

The Citizen

FRIDAY 10 JANUARY 2003

KZN drama is not yet over

IT'S too early to celebrate developments in KwaZulu-Natal as a victory for democracy. Much of the drama has yet to unfold.

Those who feared an early election would destabilise the province now say conflict has been averted by a sensible agreement. True, the IFP has abandoned plans to dissolve the legislature.

In return the ANC agreed to scrap a retrospective clause in a constitutional amendment that would have reinstated five defectors who prematurely jumped ship to the ANC last year.

If they had been allowed to take their seats the ANC would have assumed control of KZN.

The IFP has good reason to doubt that the pledge will be upheld. The ANC has reneged on previous deals.

Importantly, the proposed law change has not been scrapped altogether. There's merely been an undertaking that it won't be back-dated.

When the National Assembly makes floor-crossing legal, possibly next month, the ANC could still achieve a majority in the KZN legislature by offering perks and bribes to turn-coats. Any hint of shenanigans will surely prompt the IFP again to push for an early poll.

Mercifully the latest episode has been free of violence. However, there can be no doubt about the bad blood between the two parties at regional level.

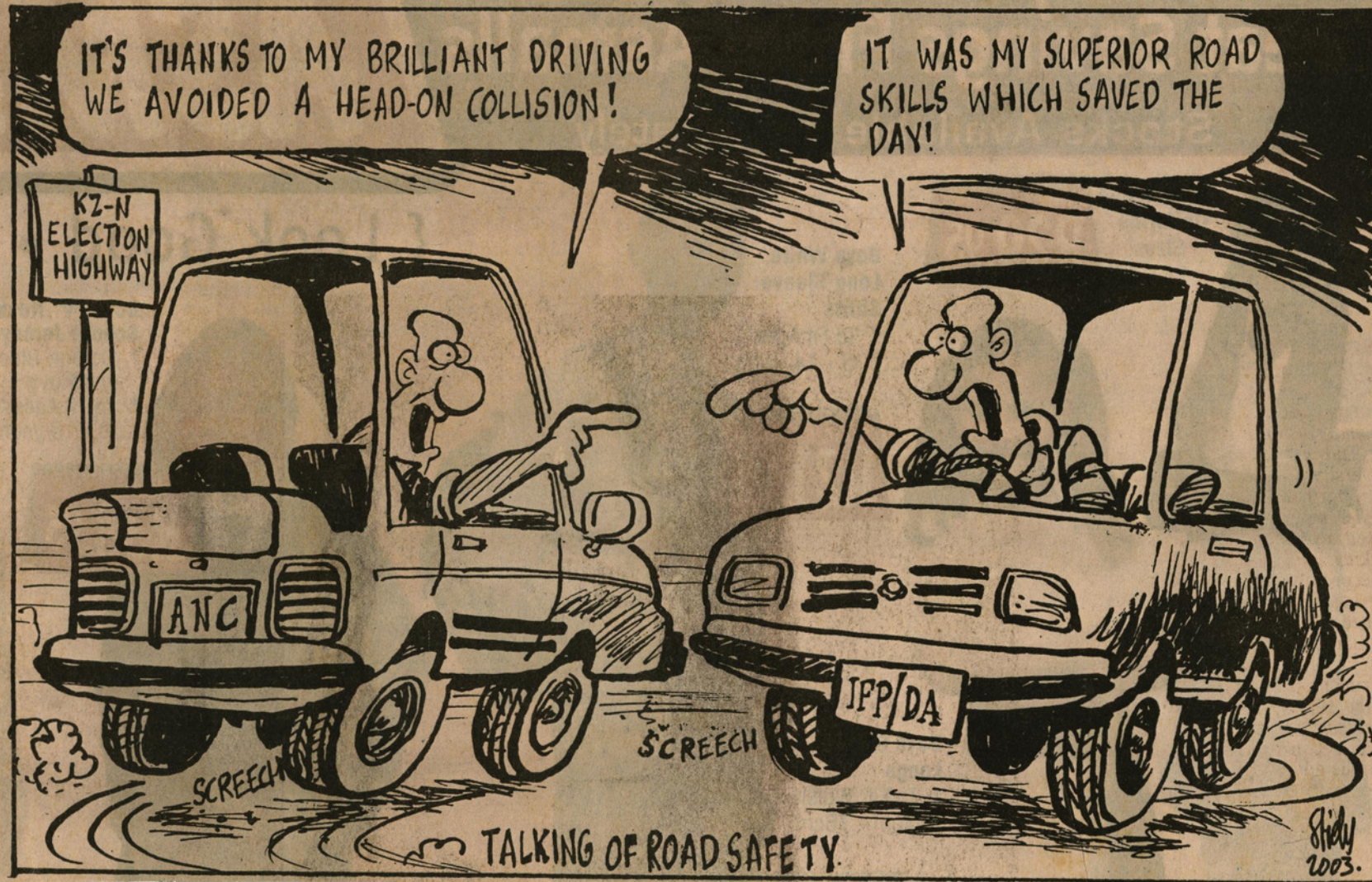
Statements in the media, and street-level insults at Wednesday's proceedings, show there's much patching up to be done by responsible leaders.

Thus far sanity and maturity have prevailed, which is encouraging. But the contest for KZN is not over.

NATAL WITNESS

10 JANUARY 2003

OPINION & ANALYSIS



A collection of F symbols will now earn a matric

Fitting reality to politics



by
**DUNCAN
DU BOIS**

SOUTH Africans who recognise the threat of poor governance and predatory political power would do well to draw on the words of Martin Luther King that inspired Sherron Watkins, one of *Time* magazine's Persons of the Year, in her role as a whistleblower at Enron in the U.S.: "Our lives begin to end the day we become silent about things that matter."

"Keep politics out of sport" was the slogan used during the apartheid years. Now, although non-racialism is officially the basis on which appointments are made, the ANC's insistence on demographic representivity and racial quotas makes nonsense of that credo. The announcement of SA's 15-man World Cup cricket squad makes this very clear. In advance the ANC and its organs had specified that one-third of the squad was to be reserved for so-called players of colour. And so last week, as Graeme Smith carved his way to that

record-breaking partnership of 368 runs with Herschelle Gibbs at Newlands, the cricket commentators, to a man, lamented his omission from the SA squad. Smith's fine innings of 151, they chorused, sent a message to the selectors.

Yet the commentators failed to acknowledge that Smith's omission was by commission. By having bowed to political dictates to reserve five places in the squad for "players of colour", there simply was no

place for Smith, irrespective of his merits. Instead, selector Omar Henry claimed Smith was still young and needed more experience. What a disingenuous load of nonsense! Experience certainly played no part in selecting certain of the "players of colour", Monde Zondeke being a case in point. In fact, the SA cricket squad must be the only one in the World Cup where experience counts only for 10 of the places. With the exception of Gibbs and Ntini, who qualify on merit anyway, the skewed criteria used to select the squad, it would seem, has necessitated an excessive emphasis on the need for experience so as to counter shortfalls that may occur in the reserved slots — hence the inclusion of Kirsten rather than Smith.

'Although non-racialism is officially the basis on which appointments are made, the ANC's insistence on demographic representivity and racial quotas makes nonsense of that credo.'

If political prescription in sport was wrong under the Nats, it's wrong under the ANC. A team should be selected on merit only and no player should be included in a team because he fulfils political requirements rather than sporting proficiencies.

In countries where governance counts, the likes of Dullah Omar, Minister of Transport, would be out of office. His admission this week that the government's road safety strategy had failed, that SA's traffic officers were inadequately trained and that he did not know how many officers were out on the roads, constitutes more than sufficient grounds for his axing from the cabinet. A few years ago a New Zealand cabinet minister resigned her post because of a traffic violation. Trent Lott has been removed from his position as Senate Majority leader in the U.S. because of racially offensive remarks that he made. Yet Dullah Omar remains in office, his countrywide advertisement that his department is "ready" to play its part in implementing road safety exposed as a load of claptrap.

In advance of this holiday season's road carnage, Omar knew that his department was incapable of dealing with matters such as overloading and vehicle fitness and that there is a critical lack of visible policing because of "severe petrol rationing of patrol cars" (*Sunday Times*, January 5). For a government that can spend R500 million on a presidential jet and R66 billion on a flawed arms deal, Omar's failure to address such basic shortcomings in his department simply beggars belief. He must go and his place should be filled by a competent professional outside of the ANC's comrade closet and preferably from the AA.

After all the official back-patting concerning the dramatically improved matric results, it was refreshing to see an honest attempt in the media probing the worth of a matric certificate in 2003. That the pass rate could increase from 47,4% in 1997 to 69,5% in 2002, should, in any event, arouse scrutiny. Like the General Education and Training Certificate for Grade 9, a matric certificate has been cheapened to the point of worthlessness. As Cornia Pretorius pointed out in the *Sunday Times* of January 5, a bunch of F symbols will get you through matric. How pathetic! Business and tertiary institutions should refuse to recognise the Department of National Education's matric. That would force the haughty Kader Asmal to halt the dumbing-down of our youth.

On a different note, the determination of the IFP and DA in KwaZulu-Natal this week to dissolve the legislature and call an election in the face of the ANC's bid to steal power in the province via the back door has had an encouraging consequence. By refusing to be intimidated by Thabo Mbeki's threat to invoke section 100 of the constitution and thereby assume control of KZN, the IFP and DA have demonstrated the type of character democracy needs if it is to survive in this country. The ANC's decision to abide by the Constitutional Court's ruling against reinstating the five KZN MPP defectors puts a new perspective on South Africa's fledgling democracy.

It also underlines the importance of King's exhortation to speak out and to reject fawning reactions.

• Duncan du Bois is a DA Durban Metro ward councillor. He writes in his personal capacity.

Stranded defectors hail ANC move

DUMISANI ZONDI
Provincial Politics

DESPITE pinning their hopes for reinstatement on the now-scrapped retrospective clause in the floor-crossing bill, displaced former members of the KZN legislature are pleased that the withdrawal by the ANC of the clause averted a chaotic situation in the province.

Former United Democratic Movement (UDM) MPL Sam Nxumalo said yesterday that although the withdrawal of the clause has deprived him and three of the four other defectors of a chance to return to the legislature, he is happy that the move contributed to peace and stability in the province.

"I'm happy with the withdrawal because our leaders in the ANC consulted with us and explained the repercussions. It became clear that even if we refused to scrap the retrospective clause, the IFP would have challenged it in court. That would be of no benefit to us because we would be plunged into further

uncertainty for a long time.

"We feel we have contributed towards peace, stability and prosperity in the province by agreeing to withdraw the clause," he said.

If the ANC had not agreed to scrap the clause, IFP Premier Lionel Mtshali would have dissolved the legislature and called an early provincial election. The IFP would have been supported by the DA and UDM to gain the majority needed to disband the legislature.

Nxumalo does not have an income and lives off his investments.

However, one of the other defectors, Maurice Mackenzie, formerly of the IFP, is back in the legislature. The ANC has put him in the seat vacated by Nhlanhla Ngidi, who has joined the Scorpions.



Maurice Mackenzie ... new seat.

The five defectors, who also include Belinda Scott, Tim Jeebodh (ex-DA) and Mike Tarr (ex-IFP), have said their decision to move was principled rather than convenient.

They have also said they are prepared to be deployed wherever the ANC needs them.

Tarr said from the beginning the ANC thought it was not right for the legislation to apply retrospectively, and that it was the right thing to scrap the controversial clause.

For an income, Tarr works as an agricultural consultant.

"I'm surviving okay and the ANC is looking at its party list so that various people will be deployed accordingly," he said.

Scott said: "I totally support the ANC's move. It was a small sacrifice to make for stability."

Scott stressed that her defection had nothing to do with positions, but a conviction that the ANC is the only hope for KZN. She also said that if she wanted an executive position, she would have stayed with the DA, as she was sure to get one.

Crisis averted

KWAZULU-Natal can breathe a sigh of relief that the trauma and huge cost of an early election has been averted by the achievement of a relatively simple compromise.

While all kinds of fine democratic principles have been proclaimed by politicians on both sides of the political divide in this province, the key issue has been one of power. Had the central government gone ahead with amending the floor-crossing legislation and made this retrospective, the five members of the provincial legislature who crossed the floor last year would have been able to take their seats on the ANC benches. This would have given the ANC, with support from the small number of NNP and Minority Front representatives, a majority in the legislature for the first time and thereby ousted the IFP from its present position. In a nutshell, Lionel Mtshali of the IFP would have been replaced by S'bu Ndebele of the ANC as Premier.

It was to prevent this from happening that the IFP, through Mtshali, decided to dissolve the current parliament and go to the polls in a special election. This was purely because it wanted to hold on to, and preferably extend, its present power. Despite its recent high-sounding protests, it has not been opposed to floor crossing as such. It was, in fact, one of the parties which, with its new ally the DA, joined the ANC in the national assembly last year in voting for the original floor-crossing bill.

In the event, Wednesday's agreement leaves the status quo essentially unchanged, with Lionel Mtshali's premiership intact and the IFP still controlling the provincial government. This will now remain the case for the remainder of this parliament, which will last only some 18 months until the next general election in 2004. The five KZN floor crossers will continue to be left out in the cold until then, but the ANC will surely be able to accommodate and remunerate them in some alternative role within its party structures in the meantime.

This distasteful wrangle brought the province very close to a political crisis which, remembering the earlier conflict between the supporters of the two major parties, could have had disastrous consequences. It has been a performance which has created much disillusionment amongst the electorate. With face-saving now the order of the day, neither side is going to admit defeat, but the triumphalist crowing that greeted the compromise is the last thing the province needs if there is to be peace and stability in the run-up to the 2004 vote.

OPINION & ANALYSIS

ANC not 'entrenching hegemony'

Some critics of the ANC over KwaZulu Natal and floor-crossing issues have gone overboard. Take *The Star* of 7 January 2003.

The allegation is made that the ANC is preoccupied with "entrenching its hegemony" in a "preposterous" way. Only in passing, *The Star* concedes that the ANC has gone out of its way to share power with other parties at national level (it could have added: provincial, too).

This is not a matter for *en passant* mention, but a major thing for a government to do voluntarily, anywhere. In form and substance, it gives the lie to any charge that the ANC is "entrenching its hegemony".

The floor-crossing concept was entrenched in the constitution adopted by all parties. The Constitutional Court ruled that it is legitimate to have legislation which will permit crossing. So there has always been general agreement about it, ever since the constitutional negotiations; so the suggestion that the matter is being "pushed" by the ANC to its own advantage is shown for what it is.

Care has been taken to ensure a percentage threshold which must be satisfied before floor-crossing can take place (ie those crossing must represent not less than 10%

of the total number of seats held by the nominating party in each legislature).

Drawing on broad political lessons dating, for instance, to the failure of the Weimar constitution in Germany, support thresholds can ensure political stability and militate against opportunism and chaos caused by individuals and inconsequential factions.

Contrary to the suggestion that it was the ANC that "dislodged" the Democratic Alliance in the Western Cape, it was Tony Leon, single-handedly and with flying colours, who snatched defeat from the jaws of victory in that province through his own persistent bungling.

The good working relationship between the NNP and the ANC in the Western Cape, with the latter not insisting on having the premiership though it was the majority partner, is testimony to an all-inclusive, and certainly not a power-hungry, approach by the ANC – not the contrary.

In KwaZulu Natal itself, there is a history of ANC conduct in tune with best practice in workable coalitions. Each party has an equal number of seats, but there is an IFP premier, and more IFP than ANC members on the provincial executive. "Entrenching its hegemony"?

COMMENT

ESSOP PAHAD



All political parties agreed to the floor-crossing which is now constitutional

The question whether there should be a costly, diversionary election in the province is a matter of political judgment and economic prudence. Since 2004 will see fullscale elections throughout the country, why the hurry, effort, and cost?

The ANC is never fearful of elections, but there is a broader context than party politics to consider.

The Star's suggestion that the ANC should "back down and allow the IFP to retain control of the province" is odd.

This is so in view of the fact that the IFP – with only half the provincial seats (a diminished number since the 1994 election in contrast with the ANC's showing, up from 26 members in 1994 effectively to 34 now), does not control the province. It has been ruling in coalition with the ANC.

Let us try, as was done with such success in 1994, to focus on the politics of reconciliation, and allow our winning country to forge ahead in every way, and in every region, as an internationally insecure 2003 unfolds.

The relations between the ANC and IFP were clarified by President Thabo Mbeki last year in an interview with the *Sunday Times*: "When we decided in '99 that we would request various members of the IFP to serve in the national cabinet, there was

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FRIDAY

Escape to LA: Robbie Williams on his move to the United States
 Page 25

A taste of things to come in Zim Africa
 Page 11

Cut out the hassle

The ANC's week of humiliation in KZN

Page 2



PHOTOGRAPH: RAJESH JANTHAL

'Happy to help' Sharon backer's VIP friends
 Page 6

Mass action Swazi labour takes on the monarchy
 Page 12

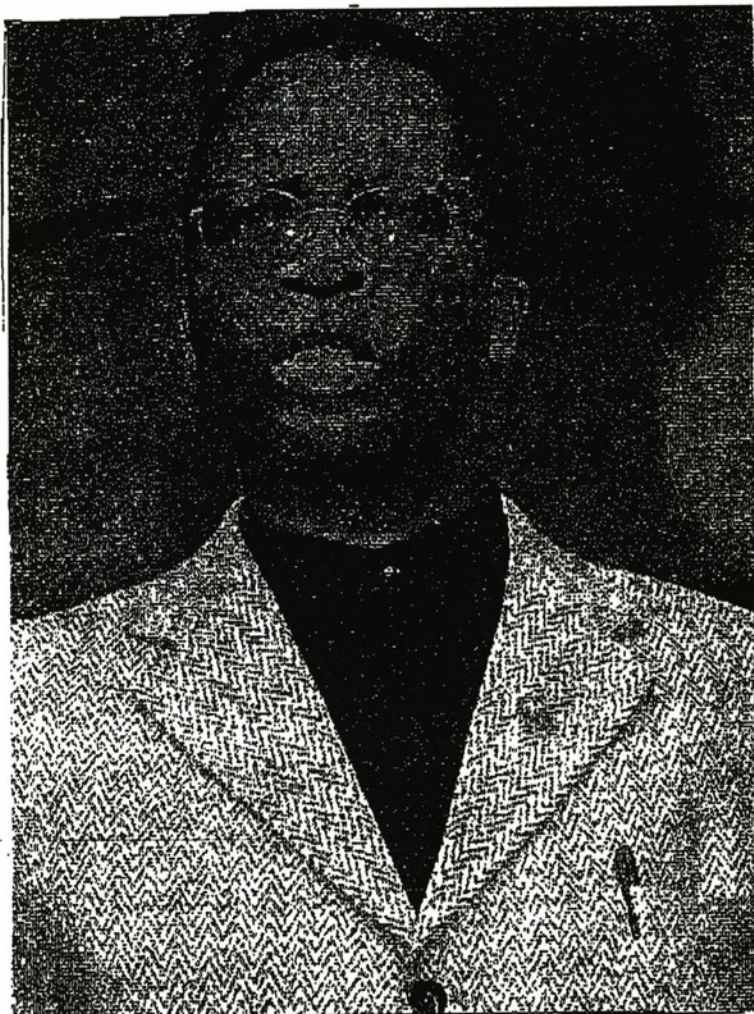
A balance of terror Bush's dangerous nuclear policy
 Page 14

Part of the deal Coping with that other woman in marriage
 Page 23

Waugh talk Aussie captain reaffirms his value
 Page 47

Climbdown on floor-crossing legislation seen as 'seriously damaging' for provincial leader

Cruel setback for ANC's Ndebele



Jaspreet Kindra

The African National Congress's climbdown on the floor-crossing law this week — in the face of a threat to dissolve the KwaZulu-Natal legislature and stage a provincial election — came as a devastating blow to the party's provincial leader, S'bu Ndebele.

Ndebele insisted he was happy with the deal between the ANC and the Inkatha Freedom Party, under which a motion to dissolve the KwaZulu-Natal parliament was dropped by the IFP in return for the scrapping of a controversial "retrospectivity" clause in the Bill.

The clause would have reinstated five legislature members who lost their seats after defecting prematurely to the ANC last June. Their defection would have given the ANC control of the KwaZulu-Natal government.

"We have managed to avert a crisis," Ndebele said. "If the legislature had been dissolved there is no law that would have allowed the elections to have taken place. We said we will also go ahead with the defection legislation. We are going ahead."

However, senior ANC members say Ndebele's position has been seriously

weakened by the failure of his plan to take over the province — and the premiership, which he is known to covet. They said there had been growing anger in Luthuli House, the ANC's national headquarters, over the manner in which he had dealt with the floor-crossing legislation.

The ANC's national leadership is understood to have overruled Ndebele, who is said to have insisted on the original inclusion of the retrospectivity clause in the Bill and wanted it retained.

He also took no part in the negotiations between the ANC and IFP, which insiders said was "a vote of no confidence in him".

Senior leaders said he was, however, kept informed of developments in the five days of intense talks between the parties, fronted by Deputy President Jacob Zuma for the ANC and IFP high-up Celani Mtetwa.

This is the second time Ndebele has tried, and failed, to wangle ANC control of KwaZulu-Natal

ANC provincial leader S'bu Ndebele (above) took no part in negotiations between his party and the IFP. ANC supporters protest outside the provincial legislature on Wednesday (above right). Photographs: Rajesh Jantilal

In his opening address in the legislature on Wednesday IFP provincial Premier Lionel Mtshali humiliatingly highlighted the ANC's now-junior role in the provincial government. Mtshali fired two ANC MECs, and replaced them with Democratic Alliance members, last month.

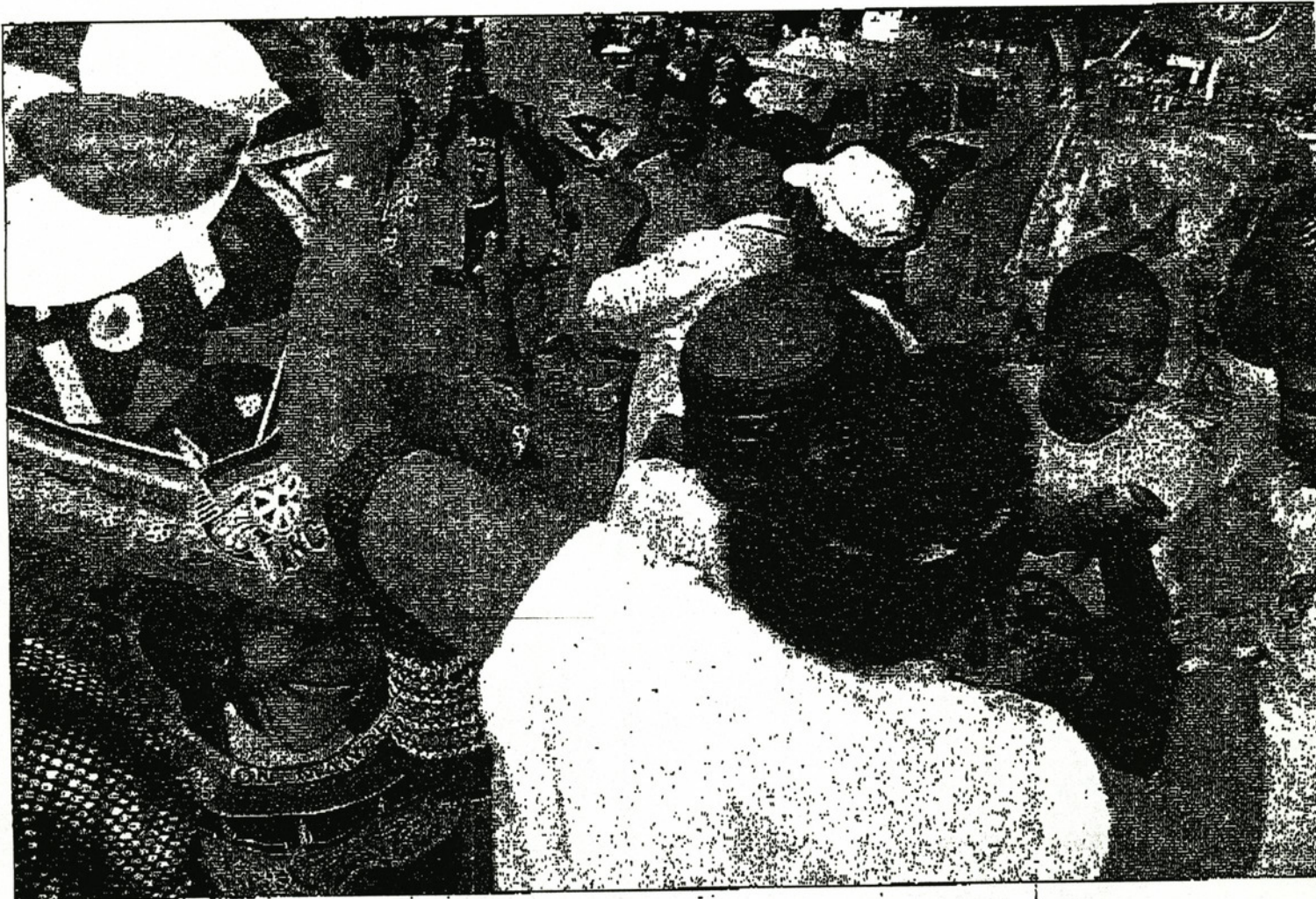
Mtshali told MPLs he had decided not to proceed with the motion to dissolve after consulting his "colleague", DA provincial leader and newly appointed MEC for Economics Roger Burrows. Ndebele, MEC for Transport, was not consulted.

DA and United Democratic Movement support was critical to the majority needed by the IFP to dissolve the legislature. Opposition sources believe the ANC climbdown was heavily influenced by its desire not to strengthen the burgeoning relationship between the IFP and the DA.

In his legislature speech, Ndebele tried to put a brave face on the setback, saying he had suggested to his national leadership at the ANC's national conference in Stellenbosch in December that they drop the defection legislation in its entirety.

IFP national spokesperson Musa Zondi shot back: "If that was the case,

Mail and Guardian 10-16 January 2003



why were we in the legislature today?"

As the only ANC member to address the legislature, Ndebele seemed isolated within his own party during the debate. Four senior IFP members participated.

At a subsequent media conference, Mtshali insisted he would not reinstate the dismissed ANC MECs, Dumisani Makhaye and Mike Mabuyakhulu, as it was a "principled action" and he could not "respond to whims and fancies".

This is the second time Ndebele has tried, and failed, to wangle ANC control of KwaZulu-Natal. After the 1999 election, where the Inkatha Freedom Party polled most votes, he is said to have proposed that IFP leader Mangosuthu Buthelezi should be offered the deputy presidency of the country in return for surrendering the provincial premiership.

Under pressure from within his party, Buthelezi rejected the offer. Ndebele's suggestion is believed to have angered many senior ANC leaders.

Ndebele's original announcement in June, that the ANC would take control of the province after the floor-crossing legislation came into effect, apparently did not go down

well with party leaders. In a move to maintain peace and stability in the province, the ANC has been part of the IFP-led coalition government that runs KwaZulu-Natal since 1994.

Party insiders say those unhappy with him include Zuma and ANC secretary general Kgalema Motlanthe. However, they say he is likely to survive because of his close ties with President Thabo Mbeki.

The IFP's problems with provincial ANC leaders were highlighted this week in a letter by Buthelezi to Zuma. In this, the IFP leader claimed former president Nelson Mandela had told him of attempts to hold meetings with IFP leaders in violence-torn areas that had been "frustrated by the Midlands ANC leadership".

Zondi described relations between

"Democracy is not a crisis. The real crisis springs out of those who fear both democracy and the will of the people of this province"

the two parties in KwaZulu-Natal as "still bad". After the sitting both sides were bristling, with ANC provincial hardliner Dumisani Makhaye declaring that a "lifeline" had been offered to the IFP, as the party would never have been able to hold elections.

During Mtshali's speech earlier in the house, Makhaye performed a mocking jig in time to the premier's words.

Mtshali hit back: "I was very taken aback by those who suggested that the holding of democratic elections in KwaZulu-Natal would throw the province into a crisis. Democracy is not a crisis. The real crisis springs out of those who fear both democracy and the will of the people of this province."

The national ANC was far more conciliatory. In a statement responding to the settlement, Mbeki said: "We are confident that the spirit demonstrated by the IFP today will continue to guide us each time we face tactical problems, and as we address other outstanding issues. We remain committed to the strengthening of the working relationship with the IFP."

The ANC in KwaZulu-Natal expects

-3 -

more IFP members to join its fold if the new defection legislation comes into effect this year, which could set the political temperature in the province soaring once again. A senior ANC member said: "It is not really a victory for the IFP, they wanted the entire defection legislation scrapped. They will still lose members."

The IFP also had to pacify its members on Tuesday night, many of whom wanted the leadership to reject the ANC offer and press ahead with elections. IFP members gathered outside the legislature on Wednesday morning in a tense Pietermaritzburg were already shouting election slogans.

Burrows said that while the cooperation between the two parties had graduated from municipal to provincial level, "it was premature" to speculate that they might enter an electoral pact for next year's general election.

ANC provincial spokesperson Mtolephi Mthimkhulu denied that Ndebele or the provincial leadership had been marginalised: "It is a figment of people's imagination. The ANC leadership continuously consulted with the province throughout the negotiations."

Mail and Guardian 10-16 January 2003

Godsell takes flak

Drew Forrest

The African National Congress has taken aim at AngloGold CEO Bobby Godsell's involvement as a "facilitator" at a top-secret meeting of Inkatha Freedom Party and Democratic Alliance leaders last month, criticising it as "surprising" and "unwise".

ANC national spokesperson Smuts Ngonyama said the ANC held Godsell in high esteem as "a respected business leader of integrity" and relied on his views as "given without political interest".

However, he had now given the impression that his agenda was to unite the IFP and DA in opposition to the ANC, and that he was not completely impartial.

Godsell was on leave this week and was not available to field inquiries.

However, AngloGold's public affairs manager, Alan Fine, said he had acted "as a private citizen, rather than as a business leader".

"AngloGold is active in civic affairs, and it is company policy to encourage people to get involved in their private capacity," Fine said.

The *Mail & Guardian* has confirmed that Godsell acted as facilitator at a top-secret "retreat" attended by IFP president Mangosuthu Buthelezi and DA leader Tony Leon on December 9 and 10 last year.

The high-level IFP delegation also included KwaZulu-Natal Premier Lionel Mtshali, Minister of Correctional Services Ben Skosana, national spokesperson Musa Zondi and Buthelezi's adviser, Mario Ambrosini.

Flanking Leon for the DA were, among others, national chairperson Joe Serehane, chairperson of the

federal council James Selfe, deputy chairperson Helen Zille and KwaZulu-Natal party leader Roger Barrows.

The meeting is understood to have discussed both the joint plan to dissolve the legislature and force an early provincial election in KwaZulu-Natal, and the broader question of future relations between the parties.

A 12-page confidential document, setting out the history and policies of the two parties, formed the basis of discussions. Potential points of disagreement were explored and flagged for further debate.

Ngonyama said the country needed leaders who stood above party politics, like Desmond Tutu, who could act as troubleshooters.

"By taking this route, Godsell appears to have disqualified himself from this category."



AngloGold CEO Bobby Godsell.

MAIL AND GUARDIAN 10-16 JANUARY 2003

KZN defectors rewarded

Jaspreet Kindra

The five members of the KwaZulu-Natal legislature who defected to the African National Congress are likely to be accommodated in various positions by the end of next month.

With the expunging of the retrospective provision in the draft defection legislation, the five — the Democratic Alliance's Tim Jeebodh and Belinda Scott, Inkatha Freedom Party members Maurice McKenzie and Mike Tarr, and the United Democratic Movement's Sam Nxumalo — cannot be reinstated in their former positions.

The DA's former chief whip, Scott is already working as a housing consultant to the Durban Metro on a short-term basis. Scott, who has served on the provincial housing board, won a national award for her work on housing. McKenzie has taken up a seat in the leg-

islature vacated by the ANC's Nhlanhla Ngidi, who has joined the Scorpions.

There are two vacancies in the national Parliament following the resignation of Els Gandhi and Mohseen Moosa. Gandhi said she was retiring to run a recently revived community newspaper, *Satyagraha*, which had been started by her grandfather, Mahatma Gandhi.

Moosa, who is Minister of Environmental Affairs and Tourism Mohammed Valli Moosa's brother, has left politics for business.

ANC insiders say Jeebodh and one ANC member of the provincial legis-

lature are likely to be accommodated in Parliament. There is speculation that hardliner Dumisani Makhaye, who has national aspirations, might be deployed to Parliament. However, Makhaye has said he would prefer to remain in the province.

There is speculation that former IFP hardliner Walter Felgate, who joined the ANC a few years ago, might quit the legislature due to ill health, thereby creating the second vacancy in the provincial legislature. Tarr and Nxumalo, who would prefer to remain in KwaZulu-Natal, are likely to take up the vacancies in the province.

However, ANC provincial chairperson S'bu Ndebele dismissed all speculation, saying: "These individuals did not join the ANC for positions, but on a matter of principle. They are highly skilled and competent individuals who could succeed in any sector."

"These individuals did not join the ANC for positions, but on principle"

6 *Mail & Guardian* January 10 to 16 2003

National

Cyril Kern boasts an extensive array of political and business connections

Sharon backer's VIP friends

Stefaans Brümmer

Cyril Kern, the businessman who bankrolled Israeli Prime Minister Ariel Sharon, has ingratiated himself with top opposition figures since settling in Cape Town. His wider circle also extends to a multimillion-dollar fraud suspect who is a fugitive from United States justice.

Kern, a British businessman who made his money in the fashion industry before coming to South Africa in 1996, is at the centre of a funding scandal that is threatening Sharon's political future. Israeli judicial authorities suspect Sharon and his sons of irregularities in accepting a \$1.49-million (then about R19-million) low-interest loan transferred from Kern's Austrian bank account almost exactly a year ago.

Although Israeli authorities have requested the South African Department of Justice to help obtain evidence relating to the "nature, purpose and circumstances" of Kern's loan, they made no allegation against Kern personally.

The scandal broke on Tuesday when Israeli newspaper *Ha'aretz* published details of the written request for assistance by the Israeli State Attorney's Office. The request includes the stated suspicion that Sharon and his son Gilad had tried to deceive authorities about the loan.

Kern (72) makes no secret of his close friendship with Sharon, who was his commander in the Israeli independence war of the late 1940s.

Confirming the loan, he told the *Mail & Guardian* this week he had been "happy to help a friend".

Locally, Kern counts among his friends and acquaintances Mario Ambrosini, the adviser to Minister of Home Affairs and Inkatha Freedom Party leader Mangosuthu Buthelezi, Tony Leon, leader of the Democratic Alliance, prominent New National Party MP Sheila Camerer and Inkatha Freedom Party chief whip Koos van der Merwe.

Leon this week said he knew Kern socially and that "we certainly see each other from time to time". He described Kern as "charming, pleasant and interesting".

Camerer put it this way: "We're all pals. They [Kern and his partner, Annelina] are nice; they're sweet." She said Kern has spoken about his frequent visits to Sharon's family farm in Israel's Negev desert.

Van der Merwe confirmed having dined with Kern on a number of occasions and inviting him to Parliament's opening. He also said Kern had arranged for him to have a 10-minute meeting with Sharon when he and other parliamentarians visited Israel and Palestine in 2001.

By many accounts, however, Ambrosini is Kern's closest contact on the political scene. Ambrosini commented: "My social life is not a matter of public record."

An insider this week said of Kern: "I think he likes important people, or people he perceives as important." Kern denied he went out of his way to

- 2 -



Mario Ambrosini,
one of Cyril Kern's
influential friends.
Photo: Ruth Motau

**"I think he likes
important
people, or
people he
perceives as
important"**

cultivate political friendships. "It's very simple. Cape Town is a very small city. If you do have one friend, people invite you to cocktail parties and you meet others."

One acquaintance that Kern says he does not count among his friends, however, is Stanley Tollman, the disgraced former South African hotel magnate and fugitive from American justice.

Tollman opened the landmark Tollman Towers hotel in Johannesburg in 1970 but left South Africa after his group ran into financial troubles five years later. He then built a hotel and casino empire in Britain and the US, where he rubbed shoulders with political and entertainment high society.

In April last year all came tumbling down when US authorities indicted Tollman on 33 counts carrying a potential 30-year jail sentence. The indictment detailed a "massive scheme" in which Tollman and some associates allegedly swindled US banks out of \$42-million (presently about R375-million), using an array of front companies and offshore accounts. Tollman failed to appear in court and US authorities want him extradited from Britain, where he is said to reside.

Kern this week said "a cousin of mine from America" had referred him to Tollman. "I've met him but I'm not a friend. I don't have a personal relationship and I don't have a business relationship."

The M&G has no evidence that Kern has been in contact with Tollman since he became a fugitive from justice and there is no suggestion that Kern participated in any improper conduct relating to Tollman. But their acquaintance does demonstrate Kern's influential circle of contacts, which also includes Maurice Shawzin, a multi-millionaire US-South African businessman who has been close to Tollman. Shawzin this week described Kern as "a dear friend, a man of high repute and high integrity".

Ambrosini confirmed that Shawzin had been instrumental in arranging for Buthelezi to officiate at the relaunch in November of the Twelve Apostles hotel on Cape Town's Atlantic seaboard. The Twelve Apostles is managed by the London-based Red Carnation hotel group founded by Tollman's wife, Bea.

Ambrosini said the correspondence leading to Buthelezi's attendance indicated Tollman's daughter, Victoria, to be the owner of the Twelve Apostles. "Her business interests are different from those of her father and that is what was put before the minister [Buthelezi]."

● The M&G received a letter on Thursday afternoon from Durban-based law firm Larson Bruorton and Falconer Incorporated, acting for Kern and threatening an interdict. Larson Bruorton and Falconer is the Inkatha Freedom Party's law firm of choice.

Blair snubs Sharon by welcoming his rival, Page 14

THE STAR 10 JANUARY 2003

ANC NOT ENTRENCHING HEGEMONY

no legal or constitutional compulsion to do it; but we thought it will be important, because we thought that they would have a positive contribution to make with regard to the building of this new South Africa and I certainly haven't changed my position with regard to that.

"... I still believe that they (IFP) have a contribution to make to the building of the new South Africa ... that's the position from which we would proceed with regard both to the national and the provincial governments.

"So we clearly would have to be very careful to ensure that whatever happens in the politics of the province doesn't result in the re-emergence of political violence. And I am quite sure that we would want to discuss, very closely and very intensively, that question with the IFP and act on it."

This constructive spirit was demonstrated in the ANC's most recent accommodating moves, which have led to last-minute agreement with the IFP over the issue of possible dissolution of the legislature and floor-crossing.

■ Essop Pahad is an MP and Minister of the Presidency.

■ Regular columnist Jovial Rantao is on leave.

Road deaths and tolerance of

The ever-rising death-toll on our roads over the Christmas holidays is a symptom of a deeper, systemic malaise.

Every year Arrive Alive launches a major publicity and education campaign and sets targets for reducing the number of deaths – and every year the death toll seems to rise.

This year Transport Minister Dullah Omar at least began to identify the real causes – including corruption at centres for the testing of vehicle roadworthiness and in the issuing of driving licences. Badly-trained traffic officers and deteriorating roads were also blamed.

In other words, more than 1 000 people die on our roads every holiday season because of infrastructural failure – because the government seems unable to establish systems to address the underlying causes.

The Arrive Alive campaign merely address the symptoms of the problems. It is naively based on pointing out to road-users the error of their ways with slogans such as “Speed Kills”.

Such admonitions assume that reckless drivers are well-meaning ignoramuses. They just need to be politely advised that overtaking drunk at 160km on a blind rise in an overloaded minibus with bald tyres might be a trifle hazardous. Once they have understood this difficult concept, they will mend their ways.

But of course drivers know this already. They either believe themselves immortal or are willing to take the commercial risk of hazardous driving for the rewards of more fares in a day. They need to be punished severely, not admonished.

Yet for reasons not explained, Omar has failed to implement a proposed points system whereby drivers' licences would be suspended once they had lost too many points through traffic offences. And, of course, the corrupt officials who sell licences and thus sew death on the roads should also be punished more severely.

Such actions would address the underlying problems of faulty human infrastructure that contribute to the death toll.

ANALYSIS

PETER FABRICIUS



Africa isn't
good at
fixing what's
broken

Naturally the deteriorating road infrastructure must also be repaired.

Is it a stretch to see a resemblance between the attitudes underlying the Arrive Alive campaign and some other government policies?

The Zimbabwe policy, for example, also seems to be based on the didactic premise that President Robert Mugabe is a well-meaning person who just does not fully understand that persecuting his opponents and destroying the agricultural foundations of the economy are not good for the country.

Countries north offer us a chilling vision of the results of not maintaining the human and physical infrastructure. *Economist* magazine has just published a revealing story by one of its reporters who hitched a ride on a truck delivering beer from Cameroon's port city of Douala to the inland town of Bertoua.

Though the journey was only 500km – less than the distance from Johannesburg to Durban – it took four days because of the shocking state of the roads and because authorities stopped the truck at 47 road-

Mugabe linked

blocks, extorting one third of its load to allow the delivery run to continue.

This continent is campaign- and project-oriented. When the Organisation of African Unity itself failed, the leaders didn't try to fix it. They scrapped it and launched the African Union. When roads, vehicles or other things start falling apart, they tend to launch a campaign or wangle a World Bank loan to finance a new highway.

In SA, the minibus taxi industry is chaotic, so we decide to scrap all minibuses and replace them with brand-new vehicles. But these too, will surely fall apart eventually. You would think it might be possible to address the taxi problem and the wider road death problem merely by pulling unroadworthy vehicles and drivers off the roads.

No doubt that is not as easy as it sounds. It means addressing those systemic underlying causes such as corrupt or untrained traffic officials.

Maybe Omar could make a start by re-allocating some of the millions spent on the Arrive Alive campaign.

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If Omar was in the private sector he would be fired

WE call on Minister Omar to resign, not only because of this past holiday season's road death toll, but a series of failures for which he must take ultimate blame.

Any director of a large corporation would have been dismissed by now if they failed in the way the Minister has.

He has failed to address effectively the carnage on our roads – he has given up the fight. This past holiday season saw yet another record number of people losing their lives. Our repeated calls for more visible policing have fallen on deaf ears.

The Minister has time and again blamed corrupt officials at vehicle licensing and testing centres for the road death toll, but what has he done about it?

His complaints about corruption and inefficiency would carry far more weight if he told us how he intends rooting out corruption and ensuring that efficiency is achieved.

He should also make urgent plans to in-

THE Democratic Alliance's call for Transport Minister Dullah Omar's resignation is based on a long list of failures, writes
STUART FARROW +

crease the provincial budgets available for the filling of posts – it is estimated that at least 8 000 vacancies exist in our traffic departments.

The tautology of the Minister's excuse that "drivers are to blame" is ridiculous – what is the point of Arrive Alive then? It is a failure. "zero tolerance" should also mean exactly that, and no mercy should be shown to any traffic offenders.

As a medium term solution, intensive education programmes starting at school level and embracing commuter rights should be immediately initiated. What happened to the Road Safety curriculum, which the Minister of Education announced

he would be introducing 12 months ago?

Three years after Parliament passed three Acts relating to the improvement and enforcement of road safety (The Road Traffic Management Corporation Act, The Administrative Adjudication of Road Traffic Offences Act and the Road Traffic Infringement Agency Act) there is no real sign of the promised Road Traffic Management Corporation.

At the moment it is nothing more than a group of directors and still is without the ability to implement its objectives.

There is a lack of adequate funds to address the backlog of road maintenance.

The backlog is estimated at R60-bn, and it

is believed that between 10 and 15% of all road accidents can be attributed to poor road conditions.

The Minister has failed to ensure that the Board of Inquiry into last year's Charlotte's Dale train crash in KZN effectively carry out its duties.

Almost a year after that tragedy there is still no sign of the Board's report, and this week we saw another tragedy in the Western Cape. Did the Charlotte's Dale report make any findings that could have prevented this week's train crash?

The buck stops with Minister Omar and finally with President Mbeki.

If the President is satisfied with Omar's performance he should leave him in place; if, like the rest of South Africa, the President believes that the department under the leadership of Omar has failed then he should consider an urgent Cabinet reshuffle.

● *Stuart Farrow, MP, is DA spokesman on transport.*

Restoring good relations

THE recent conflict over floor-crossing in the legislature between the IFP and ANC in KwaZulu-Natal could have proven expensive on several counts.

An escalation of political conflict could have destabilised the province's economic prospects; an unscheduled election could have siphoned away resources which could have been better deployed; and the province could have taken a giant leap backwards to an era that people from all political persuasions would

prefer to forget.

The final compromise between the leadership of the ANC and IFP, which averted a potentially crippling crisis, should, therefore, be welcomed.

But the applause should be short. This is a time for serious introspection by leaders of both parties, and by the voters who put them in the legislature.

The parties must consider whether power sharing in a coalition government is a realistic and

sustainable model for the future, or whether the time has finally come for one party to take full responsibility and accountability for social delivery in the province.

It is inevitable that the recent machinations between the dominant parties in the province will leave a bitter residue of distrust between the national leadership of both the IFP and the ANC.

Moves by party presidents Thabo Mbeki and Mangosuthu Buthelezi to restore good relations will be

watched carefully in the aftermath of the floor-crossing wrangle.

Also under scrutiny will be the will and commitment of both parties to move beyond this unfortunate episode, and to convert inter-party rivalry into multi-party delivery based on shared national objectives.

It should not be necessary to remind parties of their prime purpose.

If they choose to forget, voters will jog their memory in the next election, due within a year.

The Citizen Friday 10 January 2003

PETER MASCHER 10/1/2003

A VICTORY
FOR
DEMOCRACY

