reparations to victims identified by the Truth and Reconciliation Commission. — Sapa.



## Nevirapine

**F**OR any child born HIV-positive — and there are 200 per day in South Africa — life will have ended by the age of 10 years. The use of a drug that will give even 100 of those 200 a chance of a normal existence must surely be a vastly better option than no treatment at all. Any fuss — such as that now being made by the Medicines Control Council (MCC) — about possible adverse side-effects of Nevirapine is surely inconsequential.

The fact that concerns about Nevirapine are being raised at this stage is suspicious in the light of the government's shameful history of foot-dragging on the provision of antiretrovirals. The MCC is supposed to be an independent body but according to PAC MP Patricia de Lille, its registrar, Precious Matsoso, is a political appointment and takes political instructions.

If that is the case, what are the MCC/government's intentions? Is it trying to escape by a back door from its obligations to provide antiretrovirals to HIV-positive pregnant mothers as ordered by the ruling of the Constitutional Court? Is it the case that the government has decided that it cannot afford Nevirapine and is therefore attempting to discredit the drug? Worst of all, has the government decided that it would prefer that children born to HIV-positive mothers should die rather than grow up as Aids orphans? Its dogged resistance to and discrediting of treatment gives some credence to so cynical an interpretation.

Whatever the answers to these questions, the fact remains that the government cannot escape its obligations. The Constitutional Court ruling was so worded that if Nevirapine is not used to combat mother-to-child infection, some other drug will be required. There has been far too much pressure on the medical fraternity by politicians in the campaign against Aids. According to Professor Jerry Coovadia, head of the HIV-Aids research unit of the University of Natal, a ban on Nevirapine would be "quite disastrous". The authorities should follow the experts in this matter. Death-by-Nevirapine is a lot less likely than death-by-Aids.

## TAC to challenge any HIV drug ban

JOHANNESBURG — The Treatment Action Campaign (TAC) yesterday threatened to challenge the Medicines Control Council (MCC) in court if it decides to ban the anti-Aids drug Nevirapine.

"We haven't decided on an exact legal route yet but we will make sure that any reverse decision is heard. We're not going to quietly sit by if this is a serious threat," the TAC's Mark Heywood said in a statement in Johannesburg.

He was reacting to newspaper reports at the weekend that the MCC is reviewing its approval of Nevirapine because it has concerns about its effectiveness and toxicity.

MCC registrar Precious Matsoso told Sapa yesterday the organisation will first consider upcoming developments regarding a Ugandan study

on Nevirapine before deciding about its future registration.

"I don't know where this thing of banning comes from. I don't know why there is this big fuss about one drug," she said.

Heywood, however, said the MCC's behaviour is suspect.

Shortly before the start of two key court cases about the government's Aids policy, the MCC issued statements expressing concern about the safety of Nevirapine.

"We find that unbecoming behaviour and it certainly raises questions about them. We have cause for concern. We hope the MCC will not risk its sterling reputation of being independent of the government."

In his reaction yesterday, Western Cape Premier Marthinus van Schalkwyk said the de-registration

of Nevirapine would be a massive human disaster for the Western Cape and South Africa as a whole.

"Our task, as government, both national and provincial, is primarily to protect and save the lives of our people," Van Schalkwyk said. "It is our view that the benefits of Nevirapine far outweigh the possible negative effects."

The treatment of cancer for instance involves the use of radiation to kill cancerous cells and often causes nausea and hair loss.

He said Nevirapine, especially used in the single dose administered to prevent mother-to-child-transmission of HIV/Aids, has had no known toxicity problems in the Western Cape.

"The overwhelming preponderance of scientific and medical opinion, advice, and evidence is that Nevirapine is safe and the province's decision to use the drug was based on this advice."

If the MCC has any new evidence they have a moral and ethical duty to make such evidence public and until such time as persuasive evidence demonstrates that Nevirapine is unsafe, the province will continue making use of the life-saving drug, Van Schalkwyk said.

"We will not stand idly by and watch 70 000 babies across the country being born with an almost certain death sentence because we do nothing to stop the transmission of the virus from mother to child."

Van Schalkwyk said the ongoing debate about Nevirapine contributes nothing to the battle against HIV/Aids. The province is going ahead with the roll-out of Nevirapine, he said. — Sapa.

## TAC plans Aids awareness day

JOHANNESBURG — The Treatment Action Campaign (TAC) will co-ordinate a countrywide Aids awareness project at workplaces this week, the lobby group said yesterday.

TAC spokesman Pholokgolo Ramothwala said several pickets and workshops will be held at hospitals, clinics, factories and schools as part of the Community Day of Action on Thursday.

The aim of the campaign is to reduce stigmatisation of people living with Aids, and to improve knowledge and create openness about the disease.

Events will take place in Gauteng, Western Cape, KwaZulu-Natal, Eastern Cape, Mpumalanga and

Limpopo.

In another development, the TAC has found a new way of reducing the cost of HIV/Aids care — through cheaper pathology tests.

TAC attorney Fatima Hassan told reporters yesterday that a laboratory, which can't yet be named, offered to perform tests at a more than 50% discount.

"That does not mean that it is below cost price for them. They will still be making a profit," she said in Johannesburg.

Hassan said the company proposed a package that would test an HIV-positive person's CD4 count, full blood count and viral load for R500. It usually costs about R1 200.

— Sapa.

# 'Make HIV-Aids notifiable'

By Bantu Holomisa

DESPITE the Constitutional Court victory on HIV-Aids a lot still needs to be done to save lives.

The debates often focus on political and moral aspects, to the exclusion of all else.

I am proposing practical steps. There are many options at our disposal, but I will expand only on two: making it notifiable and enhancing SA's capacity to manufacture drugs.

Making a disease notifiable means establishing the actual occurrence of the disease and allows the Government and society to develop appropriate strategies to fight it.

But can the Government and society develop proper and adequate strategies to combat it, without reliable information about its incidence and prevalence?

The answer is, no.

Some say we already have statistics and models to address this need, an assertion that has two major flaws.

- The statistics are educated guesses, and no matter how accurate they do not represent reality.

- Though I have great respect for the institutions that compile these statistics there will always be others – some unfortunately in the Government and the ruling party – who will deny the accuracy of the statistics and accuse the researchers of incompetence.

When a disease is notifiable such criticism cannot be raised, and the millions who suffer cannot be ignored, which does not imply sacrificing the privacy and dignity of people living with HIV-Aids.

I respect the misplaced fears of those who argue that making HIV-Aids notifiable will expose those with the disease to stigmatisation and victimisation.

If HIV-Aids was a notifiable disease, and consequently communities and groups heavily affected were provided with targeted facilities and services, those with the disease would not need to make public declarations of their status.

Likewise many would not need to suffer in silence. As it is, many South Africans – albeit the fortunate ones – are expected to undergo HIV-Aids tests by medical schemes and life insurance companies.

Many already trust the private sector to keep their HIV-Aids status confidential.

Similarly people with HIV-Aids who enter private or public health institutions have to trust the institutions to protect their confidentiality.

Our Constitution and Bill of Rights explicitly provide protection and equality for all South Africans. As a society we must uphold and promote those rights.

To argue that notifiability is unattainable because of stigmatisation and victimisation – apart from confusing notifiability with public exposure – is to condone discrimination.

Not making HIV-Aids notifiable is wrong, and it is equally wrong that infected people are victimised. But two wrongs do not make a right.

Our Constitution provides mechanisms and institutions to prevent discrimination.

It is our duty to access these institutions. Failure to do so turns the Constitution into a meaningless document.

The second practical step to combating HIV-Aids is enhancing SA's capacity to manufacture medicine.

We have the resources, infrastructure, expertise and technological know-how.

We can produce not only for ourselves, but also for the whole continent, drugs of high quality at a reasonable price.

A public-private partnership to develop treatment and build factories will be an investment in the health of our nation.

It will be a long-term investment in our economy that will establish us as a player in the multi-billion rand pharmaceutical industry, which is dominated by the West.

It would certainly be a much wiser investment than the R60 billion wasted on weapons.

Never before has an opportunity to save lives as well as develop our economy and create jobs presented itself.

Uganda has had a measure of success, which is proof that this is the only way to approach HIV-Aids.

# IFP effort to delay report thwarted

By Waghiel Misbach and Sapa

**A**TEMPTS by the Inkatha Freedom Party to stall the release of the Truth and Reconciliation Commission's final report were dealt a blow yesterday when the Justice Ministry announced that the report would be released in three weeks' time.

Justice Minister Penuell Maduna denied yesterday that he had agreed to delay the publication of the report, pending further litigation by the IFP.

In its interim report the TRC found that the IFP, under leader Dr Mangosuthu Buthelezi, was the "primary non-state perpetrator ... responsible for

approximately 33 percent of all the violations reported to the commission".

Buthelezi has spent three years challenging this finding in court, saying it is not supported by the evidence. The justice department has inherited responsibility for all pending litigation as the TRC no longer exists.

Last Friday Buthelezi's adviser, Dr Mario Ambrosini, said Buthelezi and the IFP would again challenge the Justice Department in the Cape High Court in November to produce the records containing evidence supporting its findings.

The court had given the commission until July 31 to produce the records, but the TRC had failed to do so.

Ambrosini indicated that Maduna

had given an undertaking not to go ahead with the final report until after the case had been decided.

Buthelezi said he could not allow the final report to be published without the TRC providing evidence of its allegations against him and his party. The TRC had failed to produce this "body of evidence against me" as ordered by the court, and was therefore in "default".

Yesterday IFP spokesman Mr Musa Zondi said the matter of the TRC report was in the hands of the IFP and state attorneys. Maduna's spokesman, Mr Paul Setsetse, confirmed this saying the two sides' lawyers would continue discussions with a view to resolving the matter out of court.

# Protest turns violent

Tension boils over as protesters go on the rampage during anti-defection bill demonstration

By Shadi Rapitso and Ido Lekota

**A**s tension mounted ahead of today's Constitutional Court hearing on the controversial floor-crossing bill, a protest against the proposed law, organised by opposition parties, turned violent.

Passengers on a train transporting protesters from the Nancefield hostel in Soweto were attacked and robbed. Some passengers were also prevented from boarding the train, which was bound for the Johannesburg city centre.

The hostel is known as an Inkatha Freedom Party stronghold.

The protest, however, was jointly organised by the IFP, the United Democratic Movement and the Pan Africanist Congress. The UDM and PAC have in recent months been involved in high-level talks to forge a united opposition to the ruling ANC.

Police spokesperson Mhazima Shiburi said the motive for the violence was still unknown and they would investigate the possibility of a political link.

Seventeen people were arrested.

Yesterday UDM spokesperson Malizole Diko confirmed that the parties' youth wings had organised the protest march.

"We are having joint campaigns to stop this highway robbery in the form of the floor crossing legislation", he said.

Diko, however dissociated his party from the violence. He also condemned the incident saying "no form of violence should be condoned".

However, Gauteng's South African National Civic Organisation provincial secretary Siphwe Thusi believes the attacks are politically motivated. "This is barbaric and we shall not let our people be sacrificed for political gain and have a situation similar to that prior to the 1994 elections," Thusi said.

In the memorandum presented to the Gauteng legislature the protesters called on all MP's who wanted to defect to resign their positions first.

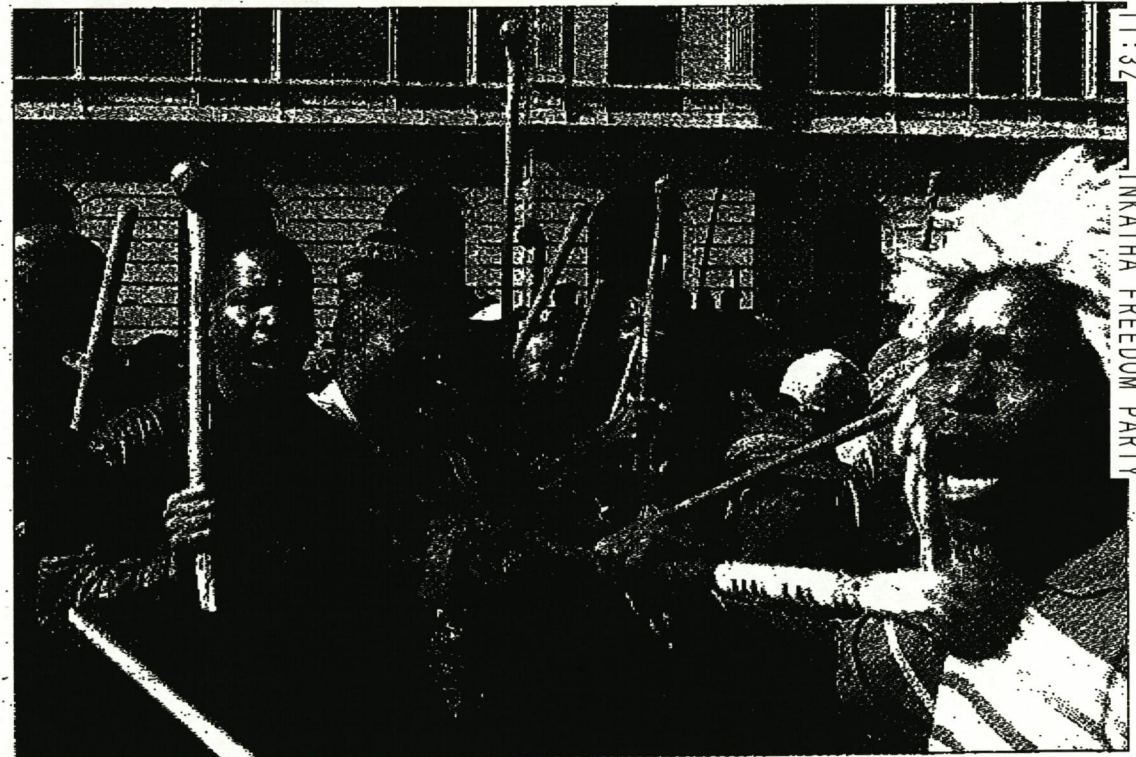
The memorandum was strident in its criticism of the floor-crossing bill saying it was "an indication of political thuggery and the abuse of power aimed at disrespecting and frustrating the will of the electorate".

IFP spokesman Musa Zondi condemned the violence and called on the Gauteng provincial youth leadership to investigate the matter. "If our members were involved in the violence the provincial structures must take appropriate action", said Zondi.

ANC spokesman Smuts Ngonyama said his party condemned "all unwarranted attacks on innocent South Africans". He said the ANC would await the police investigations on whether the attack was politically motivated. He called for strong action if it is found that this was the case.

The Pan Africanist Student Movement of Azania was not available for comment.

Today's hearing is a sequel to an application by UDM leader Bantu Holomisa to have the floor-crossing bill declared unconstitutional.



A Joint Youth Forum comprising of UDM, PAC, IFP, South African Student Movement, and other youth organisations marched through the streets of the Johannesburg city centre in protest against the floor-crossing legislation.

PHOTO: PAT SEBOKO

### **ANC Youth League calls on party leadership to discipline dissenters**

AFRICAN National Congress (ANC) Youth League president Malusi Gigaba called on ANC leaders yesterday to discipline members who undermined the party in public under the pretext of freedom of speech and debate. One of the victims may be SA Communist Party deputy general secretary Jeremy Cronin. The league has been pushing the ANC to discipline Cronin, an ANC national executive committee member, for claiming the president's leadership was marginalising him. *Pule Molebeledi*

### **Ginwala agrees to debate on prisoner pardons**

NATIONAL Assembly speaker Frene Ginwala has agreed to an urgent parliamentary debate on the controversial presidential pardons given to 33 Eastern Cape prisoners. The date for the debate would be subject to Justice Minister Penuell Maduna's availability, she said yesterday. Democratic Alliance leader Tony Leon, who opposed the pardons from the start, requested the urgent debate. Before a criminal is considered for a presidential pardon, government should consult the families of the victims, he said yesterday.

Leon was speaking after meeting the family of the late Martin Whitaker in East London. Also present was Neville Belling, who lost a leg in the Highgate Hotel grenade attack. Dumisani Ncamazana, the man alleged to have murdered Whitaker two weeks after being released on a presidential pardon in May this year, was originally jailed for his role in the Highgate attack. *Sapa*



**Frene Ginwala**

## Toxic turnabout

**T**HERE are ominous signs that government has shelved its commitment, stated in bold and uncertain terms on April 17, to following international practice in implementing a fully fledged treatment regime to soften the frightening toll AIDS is taking on our communities, especially the poorest of them. This retreat is bad news, not only for AIDS sufferers, but for the country as a whole, which has an unenviable reputation as the world capital of the AIDS epidemic.

Since April 17, the Constitutional Court has ruled that government has a duty to make the antiretroviral drug nevirapine available to HIV-positive pregnant women. And the AIDS treatment lobby has lost no time extending the logic of treating poor, HIV-positive pregnant women, to all those who require treatment, but who cannot afford it.

Enter once again the towering moral figure of Nelson Mandela, the former president, and a canny politician to boot. Earlier this year Mandela warned the African National Congress (ANC) against being seen not to care about the victims of AIDS. Now Mandela is again in talks with President Thabo Mbeki about treatment being made available in the public health system to all those who need it.

Few figures have as nuanced a

grasp of symbolism in politics as Mandela has, something which Mbeki appears to ignore routinely.

The irony is that although Mbeki may have discovered some worthwhile things to say about the link between AIDS and poverty, he loses the symbolic battle hands down because the obvious fact is that people are dying, be they poor, wealthy or otherwise. Some of those who die are quite close to his own social and professional circle.

This denial, as it has come to be called, has dovetailed neatly with the ANC's own inbred antipathy to western capitalism, and the drug companies in particular. However, by hook or by crook Mbeki and the cabinet came around to agreeing — what choice did they have really? — that drugs were at least part of the answer. But whatever goodwill came of that decision has been lost in needless controversy, much of it due to the bungling of Health Minister Manto Tshabalala-Msimang.

Now there are allegations she is leaning on the Medicines Control Council to have nevirapine banned, on the flimsy pretext that it is "poisonous", a claim she repeats often.

Government owes it to the public to follow policies it has undertaken to uphold, instead of hiding behind technicalities and pursuing business as usual while thousands die.

## Premier sounds a warning on nevirapine

Linda Ensor, Tamar Kahn and Sapa

WESTERN Cape premier Marthinus van Schalkwyk warned yesterday that the provincial government would consider legal action if the Medicines Control Council deregistered nevirapine, the antiretroviral drug used to prevent mother-to-child transmission of HIV.

In apparent defiance, the provincial government said it would continue with its expanded roll-out of the treatment to cover all of the province by the end of this financial year.

The council has launched an investigation into the safety and efficacy of the drug, raising suspicions among AIDS activists that it has succumbed to political pressure following the Constitutional Court ruling that obliges central government to roll out the provision.

"Any steps aimed at preventing the Western Cape from dispensing nevirapine and thereby stopping this life-saving intervention will be viewed very seriously by our provincial government, and I am therefore immediately instructing our legal services to begin investigating any and all legal remedies available to us should the deregistration proceed," Van Schalkwyk said.

"This ongoing, energy-sapping debate about nevirapine contributes nothing to the battle against HIV/AIDS, and every time the people of SA believe that we are finally beyond the controversy, it seems that the debate is reopened."

The Treatment Action Campaign (TAC) has also threatened legal action against the council over the deregistration of the drug.

Precious Matsoso, the registrar of medicines, said yesterday that media reports that the council was considering banning the drug were irresponsible.

She said the council was reviewing the results of a clinical trial conducted in Uganda, and published in the *Lancet* in 1999, because there were problems with the documentation of the trial.

Although she declined to give details, Matsoso said there were "data integrity" problems with the trial. She said the issue was brought to the council's attention earlier this year by the drug's manufacturers, Boehringer Ingelheim, who informed the council that they had withdrawn their application to have nevirapine registered by the US Food and Drug Administration.

She said Boehringer Ingelheim had acted in accordance with the registration

conditions specified by the council, which require the company to inform it if there are any problems with the drug.

Matsoso said the council had approved nevirapine, on condition that if there were problems, Boehringer Ingelheim would bring them to its attention.

She said the US National Institutes of Health, which had conducted the Ugandan trial, was assessing data collected at the Nevirapine trial site and would report on the matter in September.

The council would then consider what steps to take, she said.

TAC said yesterday that it had requested a meeting with the National Pathology Group — an association of privately owned pathology laboratories — to discuss lowering the price of HIV diagnostic tests.

TAC's attorney, Fatima Hassan, said that a laboratory, which she declined to name, had offered to perform tests at a discount of more than 50%.

"That does not mean that it is below cost price for them. They would still be making a profit," she said. The company had proposed a package that included testing an HIV patient's CD4-count, full blood count and viral load for R500. Current market prices average R1 200.

BUSINESS DAY, Tuesday, August 6 2002

# Making benefits of democracy accessible

John FE Ohiorhenuan

**E**VERY year since 1990, the United Nations Development Programme has commissioned the writing of the Human Development Report by an independent team of experts to explore major issues of global concern.

The theme of this year's recently released report is Deepening Democracy in a Fragmented World. It argues that governance for human development must be democratic in substance and in form.

The report distinguishes between democratic institutions and democratic politics — which back civic involvement and popular participation.

It means not only ridding societies of corruption but also giving people the rights, the means, and the capacity to participate in the decisions that affect their lives and to hold their governments accountable.

The report argues democracy is neither a luxury nor a panacea for poor countries. Granting all people formal political equality does not create an equal desire or capacity to participate in political processes — or an equal capacity to influence outcomes.

Imbalances in economic and political power often subvert the principle of one person, one voice. Therefore, the links between democracy and human development are not automatic. Good governance also requires fostering fair, accountable in-

stitutions that protect human rights and basic freedoms.

For the first time, the report provides several subjective and objective indicators of governance, designed to broaden the criteria used in public debate to compare countries' achievements in the area of governance.

Overall, SA scores well in both subjective and objective criteria. However, in Africa, Mauritius is the best performer, surpassing SA in areas of press freedom, voice and accountability, law and order, rule of law, government effectiveness, and trade union membership. However, the percentage of seats in parliament held by women is higher in SA than Mauritius.

In a chapter on deepening democracy at global level, the report argues

the international community should see the recent global civil society campaigns as an opportunity to inject new energy and popular legitimacy into global decision making.

It calls for concrete reforms to beef up developing nations' role in international institutions, and make them more open and accountable to the people and countries affected.

The annually updated Human Development Index this year ranks 173 countries by a composite measure of life expectancy, education, and income per person.

The report calls attention to the tragic situation in eastern and central Europe, the former Soviet Union and sub-Saharan Africa, where many nations have a lower index now than at

the start of the 1990s. More than 60 countries in different parts of the world have lower income a head today than before 1990, and in 26 countries incomes are lower than in 1980.

SA is among nations whose index has declined in recent years, resulting in its ranking among 173 nations slipping to 107 from 104. In recent years, a decline in SA's index can be ascribed mainly to declining life expectancy at birth, because of HIV/AIDS.

The decline in SA's index since 1995 highlights the report's argument that the link between democracy and human development is not inevitable.

■ Ohiorhenuan is Resident Representative of the United Nations Development Programme.

# Ngonyama denies any political aspirations

Xolani Xundu

Political Correspondent

HEAD of the African National Congress (ANC) presidency Smuts Ngonyama has denied allegations that he asked Port Elizabeth businessman and ANC member, Mkhoseli Jack, and four others to write letters to President Thabo Mbeki calling for the dismissal of Eastern Cape premier Makhenkesi Stofile.

Two highly placed sources in the ANC alleged yesterday that Ngonyama asked for such letters to be written in order to mastermind his comeback to the province as premier.

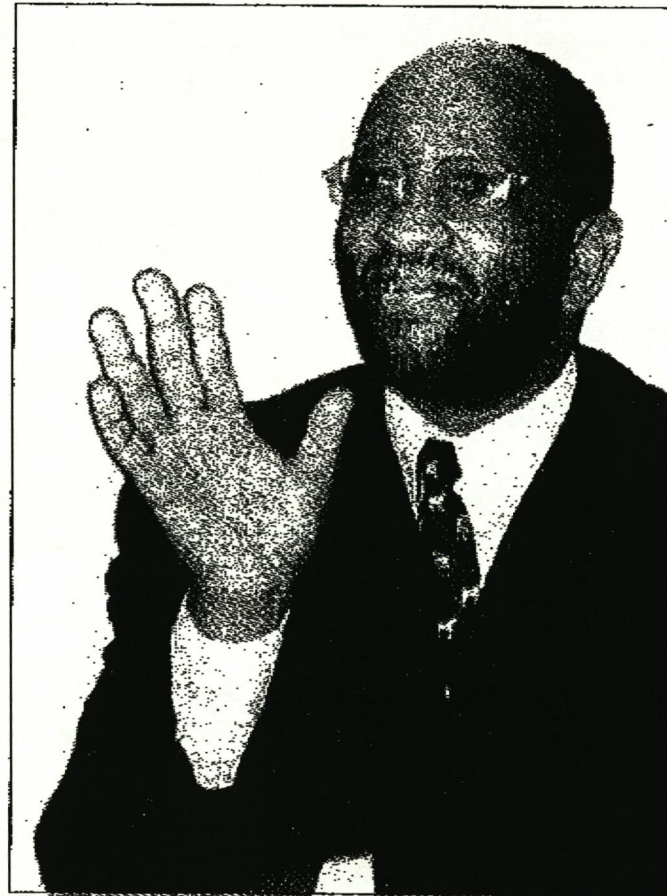
However, Ngonyama has dismissed this as "completely untrue". He said ANC members all over the country often wrote letters to the national leadership on a number of issues.

"I only saw the letter in the newspapers," he said. He has since, however, seen the letter.

Ngonyama also described allegations that he wanted the premiership of the province as "wishful thinking", saying it was only the people of the Eastern Cape and the ANC who could make such a choice.

"I am not interested in any government position. To me it is about the revolution and building the ANC. That is why I am sitting where I am (as head of the presidency) and if people want to accuse me of betraying that, then that is something else," he said.

Jack has dismissed as "undiluted rubbish" the allegations that he was asked by Ngonyama



Smuts Ngonyama

to write the letter.

"Those are my views and have nothing to do with anybody and I stand by what I said," he said.

Jack, in a letter leaked to a Johannesburg daily last week

called for Stofile's dismissal, claiming he was failing to govern the province.

Jack also cited inefficiency in the provincial government, including the nonpayment of

7 000 teachers, the collapse of the feeding scheme and chaos in the healthcare system.

"The premier's political authority is totally diminished. The sad consequence of this is that he has harmed himself politically and it will be impossible to recapture that authority as it is now," he said.

Jack said the ANC needed to move swiftly to silence its detractors, pointing out that many positive developments in the province were being overshadowed by Stofile's mishaps.

ANC provincial spokesman Pakamisa Hobongwana said Jack's letter would not be discussed by the provincial executive committee as Jack had the right to say whatever he wanted.

"It is up to the intended (recipient of the letter) to act and give us light on this issue.

"We are not going to discipline Jack and we have not asked him about it," he said.

However, the ANC in the province is understood to be investigating the matter.

This is not the first time that Stofile's leadership has been challenged from within the organisation in the Eastern Cape.

The recent developments come in the wake of reports that provincial secretary Humphrey Masegwana wants to challenge Stofile for the ANC chairmanship at the provincial congress scheduled for end of this month or early next month.

Earlier, there were reports that MP Mluleki George would stand for the provincial leadership.

# Oorloop-optog 'hou nie verband met hostelgeweld'

Christi van der Westhuizen

Kaapstad. – "Moedswilligheid" sit agter die bewerings dat gister se veelparty-betoging oor die oorloopwetgewing te doen het met die geweld by die Nancefield-hostel in Soweto.

Dit was gister die reaksie van eerw. Musa Zondi, senior IVP lid, en mnr. Bantu Holomisa, UDM

leier, oor die berigte dat lede van die Nancefield-hostel ook aan die betoging deelgeneem het.

Meer as 1 500 lede van die jeugvleuels van die IVP, UDM, PAC en Azapo het gister bymekaargekom om teen die oorloopwetgewing te betog. Die UDM en IVP is hofsaak teen die oorloopwetgewing kom vandag voor die konstitusionele hof.

Die wetgewing maak dit moont-

lik vir openbare versamelings op al drie regeringsvlakke om van party te verander sonder om hofsaak te veroorsaak. Tegnies het die ANC nou 'n meerderheid in die KwaZulu-Natalse wetgewer nadat vyf lede van ander partye na die ANC oorgeloop het.

Zondi sê geen verband tussen die betoging wat die Gesamentlike Jeugforum gered, het en die geweld by Nancefield nie. "Hoe-

kan die hostel daarmee verbind word? Dit is in Soweto en die optog was in Johannesburg. Hoe kom ons ry nou aansluit by die optog in Soweto?"

Die IVP steun die betoging, want die betogers huldig dieselfde menings oor die oorloopwetgewing as die IVP. Die betogers is egter nie verbonde aan die IVP nie.

Die samewerking vloei uit die

onlangse IVP-konferensie waar verskeie partye verteenwoordig is. Die IVP-Jeugbrigade het waarskynlik die betoging saam met die ander gered.

Die jeugbrigade is 'n outonome liggaam en nie verantwoordbaar aan die IVP nie, het Zondi gesê.

Volgens Holomisa is die betoging gedoen met die medewete van die UDM, maar die UDM is nie geraadpleeg daarvoor nie.



A demonstration waves a placard during yesterday's IFP march in central Johannesburg to protest against flood

The Citizen Tuesday 6 August 2002

# We wanted co-operation with ANC, not co-option

MANNY de Freitas's delusional assertion ("Watching a chameleon on a box of Smarties", *The Citizen*, July 29) that I have conceded that the DA should be respected for the vital role it plays in our democracy is ludicrous, to put it mildly. True, the DP/DA does play a role – with emphasis on play – but it is not vital.

Despite the plainest language it seems I cannot get through to him: the NNP has been deliberate and consistent in its policy of creating multi-party government. In 1991 the NNP introduced its policy for participatory democracy. In the run-up to 1994 it argued for power sharing. In 1994 it joined the Government of National Unity. In the 1999 elections it asked for a mandate to work for inclusive government. More consistent one cannot get.

Now it is true that the NNP left the Government of National Unity, and it is true that we at that point said that the ANC would have to assume full and sole responsibility for its policies and actions. The problem with De Freitas's convenient

THE NNP has been consistent in its policy of creating multi-party government, writes **DARYL SWANEPOEL**

misinterpretation of events is that he twists it to "beautifully illustrate" that the NNP is inconsistent in that we stand for multi-party government, yet we left the Government of National Unity. What he fails to add, and the NNP has stated this over and over again, is that we left the Government of National Unity because the fundamentals to ensure co-operation as opposed to co-option were not in place.

Those structural arrangements are now in place. The NNP and ANC retain their own identities, are free to promote their own policies, strategies and tactics. Whereas the commitment is to reach consensus on issues where the NNP and ANC differ, where consensus cannot be reached the parties are able to publicly differ and express their views. These arrangements

were not previously in place; they are now. Co-option, or the danger of it, has been replaced with co-operation. The commitment now is to achieve win-win solutions that benefit all the people, not just some of the people.

But the debate is becoming a bit stale. It is not about what was said in the past, and what was done when. Life is dynamic, things change. What is of interest to the electorate is through whom their interests will be best represented in the future. For the opposition voter, the choice is between the DP/DA and the NNP.

The choice is between the problem identifiers and the problem solvers. The DP/DA are sterling problem identifiers. They can point out all the problems, show up all the mistakes, and often even exaggerate them

almost beyond recognition. Yes, problem identification is necessary and important. But we all know what the problems are – we need jobs, crime is too high, we need to fight Aids, we must build houses, management needs to be improved, and so on. The electorate doesn't need the DP/DA to tell them that, they know it. They are the affected ones.

The electorate needs problem solvers. They need a party that chooses to be part of the solution. They need a party that can sit at the main table of decision-making as advocates for them. Through rational debate and accessibility far more will be achieved than an approach which serves only to antagonise and isolate.

The choice is simple and clear: do you choose as your advocate those that fixate on problem identification, or the NNP, problem solvers with a constructive attitude to get South Africa working. Together South Africa wins.

● **Daryl Swanepoel** is NNP Deputy Executive Director.

The Citizen Tuesday 6 August 2002

## ANC suspends four from council

By CATHY THOMPSON

THE ANC in North West has suspended four of 11 councillors in a local municipality who allegedly defied instructions on how to deal with the ceding of mining rights to a diamond prospector.

The four, Moeti Mosiane, Andrew Laastele, Isaac Rambau and Johnny Pitso, have all been suspended, both in their capacities as councillors in the Lekwa-Teemane (Bloemhof and Christiana) Local Municipality and as members of the party.

This was confirmed yesterday by provincial spokesman Mandleinkosi Mayisela, who said they were facing internal charges of "ill-discipline" over an illegal meeting they had allegedly held, against the express instructions from the provincial executive committee of the ANC.

The other seven councillors in the municipality had been excluded, he added.

At the meeting it was decided that the councillors would "proceed to give the mineral rights" to a certain Chris Potgieter, a local businessman.

Mayisela confirmed reports that the irregular sale of land and river sand was also alleged.

# Skote klap toe jeuglede opruk oor oorloopwet

Lizel Steenkamp en Ainsley Moos

**O**penbare geweld, rooftogte en die verkragting van 'n jong vrou was gisteroggend in Soweto die aanloop tot 'n betoging oor die oorloopwetgewing in Johannesburg.

Die polisie het 17 mans, vermoedelik IVP-ondersteuners, kort ná die voorvalle by 'n hostel langs die Nancefield-stasie in hegtenis geneem. Die hostel is 'n bekende IVP-vesting.

Minstens vyf skote het sewe uur later in die hostel geklap voordat 'n groep IVP-ondersteuners bymekaar gekom het om van die Nancefield-stasie vir die optog na Johannesburg te vertrek. Sowat 150 mans geklee in IVP-hemde en met tradisionele wapens, het die trein gehaal.

Een mens is geskiet en nog skote het in ruk later geklap toe die Gesamentlike Jeugforum van Joubertpark na die Gautengse wetgewer opgeruk het – 'n dag voor die aanvang van die konstitusionele hof se sitting oor die oorloopwetgewing.

Ondersteuners van die UDM, PAC, IVP en Azapo het gister hul ontevredenheid uitgespreek oor die ANC en NNP se "bedrieglike manier om kiesers te trek".

Skote is geskiet terwyl die betogers na die wetgewer op pad was en volgens Kaptein Mashadi Selepe, polisiewoordvoerder, is iemand "heelwat later" in die been gewond.

Bendelaars wat vroeër die oggend by die Nancefield-stasie opgedaag het, is deur 'n groep onbekende mans "behoef en verhoed" om die treine werk toe te haal. Volgens Kaptein Mbasima Shaburi, polisiewoordvoerder in Soweto, het die groep minstens ses voertuie se vensters met klippe stukkend gegooi.

Die aanvallers het 'n motor in Klipspuit-Vallierweg voorgeneem, 'n vrou uit die sitplek geklap en die bestuurder bevestig om weg te ry. Twee mans het haar daarna na 'n bus gesteepte en glo verkrag.

Aangesien 10 mans is weens openbare geweld in hegtenis geneem en nog 'n verdagte weens die hefst van 'n onwettige pistool.

Shaburi wou nie bevestig of die verdagtes wel IVP-ondersteuners is nie. "Ons wil nie die gebeure 'n politieke geur gee nie. Ons beskou dit as gewone misdadige optrede."

Die jeugorganisasies van die vier partye bekend as die Gesamentlike Jeugforum het onderneem om die oopgesag van die aereg te verbiedig, maar het gesê die publiek moet weet van die ANC en NNP se "ontverreping van die demokrasie".

Mnr. Paul Setsetse, woordvoerder van dr. Phelekezile Maseko, minister van Justisie en staatkundige ontwikkeling, het gister die memorandum namens Maduna ontvang.

Mnr. Kingsley Masemola, UDM-voorsitter en LPW, het gesê die land staar 'n grondwetlike krisis in die gesig en dit is die gevolg van "die openlike bedrieëry" van die NNP en ANC.

## R10m farm scheme launched

BOB FREAN  
PIETERMARITZBURG  
BUREAU



NAREND  
SINGH

A R10 million scheme to benefit previously disadvantaged, small and emergent farmers through mechanisation and other resources was launched by KwaZulu-Natal Agriculture Minister Narend Singh at Cedara, near Pietermaritzburg, yesterday.

Small and historically undercapitalised farmers would now be able to mechanise and produce as never before, and entrepreneurs would be able to grow out of the scheme and establish ploughing and cartage services, Singh said.

### Programme

An envisaged 150 tractors and equipment are to be bought and deployed to benefit farmers settled under the land reform programme.

Singh said: "This mechanisation programme is new to Africa. It is an interaction of developed agriculture and the underdeveloped, cheek by jowl. Some large agriculture schemes initiated by the government have had questionable success. Private sector schemes such as in timber and sugar have been successful. But here, for the first time, we have a combination of government services, the private sector represented by tractor companies and finance houses, and the small-scale farmers in the common aim of producing surpluses and being commercially successful."

Bulk discounts of up to 31% have been negotiated to buy new tractors. The programme will subsidise new tractors by 16%, up to R32 000, and machinery by 16%, up to R16 000. The Land Bank will provide finance at prime interest less 1.25%.

Prospective owners will have to pass a training course before they can have access to a loan.

## IFP asks for 11th hour talks over TRC findings

CHRISTELLE TERREBLANCHE

CAPE TOWN: An 11th hour request by the Inkatha Freedom Party to meet members of the Truth and Reconciliation Commission to resolve their differences is under consideration by commissioners.

This emerged yesterday after weekend reports suggested the IFP's ongoing feud with the TRC could result in the publication of the final report being delayed.

The Justice Department and commissioners gave assurances that the IFP's struggle to get the text of the final report changed would not affect the handing over of the final codicil this month.

Sources close to the now disbanded commission, however, told The Mercury that some former members had recently received a request for a "round-table discussion" about the IFP's problems with the findings the TRC made, including that its members were responsible for a third of all violations reported to the commission.

Former commissioner Yasmin Sooka confirmed the request, but added it was most unlikely the commission would agree to change any of its findings. "We can't be part of a process that negotiates its findings," Sooka said.

"There would be a very serious revolt by most commissioners if there was any possibility of amending (the IFP findings)."

She would not confirm rumours some commissioners were in favour of the meeting.

# Aids set to wipe out gains in Africa

*UN envoy says donor countries need to change, writes Mbulelo Baloyi*

**U**NLESS rich donor countries changed their attitude, HIV/Aids would make a mockery of all the economic developments that African and other developing countries had achieved in the last seven years, says Mr Stephen Lewis, who is Special Envoy of the United Nations Secretary-General for HIV/Aids in Africa.

Delivering the Asa Briggs Lecture during this week's Second Pan-Commonwealth Forum on Open and Distance Learning in Durban, Lewis said one of the themes that came out of the recent International Aids Conference in Barcelona dealt with resources.

He said the question of resources in fighting the Aids pandemic probably vexed the conference more than any other issues.

"Everyone is looking for that target of \$10 billion to spend every year to deal almost exclusively with HIV/Aids," said Lewis.

He added that it had been almost a year since the UN's Kofi Annan set a target of \$7 to \$10 billion and now everybody agreed on \$10 billion for a global fund on Aids, malaria and TB - although its primary focus is on Aids.

"The donor nations have contributed \$2.1 billion in total - most of it pledged, not yet delivered - over a period of three years.

"It is such a lamentable moral lapse in the refusal to provide the money to save the lives of human beings that is beyond, I must admit to you, my capacity to understand," said Lewis.

He pointed out in the last six to eight months, Western countries have raised over \$100 billion to fight the war on terrorism at the G8 conference.

Lewis said in his native country of Canada, it took a matter of minutes to agree to an expenditure of \$20 billion to dismantle weapons in Russia and other states of the former Soviet Union.

"But to find relatively tiny amounts of money as they are dealt with internationally to respond to a pandemic which is



STEPHEN LEWIS

ravaging human kind, we have to grovel on our knees and beg in order to get the rich nations to respond.

"All of us have to continue to apply unrelenting pressure to rich countries and I thought to myself that I wish Asa Briggs

could be writing about the social and economic history of peoples being sabotaged by political rigidity, heartlessness and I suspect, a pretty good quotient of racism."

He said a UNAids report presented at the recent International Aids Conference in Barcelona suggested that by the year 2020, it was likely that 68 million lives would be lost worldwide as a result of HIV/Aids with the greatest number of those fatalities coming from sub-Saharan Africa.

With South Africa representing about 40% of sub-Saharan Africa, he said this country's economic output faced a real gross domestic product 17% lower than it would have been without Aids.

Lewis said although the New Partnership for Africa's Development was a classic neo-liberal document emphasising trade, investment, governance

and corruption and all the things which Africa collectively wanted to confront or invite, it also had right at its heart a paragraph which said unless African countries dealt with the problem of communicable diseases, then development would remain an "impossible dream".

**I** THINK everyone would lacknowledge that this economic and social plan for Africa hardly recognises the existence of HIV/Aids."

Lewis said it was interesting to note that at the Commonwealth Forum on Open Learning, the whole world agreed that the answer to HIV/Aids is education.

"Education somehow has to survive the intolerable assaults of HIV/Aids. However, how it is to survive is not immediately apparent," said Lewis.

In 2001 alone one million

African children had lost teachers to Aids, a special session on children held in York heard in May, he said.

Dwindling enrolment numbers at school also posed a challenge for the Commonwealth Forum on Open Learning. HIV/Aids made it necessary to devise new ways of tertiary education against the epidemic.

"School planners and policymakers envision alternative forms of schooling such as schooling structured around modules and semesters rather than around age-linked grades."

In addition, he said, open and distance education, together with appropriate technology, could change delivery of education in a way that would have a tremendous impact on the collective scourges of HIV/Aids, orphaned children, out of school kids and refugee children.

"The most recent definitive report on the Aids situation is beginning to use the language that the Commonwealth Forum on Open Learning uses - particularly where teachers are concerned, in environments beyond urban centres, where they could absorb knowledge and use it so that it could have a tremendous contribution to combating the pandemic."

THE MERCURY  
Tuesday, August 6, 2002

## Get real, Dr Sutcliffe 1

THIS is an open letter to Comrade Sutcliffe and his overpaid councillors who are doing nothing.

I am a father of two.

I am working for your "company".

I earn R1 936.73 before deductions, which comes to R802.00 after deductions.

My two kids are at school like yours. They eat like yours. I am

paying bills like you.

Do you know why I am earning so little?

It is you who instructed your managers to cut my salary without any reason and force me to work part-time.

Let me quote Peter Worman and say "Get real, Dr Sutcliffe!"

HUNGRY WORKER

Umhlanga

## LAND CLAIMS COMMISSION NEEDS TO BE SEEN TO BE TAKING ACTION

LAND Claims Commission spin doctor Zwelihle Memela, in his polemical response to my article on land invasions, ignores the fact that many farms in areas other than Mangete – all of which are, co-incidentally, owned by people formerly classified as coloured or Indian – have been illegally occupied.

However, he takes exception to my raising the possibility of racial overtones, and asking whether

invasions will spread to other areas.

It is disturbing that an employee of the department handling crucial land issues considers it inflammatory to draw attention to this disgraceful state of affairs.

Had Memela read my article more carefully, he would have seen that I was not referring to recent postponements of Mangete court hearings, but to the events of June 2001, when the provincial Land Claims

Commissioner, together with a whole phalanx of politicians (including the national ministers of land affairs and home affairs) descended on the area and told the landowners, in no uncertain terms, that they should negotiate rather than continue with the court proceedings.

The land owners were assured by the Land Claims Commissioner that, by negotiating, matters would be sorted out within three months.

Fourteen months later the office of the Land Claims Commissioner is still fiddling while Mangete burns.

Seemingly confident that they will remain where they are, illegal occupants, most of whom are not claimants, continue to build with impunity, in contravention of the conditions of negotiation.

The police appear either unable or unwilling to stop what are clearly illegal actions.

Memela apparently fails to appreciate that he and his colleagues including his Commissioner, are public servants who are funded by hardpressed taxpayers – whose right is to question why they are not doing their jobs properly, especially when people's safety and livelihoods, and the stability of the province, are at stake.

Durban

MARY DE HAAS

Zondi: 'leaders are accountable'

# IFP march marred by violence and rape

**T**HE Inkatha Freedom Party has called on its Gauteng leaders to open an investigation into violence that marred the party's protest in Johannesburg yesterday.

IFP national spokesman Musa Zondi said IFP leaders in Gauteng are accountable for the demonstration and the party instructed them to investigate whether IFP members were involved.

"If anyone of our members were involved in the violence, they should be disciplined," he said.

"We condemn the violence, it cannot be justified. These people must be disciplined accordingly."

A woman was raped, one person was shot and wounded and 17 people were arrested on charges of robbery, intimidation and possessing unlicensed firearms during a protest march that ended in downtown Johannesburg.

Gauteng police spokeswoman Director Henriette Bester said two men raped the 22-year-old woman at a Soweto hostel when IFP supporters grouped to take part in the march. The rapists are still at large, she said.

Police found the injured person, believed to be an IFP supporter, with a bullet wound in the thigh after they heard gunshots.

Earlier yesterday many IFP supporters went on a rampage at the Nancefield hostel. They robbed, assaulted and intimidated people, forcing them to join the march.

These violent incidents took place when scores of people, protesting under the banner of the IFP Youth Brigade, marched through the city's streets to highlight their frustration about floor-crossing legislation.

The demonstrators, most of them clad in traditional garb and IFP colours, marched from Joubert Park to Beyers Naude Square (formerly the Library Gardens) where they handed over a memorandum of grievances.

The document, addressed to President Thabo Mbeki, said the anti-

pated defection clause denies voters their right to choose their leaders.

Supporters of Pan Africanist Congress, the United Democratic Movement, and the Azanian People's Organisation formed part of the demonstration.

Some of the demonstrators carried posters reading: "Mbeki: stealing of voters is fraud" and "Voters have the power".

The protest marked the eve of a Constitutional Court application contesting the constitutionality of the legislation.

The hearing begins today and follows a court order, obtained by the UDM, which suspended the legislation until the Constitutional Court rules on its constitutionality.

## **A woman was raped during the march**

Bester and the Democratic Alliance voiced their anger at the way in which IFP supporters behaved during the march.

"Where there is lawlessness, you cannot find democracy. Where are the democratic rights of the people who were intimidated and the raped woman? I want to condemn this action," she said.

A DA MPP said he could see the mayhem in the streets of Johannesburg from his third floor office in the Gauteng legislature.

"This behaviour needs to be condemned regardless of the perpetrators," he said.

IFP Youth Brigade leader Xolani Mbuthu said the manner in which the government handled the inclusion of the defection clause was unacceptable.

He said the government should have waited for another election before changing the legislation.

"We, as the youth of South Africa, can never allow this to happen," said Mbuthu.

— Sapa.

THE NATAL WITNESS, TUESDAY AUGUST 6, 2002

# Violence mars IFP youths' protest march

## Police make arrests for robbery, rape

Xolani Xundu and Sapa

VIOLENT incidents marred a protest march organised by the Inkatha Freedom Party (IFP) Youth Brigade against the defection legislation yesterday.

The march in Johannesburg resulted in the arrest of 17 people on charges ranging from assault to robbery and rape.

The Constitutional Court is due to hear arguments for and against the legislation today.

Supporters of the Pan Africanist Congress, the United Democratic Movement (UDM) and the Azanian People's Organisation also joined in the march.

The mayhem started at about 3am when police were called to the Nancefield railway station when a mob went on the rampage, assaulting and robbing commuters on their way to work.

A woman, pulled out of her car, was allegedly raped.

Police spokesman Captain Mbhezima Shiburi said 16 people were arrested on public violence charges, while one was arrested on a charge of possessing an unlicensed firearm.

The violence apparently spread to the nearby Nancefield hostel. Shiburi said the arrested individuals would be questioned.

He said the situation was under control and police were monitoring the area. The motive for the violence was not known.

IFP spokesman Musa Zondi condemned the violence, saying the party was "deeply distressed and alarmed" by the reports and called on the party's Gauteng leadership to investigate whether their members were involved or connected to the violence.

If found guilty, they would be subjected to disciplinary action. "Irrespective of the details of the incident, which are at present sketchy, the IFP deplores violence of any kind," said Zondi.

Democratic Alliance leader in

Gauteng Jack Bloom said he could see the protestors trashing hawkers' tables in Market Street and shop windows being broken.

"There was general disorder that led to rubber bullets being fired by the police. I have just witnessed the appalling indiscipline. This behaviour needs to be condemned, regardless of the perpetrators," said Bloom.

Police spokeswoman Director Henriette Bester said criminal incidents allegedly related to the protest ranged across the city.

"Where there is lawlessness, you cannot find democracy. Where are the democratic rights of the people who were intimidated and the raped woman? I want to condemn this action."

Bester said most people living in the hostel were forced to take part in the demonstration.

More than a thousand people, most of them clad in traditional garb and IFP colours, marched from Joubert Park to Beyers Naude Square to highlight frustration over the legislation.

Some of the demonstrators carried posters reading "Mbeki: stealing of voters is fraud" and "Voters have the power."

Today's hearing at the Constitutional Court follows a court order, obtained by the UDM, which suspended the floor-crossing legislation until the court's ruling on its constitutionality.

The UDM chairman Kingsley Masemola and other leaders handed a memorandum of grievances to justice ministry spokesman Paul Setsetse.

IFP youth leader Xolani Mbuthu said the manner in which government handled the inclusion of the defection clause was "unacceptable".

He said government should have waited for another election before it considered changing the legislation. "We, as the youth of SA can never allow this to happen," said Mbuthu.

# Defection legislation is not flouting voters' will

Old DP gains if Constitutional Court rejects law, but it reflects political realities

Pierre C Cronjé

SEVERAL commentators have treated the floor-crossing legislation as a purely academic-moralistic exercise and in so doing made certain fundamental errors about the real world of politics.

The constitution is quite clear (23A(1)) that: a person loses his membership if that person ceases to be a member of the party which nominated that person.

But that very same constitution foresees that (23A (3)): Parliament may after a reasonable period pass legislation for members to cross the floor without losing their seats, and that (23A (4)): Existing parties may merge or subdivide.

A reasonable time has passed. We are already well into the life of the second democratic Parliament but more so, in view of the very real problem posed by the Democratic Party-New National Party (DP-NNP) merger and ensuing subdivision, Parliament has passed the legislation as foreseen in the constitution.

Commentators then argue the electorate voted for a party and therefore members who were elected on a party list will be breaching the confidence and trust of the electorate if they were to cross the floor.

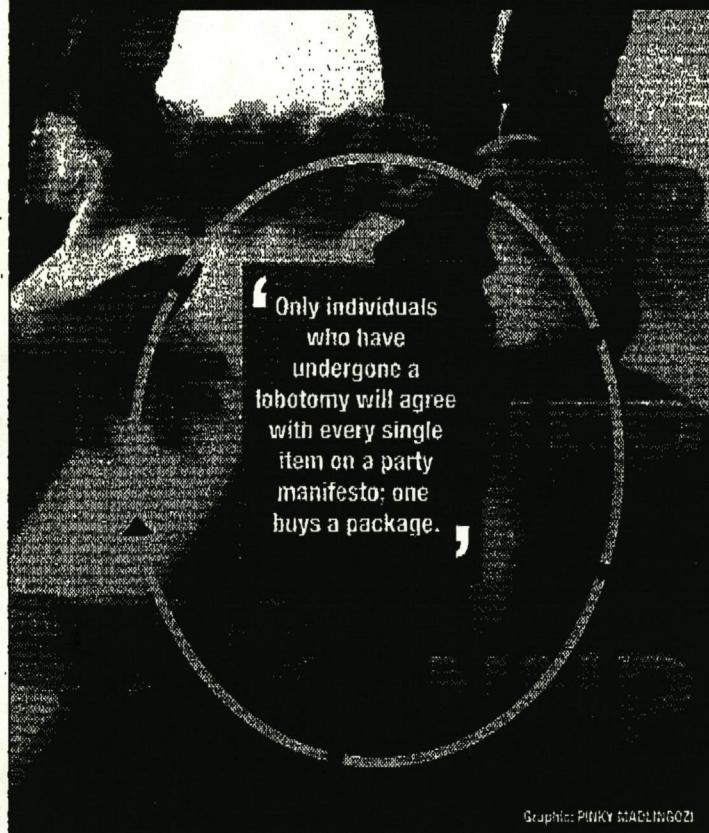
This argument is flawed on three very real political grounds:

■ First, the electorate votes for parties for two reasons: the party's manifesto, but perhaps even more importantly for the team that it fields. Most apathetic voters put their trust in the party leadership: "If Van Zyl Slabbert can be a Prog, then who am I to argue?"

The confidence and trust of the public in a political party is therefore shaped to a large degree by the composite trust in the history, integrity, popularity and charisma of its public representatives.

■ Second, it is implied the party remains true its manifesto and that members who do not agree with a party's position on a specific issue must thus resign. This is simply not the case as parties do change their positions between elections because of changing circumstances, without consulting the electorate who placed them there by way of an election.

## MUSICAL CHAIRS



“Only individuals who have undergone a lobotomy will agree with every single item on a party manifesto; one buys a package.”

Graphic: PINKY MADLINGOZI

motion and change, parties often track public opinion and then change their positions against their mandated manifesto.

We already have a precedent for members to cross the floor, and Slabbert concedes that in the municipal system, ward councillors may cross the floor, and do so with integrity, as they may have made promises under a party manifesto which the party no longer supports.

Yet in the same locality members of the same party who attracted votes on the same platform but who happened to be on the party list must lose their seats if the party wavers from its manifesto?

Only individuals who have undergone a lobotomy will agree with every single item on a party manifesto; one buys a package. Some items may carry more weight in certain localities and under certain circumstances and members may draw the line at different points

before deciding to part company.

■ Third, there is the very real problem posed by the DP-NNP merger into the DP and subsequent subdivision into the (new) DP and original NNP.

In terms of the foreseen act of Parliament in the constitution, parties can merge or subdivide to form new parties without members losing their seats. This is indeed what has happened with the on-off merger between the DP and the NNP but without the protection of the act.

Therefore at national and provincial level "Democratic Alliance (DA)" members still sit, expediently, as members of the DP or the NNP, while at local government level, members were elected on a DA label subsequent to the merger.

Then came the subdivision where the DA subdivided into its original components of the "old" NNP and "new" DA which is the

the divorce. This means at national and provincial level members both the NNP and DP/DA can retake their seats although they have changed their allegiance twice. local government level those members who elected on the DA label but who were of the NNP persuasion are now trapped; they cannot return to the NNP fold without the disputed acts. DA members from the DP persuasion, however, face no such problem as the DP simply changed its name to the DA.

It is interesting that those who now oppose the acts, seem to forget neither the DP nor NNP in their 1999 manifestos asked for a mandate to form the DA. Thus in the formation of the DA, the DP and the NNP flouted the will of the voters who voted for these parties. The act will indeed restore the will of the people who voted DP or NNP in the last election. Why ask for an election now that the 1999 position of the popular will can be restored?

The fact that Western Cape and KwaZulu-Natal may see a change in coalition and so a change in government is coincidental. In Western Cape the minority DP, with a disproportionately large number of executive members in the coalition with the NNP, may be replaced by the African National Congress (ANC) — the biggest party — even no single member crossed the floor.

In KwaZulu-Natal the Inkatha Freedom Party may be replaced by the NNP as the ANC coalition partner, with the defection of DP members to the ANC.

In both cases the will of the people who voted ANC will not have been flouted, as the ANC has always said it is prepared to work with any party committed to reconciliation and reconstruction. So, do not let the issue of coalitions bedevil the argument about individual members crossing the floor or parties merging or subdividing, which are what the acts are about.

It is ironic that the old DP who had its origins in the defection of Helen Suzman and the other brave fifty-niners, and who diligently promoted and supported the disputed acts since 1994, will be the only beneficiary if the acts were to be struck down by the Constitutional Court.

THE MERCURY  
Tuesday, August 6, 2002

## Not right to flee political parties

I MUST compliment Michael McCarthy on the content of his letter in The Mercury of July 19.

I fully agree with him that a move by a politician who has won the votes and confidence of those who voted for him to "on a whim" cross the floor, especially for his or her own gain, by swapping parties, should be declared unconstitutional.

What right does that person or "flea" have to jump from one body to another for their own gain and not for the well-being of the persons who voted for them in the first place?

I believe if these people were to go to their constituents and ask them to vote to allow them

to "cross the floor", they may just find that they may not get any votes. Is the present situation not like this, where politicians can "waltz" to any drumbeat they like without the permission of those who put them there in the first place? Do they justify this by saying, "I believe this is the best move for those who voted for me?" Or do they just say, "Stuff the voters, I can stay alive and get more money by making this change."

Watch out for whom you vote. They may not be the "honest Joe or Joeleen" you think they are.

JOHN KNOTTENBELT

West Riding

# National plan of action needed

DESPITE the Constitutional Court victory, the HIV/Aids pandemic remains with us. Much still needs to be accomplished to save the lives of millions of South Africans.

There is a wealth of practical steps that can be taken. I will expand on two: making the disease notifiable and enhancing SA's pharmaceutical manufacturing capacity.

Making a disease notifiable means creating a real-time measure of actual occurrence. It allows government and society to develop appropriate strategies.

Can government and society develop proper and adequate strategies to combat HIV/Aids without reliable information about incidence and prevalence, available on a real-time basis? No.

There are those who argue we already have statistical studies and models. But the statistics are educated guesses, and no matter how accurate; they do not give the full picture.

Although I have great respect for the institutions that compile these statistics, there will always be others – some in the ruling party – who will deny the accuracy of the statistics and accuse researchers of incompetence.

When a disease is notifiable, such criticism cannot be raised, and the

PRACTICAL steps can be taken to combat HIV/Aids, writes **BANTU HOLOMISA**

millions who suffer cannot be ignored.

Notifiability does not mean sacrificing the privacy and dignity of people living with HIV/Aids. Confidentiality must be protected, and notification made anonymously, without the individual's identity being recorded. Notifiability is dependent upon confidentiality.

I respect the fears of those who say making HIV/Aids notifiable will lead to stigmatisation and victimisation. But those fears are misplaced. Notifiability does not mean the public declaration of a person's HIV/Aids status.

Many South Africans already undergo HIV tests by medical schemes and insurance companies. They trust the private sector to keep their HIV status confidential. Similarly, people with HIV who enter public health institutions have to trust those hospitals and clinics to protect their confidentiality.

A second practical step we can take is to enhance South Africa's pharma-

ceutical manufacturing capacity.

There is no other country on the continent, and few in the world, that has the resources, infrastructure, expertise and technological know-how this country has.

We can produce for the whole continent HIV medicine of high quality at a reasonable price.

A public-private partnership to develop treatment and build pharmaceutical factories will be an investment in the health of our nation.

It will also be a long-term investment in our economy that will establish us as a world-player in the multi-billion dollar pharmaceutical industry. Certainly it would be a much wiser investment than the R60 billion being wasted on weapons, when the SANDF cannot even maintain their current equipment. Never before has an opportunity of this scale presented itself to simultaneously save lives as well as develop our economy and create jobs.

South Africans must come together around a national plan of action, of definite practical steps. Countries such as Uganda that have had a measure of success have proven this is the only way to fight HIV/Aids.

● *Bantu Holomisa is UDM president.*

## 'Senior IFP man sexually assaulted me' - worker

**By THULANI MSIMANG**

POLICE confirmed yesterday they were probing a charge of indecent assault laid by an employee at the IFP's offices on the East Rand, who alleged she was sexually assaulted by a senior party member.

According to police spokesman Captain Thobile Xakeka, police were in the process of interviewing the victim when her legal team insisted that they be present during statement taking.

Xakeka said a team of detectives tasked with investigating the matter had been deployed to the IFP's offices yesterday with the intention of interviewing the victim but were unable to locate her. The matter was now in the hands of the lawyers.

The charge is related to an incident which took place at the party's offices. Last week the IFP confirmed it was investigating allegations of sexual misconduct against a senior member. No arrest has been made.

The Citizen Tuesday 6 August 2002



A HAWKER chases a marcher who stole from his stall during the protest march through central Johannesburg yesterday.

Picture by MARIOLA BIELA

# Violence mars protest march

## Rape, looting during anti-floor crossing demo

By KINGDOM MABUZA

SCORES of passengers were pulled off and others jumped from Johannesburg-bound trains in Nancefield and Ikwezi stations in Soweto as hundreds of Inkatha Freedom Party (IFP) members boarded on their way to an anti-floor-crossing demonstration yesterday.

Earlier in the morning a group of people coming from the IFP-dominated Nancefield Hostel allegedly raped a woman. The group is also alleged to have then moved on to Nancefield Station, where they allegedly assaulted and robbed train passengers who were going to work.

Journalists who went into Nancefield Hostel to get pictures and conduct interviews were chased out. Several shots were fired, forcing police and journalists to dive for cover.

Police spokesman Captain Mbhazima Shiburi assured the media that nobody had been injured when the shots were fired.

Some 3 000 IFP members flocked from various hostels and townships in Gauteng and were later joined by pockets of Pan Africanist Congress (PAC) and United Democratic Movement (UDM) supporters in Joubert Park. The march to the Gauteng Legislature was marred by violence as hawkers' stalls were looted.

Muntumhle Khawula, an IFP Youth Brigade leader, told the gathering that President Thabo Mbeki was a fraudster out to steal votes.

"Mbeki is a thief stealing votes, and unfortunately the police do not have the infrastructure to fight this kind of crime," said Khawula.

The march, officially organised

by the Joint Youth Forum, made up of youth organs of the IFP, PAC and UDM, argued in a memorandum that all MPs, MPLs and councillors were elected through a legitimate representation system in which voters voted for political parties and not individuals.

The memorandum said the floor-crossing legislation was a strategy of political expediency.

Spokesman for the Department of Justice and Constitutional Development, Paul Setsetse, accepted the memorandum. The Constitutional Court will decide today on the legality of the floor-crossing legislation.

Meanwhile, police spokesman Director Henriette Bester condemned crimes committed during the march.

"Where there is lawlessness, you cannot find democracy," she said.

## It doesn't matter who started the violence

PERMIT me to respond to Joshua Mazibuko's letter in *Sowetan* of July 31.

Between Mazibuko and I, I don't know which one of us is an ignorant Rip van Winkle, sleeping through a history of violent clashes, propaganda and counter-propaganda involving the Inkatha Freedom Party and the African National Congress – not only in KwaZulu-Natal but also here on the Reef and in East Rand townships.

Unlike Mazibuko, who is clearly a mouth-piece for his political bosses, I hold no brief for the ANC or any other political party.

He queries whether there will be violence in KwaZulu-Natal if the floor-crossing legislation is declared null and void?

If the ANC or its supporters resorted to violence in that province or any part of this country – for any reason whatsoever, – that would deserve condemnation, in the same way that similar action by the IFP would deserve condemnation.

This country is sick and tired of violence perpetrated by politicians and their supporters.

Mazibuko cynically attempts to drag this issue down to the level of a pointless argument about who started the violence between the two parties.

Nobody, except Mazibuko, really cares which party started it.

Both parties have been found to have perpetrated brutal violence against each other on many occasions, with horrendous consequences for the ordinary citizen.

The main issue and challenge for the people of this country is to be vigilant against circumstances in which violence is provoked.

At the moment there are serious political tensions between the IFP and ANC in KwaZulu-Natal, where the proposed floor-crossing legislation could spark trouble.

Virtually everyone knows that the IFP is extremely unhappy about this because it could lose control of the province. Based on past experience in the region, is it unreasonable to expect the worst?

**THABO RAPOO**  
Johannesburg