

# 'Africa should be given its due'

**EXCLUSIVE: The Narendra Modi interview**



Photo: Dibyangshu Sarkar/Getty Images

Mail & Guardian  
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# IN BRIEF

## Diner diplomacy

Italy's government settled a bill for four Italian tourists who dined at an Albanian restaurant and disappeared without paying. The news of the dine-and-dash incident made headlines in both countries alongside a viral video clip that shows the diners making a run for it. The restaurant owner told the media that they not only failed to pay for their meal but also lacked the decency to compliment the chef. Italy's prime minister, Giorgia Meloni, made arrangements to pay the restaurant after Albanian leader Edi Rama brought the matter up during Meloni's visit to the country. He told local reporters that Meloni asked her ambassador to "go and pay for these idiots". The bill came to €80 (about R1629). A statement from Italy's embassy in Albania read: "The Italians respect the rules and pay off their debts and we hope that episodes of this kind will not happen again." Italy's agriculture minister, who had joined Meloni on the trip, added that settling the bill was a matter of pride. "A few dishonest individuals cannot embarrass a nation of decent people," he said.

## Moon blues

The failure of Russia's first moon mission since its Soviet Union days has led to one of the country's most esteemed scientists and astronomers being admitted to hospital. Mikhail Marov, 90, suffered a "sharp deterioration" in his health after hearing that Russia's Luna-25 spacecraft had crashed into the moon after losing contact with the country's space agency, Roscosmos, on Saturday. "I'm under observation. How can I not worry? This is largely a matter of life. It's all very hard," the astronomer told reporters. "It is sad that it was not possible to land the apparatus. For me, perhaps, it was the last hope to see the revival of our lunar programme." Marov's space ventures saw better days when he was a leading figure during the Soviet Union's Venera programme, a project involving the exploration of Venus that lasted from 1961 to 1984. Although Russia's space agency has released a statement explaining that Luna-25 unpredictably deviated from its path and collided with the moon, Marov reportedly urged authorities to be transparent about the reasons behind the crash and for those reasons to be thoroughly examined.

## Crossing over

A popular Tunisian rapper is allegedly among a group of people who illegally emigrated to Italy from the North African country on a small boat. Local news outlets said that rapper Junior Hassen, whose songs have garnered 15 million views on YouTube, made the perilous journey to Sicily last week after crossing the Mediterranean with other Tunisian migrants from his hometown of Sousse. Social media users say that a video, which has not been verified, circulated online shows the rapper making the trip from the country, which has long battled an economic crisis, rising levels of poverty and unemployment. In April, a Tunisian football club had to suspend activities after 32 of its players illegally emigrated to Europe. Although Tunisia has become a main point of departure for African migrants hoping for a better life abroad, the route across the Mediterranean is deadly.

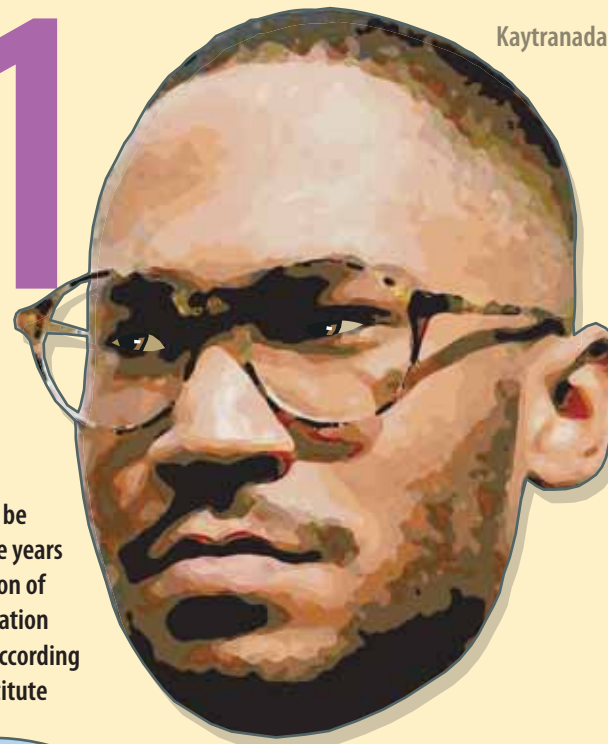
## NUMBERS OF THE WEEK

**31** Kaytranada's age on 25 August. The Haitian-Canadian music producer shares his birthday with *Gossip Girl* actor Blake Lively and genre-bending South African musician Petite Noir



**31**  
**40**

The percentage of global workers that will have to be reskilled in the next three years due to the implementation of generative AI and automation in the next three years, according to figures by the IBM Institute for Business Value



Kaytranada



**500** The number of children who have died from hunger since Sudan's military and rival paramilitary force broke into conflict in mid-April this year, according to Save the Children charity group

**R111311**

The amount of money a man has been ordered to pay by Kenya's HIV and Aids Tribunal for revealing a friend's alleged HIV status in a WhatsApp group that contained 170 other members. The victim of the case was also granted just under R400 in special damages



The number of years since Lauryn Hill debuted her first and only album *The Miseducation of Lauryn Hill* as a solo artist. Having sold millions of copies worldwide and with multiple record-breaking accolades to its name, the critically acclaimed album has been named one of the best albums of all time

Graphic: JOHN McCANN Compiled by: MAMAPUTLE BOIKANYO

## Honorary scandal

British police announced early this week that they concluded their investigation of a cash-for-honours scandal linked to one of King Charles III's charities. London's Metropolitan Police began their investigation of the king's charity, named The Prince's Foundation, last year after a British newspaper alleged in 2021 that a chief executive assisted in nominating a Saudi businessman for an honorary Commander of the Most Excellent Order of the British Empire title after the businessman donated money to the charity. After interviewing two individuals and reviewing 200 documents, the police announced on Monday that "after careful consideration of the information received as a result of the investigation to date, the Met has concluded that no further action will be taken in this matter". A spokesperson for Buckingham Palace said the palace acknowledged the police's decision, while a spokesperson for the charity said it would "move forward" and continue its work. The Prince's Foundation was established by the king in the 1980s as an architectural project that helped people design spaces in their communities. Although it's been credited for creating jobs in the United Kingdom, the charity has also faced criticism for being linked to shady donors in recent years.

## City of smog

Some workers in Indonesia's capital city began working from home this Monday in accordance with new government measures attempting to deal with the alarming levels of air pollution in Jakarta. The work-from-home measures, which specifically target the traf-

fic congestion, which is partially responsible for the city's bad air, saw half of public sector employees work from home on Monday — a number that will gradually increase over time, according to Jakarta's governor. The air quality in Jakarta is so unsafe that it was ranked the worst in the world earlier this month. "The air quality in the greater Jakarta area has been very, very bad," said President Joko Widodo, who has been plagued by a month-long cough that doctors suspect is linked to air pollution. Although the president's cough is fairly new, air quality issues affecting the city are not news to Widodo. In 2021, the president and his ministers lost a lawsuit against 32 plaintiffs when a court found that they were neglectful in ensuring citizens' rights to breathe clean air, a decision that the president and his officials have appealed more than once, most recently this year. "It's very sad, isn't it, that the government just started moving and looking busy after the president coughed for a month?" one of the plaintiffs reportedly said.

## Memoir mimicry

Journalist and author Yashica Dutt has continued to voice her frustration after an Amazon Prime series allegedly used parts of her life story as recounted in her memoir for one of their episodes without her consent or crediting her. In her memoir, Dutt speaks of coming out as an "untouchable", the lowest stratum of castes in India, after passing off as a member of a more respected caste during childhood for safety reasons. Dutt learnt about the series after friends in India called her about it. The romantic drama series, which uses weddings to explore the conflict between traditional and

modern values in present-day India, shows an episode where the main character attends the same university that Dutt did, writes a book on coming out as an "untouchable" and has a grandmother that cleans toilets for a living, just as Dutt's grandmother did. Although the episode's director initially thanked Dutt for shaping the story, Amazon Prime released a statement calling the reports "misleading" last Thursday with a signature from the director and others.

## Trump's many lives

While it's apparent that Donald Trump gained some critics over the years, few of them have expressed their dislike as brazenly as two women who allegedly threatened the former United States president's life. Tracy Marie Fiorenza was arrested this week on charges of sending emails that not only include threats to shoot Trump, but his 17-year-old son, Barron, as well. The Illinois woman is accused of making disturbingly violent and graphic threats to a school in Florida that Trump's son possibly attends. Fiorenza may face five years in prison for her alleged crimes. Another woman, Pascale Ferrier from Quebec, Canada, has already been handed a 22-year jail sentence after she sent Trump letters laced with a poison known as ricin and pleaded guilty to biological weapons charges. Ferrier, who made the ricin at her home and sent the letters to the White House, where they were intercepted in 2020, told a US court that she regretted that her plan could not be completed and also said she was an activist and not a terrorist. "I want to find peaceful means to achieve my goals," she told the court. — Mamaputle Boikanyo

## Mail & Guardian

Published by M&G Media Ltd, 16th Floor, Metal Box, 25 Owl Street, Braamfontein Werf, Johannesburg, South Africa. PO Box 91667, Auckland Park, 2006. Website: www.mg.co.za

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Printed by Caxton Printers (Pty) Ltd, 14 Wright Street, Industria West, 2093 Gauteng 010 492 3394



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# Russia, China win as Brics grows

Iran polarised the five member states, with Russia fighting aggressively for its inclusion in the bloc, according to insiders

Lizeka Tandwa & Sarah Smit

**T**he debate around Iran's inclusion in "Brics plus" has dominated talks among the five member states, with Russia aggressively supporting the move.

Insiders privy to the talks at the 15th Brics Summit, which took place this week in Sandton, Johannesburg, told the *Mail & Guardian* Russian President Vladimir Putin led the fight for Iran to be included, which gave rise to protracted negotiations. India's Prime Minister Narendra Modi and China's President Xi Jinping had to be convinced of the move.

High-level diplomats told the *M&G* that South Africa supported Saudi Arabia, the United Arab Emirates (UAE), Egypt and Iran as permanent members of the bloc.

Debate around whether Iran should join the group lasted through to Wednesday night, with the Brics leaders having ended their retreat on Tuesday without a consensus on whether the Iranians should join, the insiders said.

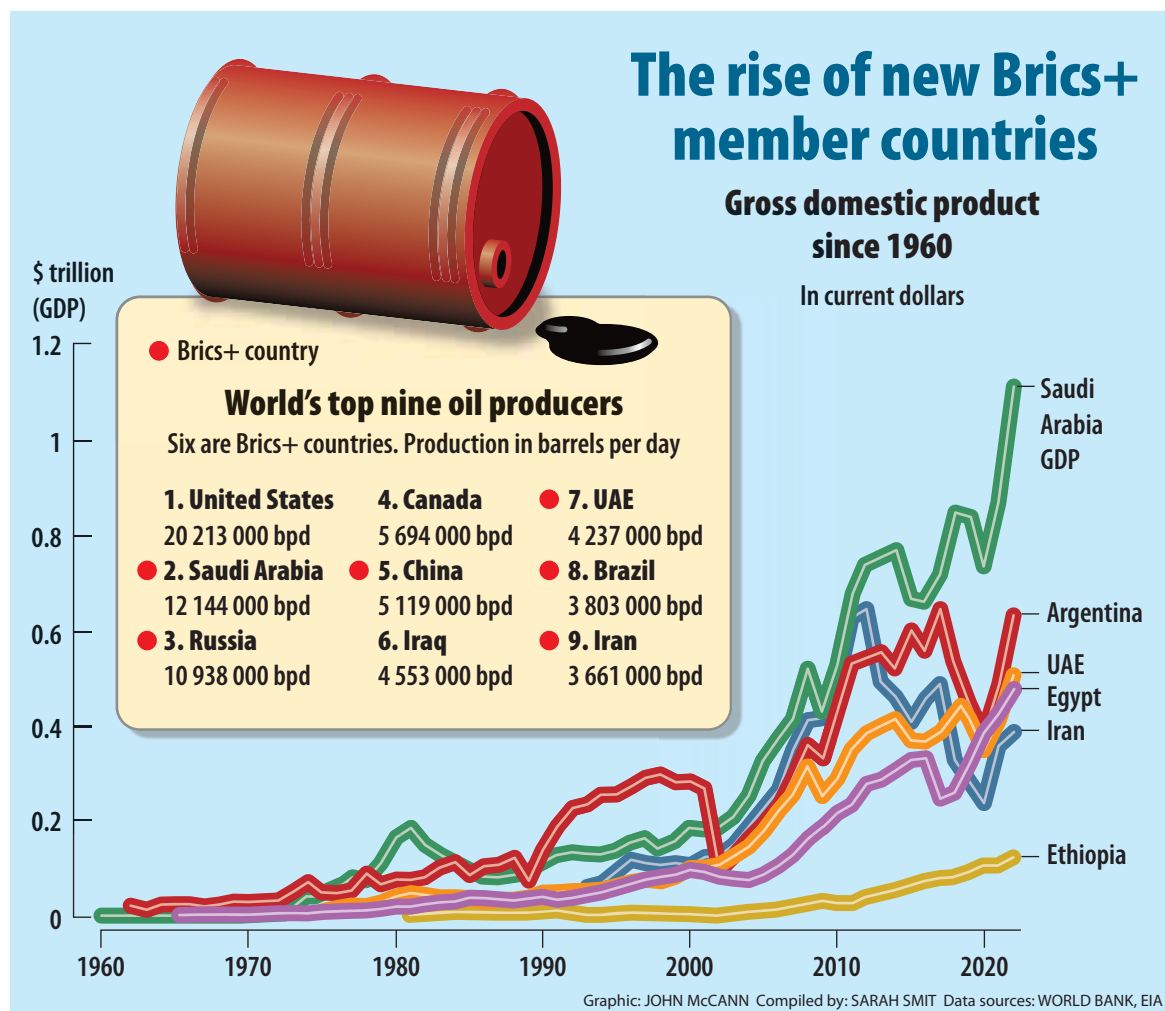
The deadlock resulted in the five nations extending their closed sessions. The decision to include Iran was made on Wednesday after several bilateral meetings between the five nations.

Indonesia had received support from all the Brics member states, except for Brazil, but declined membership. This opened the room for Ethiopia to be admitted as a new member.

Brazil had initially pledged its support for all partner countries but the Latin American country then opted to support Saudi Arabia, Argentina, Egypt, UAE and Iran.

On its candidate list, Russia had Saudi Arabia, Indonesia, the UAE, Iran, Egypt and Argentina, while India backed the Saudis, UAE, Egypt, Indonesia and Argentina.

China is said to have supported



Saudi Arabia, Egypt, Indonesia, Argentina and the UAE.

A high-level South African diplomat said Cuba had petitioned Pretoria to advocate for the country joining the group.

"President Miguel Díaz-Canel asked President Cyril Ramaphosa to motivate for them.

"They say South Africa must understand their economic condition and that they cannot meet the criteria for expansion.

"The problem with Cuba and Iran is that there are sanctions imposed against these nations," they said.

Other countries whose potential membership came up for debate included Algeria, Bangladesh, Bahrain, Belarus, Bolivia, Honduras, Kazakhstan, Kuwait, Morocco, Nigeria, Senegal, Palestine, Thailand, Venezuela and Vietnam.

The inclusion of Iran, Saudi Arabia and the UAE means Brics has six out of the nine top oil-producing countries as members.

Africa has two new members — Egypt and Ethiopia — while the other new entrant, Argentina, is the third-largest economy in South America.

With the inclusion of the six new members, the Brics alliance's collective economy has climbed to 37% of the world's GDP in terms of purchasing power parity, from approximately 32%.

In contrast, the G7 now contributes 30.7% of global GDP, down considerably from the early 2000s, when the group accounted for more than 40% of the world's GDP.

However, Brics is also welcom-

**'[The expansion] will also strengthen the belief of many countries in the world in a multipolar world order'**

ing the two biggest debtors to the International Monetary Fund — Argentina and Egypt — according to figures published on the fund's website.

President Cyril Ramaphosa, Brics chairperson, announced the expansion on the last day of the summit.

The addition of the six countries was welcomed by the leaders of the other current Brics members. Putin delivered his address virtually.

Ramaphosa noted that this is only the first phase in the Brics expansion and that others would follow.

The Brics leaders, he said, have tasked their foreign ministers with developing the bloc's partner model and making a list of prospective partner countries by the next summit.

The leaders have agreed on the guiding principles, standards, criteria and procedures to be followed for the bloc's expansion.

Notwithstanding human rights and climate-related concerns, the

inclusion of oil-rich Saudi Arabia is considered a coup for Brics.

The *M&G* understands that all existing members of the alliance — including Brazil, which initially did not back expansion — endorsed Saudi Arabia's membership. Of the six additions, the Saudi economy is the largest in dollar terms.

Notably absent from the final list was Indonesia, which has a bigger economy than the oil giant's.

In his address on Thursday, Brazilian president Lula da Silva noted the Brics alliance's growing relevance, saying this was confirmed by the number of countries interested in joining.

Lula extended his congratulations to Argentina's president Alberto Fernández, who, in a recorded speech, said its inclusion in Brics opens a new opportunity for the South American country.

Putin highlighted the push to advance the use of local currencies in international trade and other financial transactions.

No resolution on the matter has been adopted as yet, though the Brics leaders have tasked their respective finance ministers and central bank governors with considering this issue.

"Let me assure all our colleagues that we will keep up with the work that we have launched to expand Brics's influence in the world by ensuring practical collaboration with new Brics members and those that will be working with Brics through the outreach format," the Russian president said.

Modi said India "has always believed that the addition of new members will further strengthen Brics as an organisation".

"And it will give our shared efforts a new impetus. This will also strengthen the belief of many countries in the world in a multipolar world order."

Xi, who leads the largest economy in the bloc, called the membership expansion "historic".

"It shows the determination of Brics countries for unity and co-operation with the broader developing countries.

"It meets the expectations of the international community and the common interests of emerging market countries ... The expansion is also a new starting point for Brics co-operation."

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# Modi pledges AU will be part of G20

In a wide ranging interview with the Mail & Guardian, the Indian prime minister placed great importance on Africa's position in geopolitics

Lizeka Tandwa, Paddy Harper & Ron Derby

**W**ith India expected to host the G20 summit in the coming weeks, Prime Minister Narendra Modi said he has made Africa his "priority" during the country's presidency of the grouping.

In an exclusive interview with the *Mail & Guardian* this week, Modi said the voice of Africa would be crucial in the developmental journey of the world. He said he had a strong emotional connection with the countries of the global south, especially those in Africa.

The Indian prime minister said he had personally taken the initiative to give the African Union full membership of the G20 and that he remained confident that the same would be realised during the forthcoming summit.

"As I said before, since India assumed presidency of the G20, we have worked with the motto of 'One Earth, One Family, One Future'. It has been our priority to bring concerns, priorities and aspirations of the global south, including the countries of Africa, to the forefront of the G20 agenda," he said.

Modi said India believed that the global political order needed to hear the voice of those affected the most by the decisions taken in the G20.

"We started our presidency with the Voice of Global South Summit in January 2023. Forty-seven African countries participated and shared their thoughts. It helped us to frame the agenda of our presidency," he said.

"I must say that we have made a lot of progress in the past nine months. We have been able to impress upon our partners within G20 the importance of taking into consideration the priorities of the developing world.

"We have strongly advocated for the permanent membership for the African Union in G20. This stems from our belief that Africa should be given its due. And, I am confident that we will achieve this during our presidency."

The Indian prime minister was in South Africa this week attending the Brics annual summit, which brought together the leaders of member states Brazil, Russia, India, China and South Africa and agreed to admit six new countries to the bloc.

India's influence in Brics has grown in parallel with its growing stature as a geopolitical superpower. In 2022, India surpassed the United Kingdom to become the fifth-largest economy in the world. Expectations are that its economy will shoot up to the third spot by 2029.

With India now considered as

having the largest population in the world, Modi said the South Asian country was also young in terms of demography.

"The world over, India is seen as a global bright spot, a nation which can enhance global prosperity. And, I assure you we are not content with these great jumps ... our people are powering India towards becoming the third-largest economy in a few years.

"So, we are a unique combination of being the fastest-growing emerging economy with a very young population. This will remain our great strength in the coming times."

Modi's government has committed to greater cooperation with Africa in trade, investment, defence, energy and health. India's trade with the continent stands at about \$100 billion, while investment is at \$80 billion.

"The true test of our enduring partnership is that we have stood with each other in the times of need. During the challenging Covid times, we worked together to supply vaccines and essential medicines for the people of Africa. We have partnered in establishing pan-Africa networks for tele-education and tele-medicine," Modi said.

"This year, in April, we set up the offshore campus of the National Forensic Science University in Uganda. Last month, we set up the offshore campus of the premier Indian Institute of Technology at Zanzibar in Tanzania. These will serve the educational needs, especially in the areas of science, technology, engineering and innovation, of the entire region."

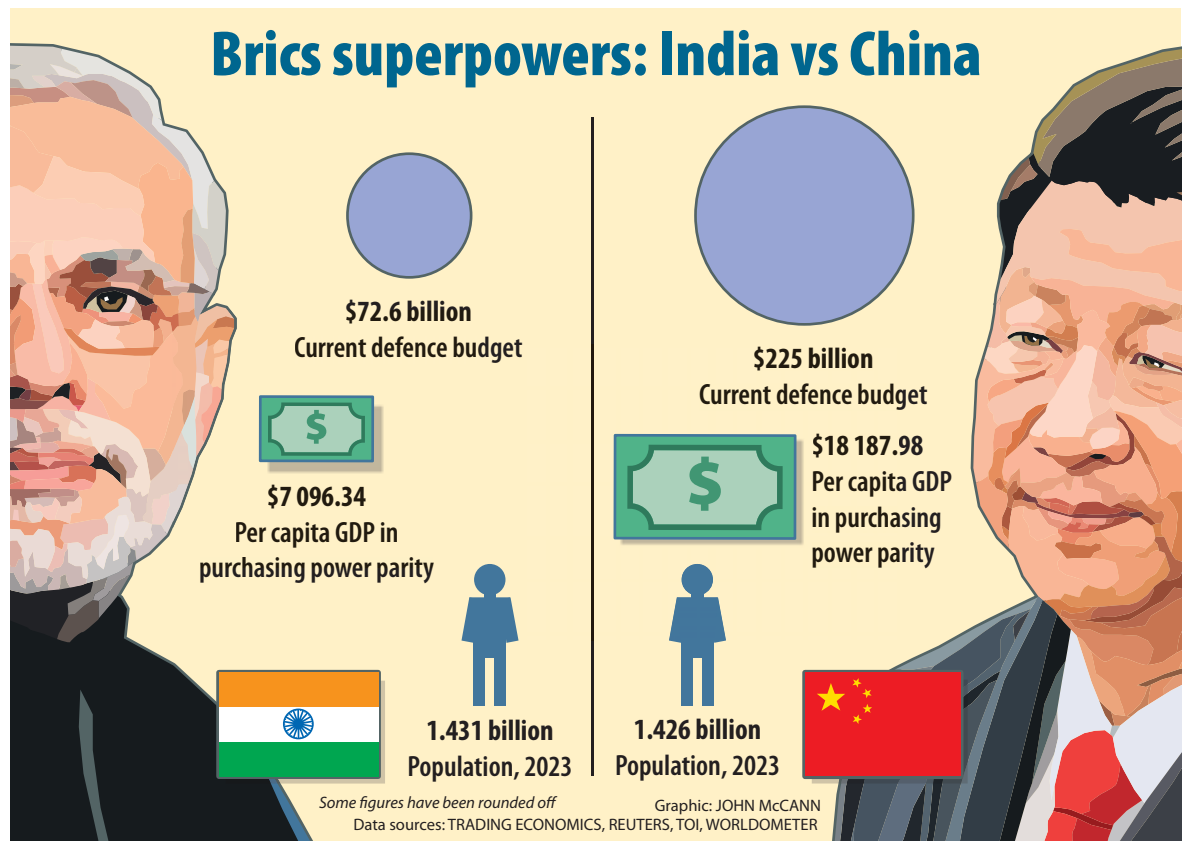
Modi dedicated the success of India's Chandrayaan mission to the moon to all developing countries around the world.

India began exploring the moon's surface with a rover on Thursday, a day after it became the first nation to land a craft near the largely unexplored lunar south pole.

The successful touchdown of the Chandrayaan mission comes four years after the previous Indian lunar mission failed during final descent, in what was seen at the time as a huge setback for its space programme.

"I believe that its [success] will act as a source of inspiration that if India can realise its dreams, the rest of the developing world can also achieve their dreams. I know many coun-

**'It has been our priority to bring concerns of the global south to the forefront of the G20 agenda'**



**Partnership: Narendra Modi, India's prime minister, has committed his country to increased trade and investment with countries in Africa.**

tries in Africa have their aspirations for developing a space programme as part of the AU's Agenda 2063. I assure them that India stands ready to share its experience and help in various ways," he said.

"Africa is an aspirational continent. We welcome its vision to modernise and industrialise through the ambitious Agenda 2063 and the African Continental Free Trade Agreement. India is ready for the partnership and will share its capacities with the countries of Africa so that they can realise the potential to be a global economic and technological powerhouse."

India is fast matching the achievements of established spacefaring nations. The country is moving ahead on its ambitious programme for 500 gigawatts of renewable energy by 2030, Modi said, and is working towards increasing solar, wind, biofuels, nuclear, hydrogen and other sources in its energy mix.

With India and Africa's shared nature of challenges and the development journey, Modi said he believed the innovations and solutions developed in India could be easily replicated in African countries.

"India is ready to work on challenges that affect the planet. The initiatives for strengthening food security are priority for all of us. Africa has significant land for production of various products. Both sides can build partnership between the public

and private sectors to invest in agriculture production and agro-industry. It will not only promote food security, but also generate large-scale employment," he said.

"It will bring prosperity to the people and enable the African economies to move up the value chain through creation of agro-processing facilities. The 3.5 million Indian diaspora in the African countries constitute a strong bond of friendship between India and the region.

"I am sure, the youth of India would be excited to work with the youth of Africa to forge a partnership that will be a force for the global good. I would like to reiterate that India shall remain an enduring partner for Africa in its development journey of realising its aspirations."

South African foreign policy analyst Sanusha Naidu said India's foreign policy of strategic economy had seen it growing in international stature and influence, with its population and skills growth allowing its workforce to outstrip that of China.

India's rivalry with China, with whom it has a 60-year border dispute, was one of the unspoken issues at the Brics summit, at which the two leaders interacted for the first time since 2020.

Modi's comments on Africa make it clear that India, which has since the inception of Brics been overshadowed by China in terms of influence on the continent, intends to close that gap with its growing economic

power. Regional rivalries between the two countries date back to the 1960s, with both countries now competing over "who is the voice of agency in representing the global south, for fighting for the marginalised nations and acting on behalf of the developing world", Naidu said.

India had gained international stature, with Modi, who was once on the United States banned list, now "a darling of Washington", with whom India secured significant defence contracts without becoming a militarily aligned partner.

"Right now, India is there. Suddenly this is a country that everybody wants to do business with," Naidu said. "In his addresses to Brics, Modi has made it clear that India has arrived, that we are ready and that everybody wants to do business with us."

Naidu said Brics had provided a significant opportunity for Modi and his Chinese counterpart, Xi Jinping, who had not met since the flare-up of the border dispute between the countries in May 2020.

The fact that the two had been involved in securing a consensus agreement on the addition of six new member states to Brics was significant.

Naidu said it was also significant that India and China, which both have internal conflicts with their Muslim populations, had coalesced to allow for the admission of a number of Muslim states to Brics.

# Sputla sees the light in China

The electricity minister, Kgosientsho Ramokgopa, has said that his ministry has cast a wide net for help in fixing the country's failing electricity system

Sarah Smit & Mandisa Nyathi

**S**outh Africa is canvassing its other economic partners for assistance in its fight to end load-shedding — but China was first off the block, according to Electricity Minister Kgosientsho Ramokgopa.

Ramokgopa, who was appointed earlier this year to help bring South Africa's 15-year energy crisis to an end, was speaking after the signing of a joint memorandum of cooperation with five Chinese entities, including the superpower's state utility.

The memorandum signing took place on the sidelines of the 15th Brics summit, which ended on Thursday in Sandton, Johannesburg.

Because of the sheer size of its economy, China is the most commanding force in the five-country bloc. Its dominance in Brics has put the grouping's cohesion into question as its members negotiate intra-alliance relations.

When asked whether the minister had sought the assistance of the other Brics partners, Ramokgopa said he had cast a wide net to find partners for the country's energy fight.

"We have engaged many countries that have a diplomatic presence here, not just looking at the Brics countries," Ramokgopa said, adding that his ministry had also approached ambassadors from the major Western powers.

"It is not only unique to China," the minister added. "But the people who have responded with lightning speed — it also surprised me — were the Chinese. No conditions. [They said], 'This is what we can do. This is what we can canvas.'"

Through the partnership, South Africa will be learning from the best, Ramokgopa said.

"I am not suggesting that they are the only ones. We will wait for other countries to come. But we are moving at the speed of the fastest. We are not going to move at the speed of the slowest," the minister added.

The objectives set out in the memorandum include:

- Enhancing South Africa's energy security through regulatory reform, infrastructure and technology development, human capital development, and research and development capacity;
- Promoting sustainable energy solutions and diversifying South Africa's energy mix;
- Strengthening bilateral cooperation



**Speed of light: Electricity Minister Kgosientsho Ramokgopa has signed memorandums of cooperation with five Chinese companies.** Photo: Per-Anders Pettersson/Getty Images

between South Africa and the Chinese entities in the energy sector to support South Africa's localisation and industrialisation;

- Facilitating knowledge and technology transfer between the participants; and
- Encouraging investment in South Africa's energy sector.

The signatories of the memorandum are the

State Grid Corporation of China, the China-Africa Development Fund, the China Energy International Group, the China General Nuclear Power Corporation, the China National Electric Engineering Company, Huawei, the TBEA Group and the Global Energy Interconnection Development and Cooperation organisation.

The State Grid Corporation of China is the largest electricity utility in the world.

The signing comes after China's President Xi Jinping announced that his country would donate R167million to South Africa for emergency power equipment.

China will also give South Africa about R500 million in development assistance through a grant.

In his opening address on Wednesday, Ramokgopa said China has the largest coal-generation capacity in the world. The economic superpower also has the most installed renewable capacity — the amount of power it can generate from renewables — in the world. "The amount of renewables they have is 12 times the size of Eskom," Ramokgopa said.

**B**ut Wednesday's memorandum is thin on specifics about financing.

Ramokgopa noted that the government is working on a financing instrument for upgrading the country's transmission grid, which is viewed as the next frontier of the country's efforts to get more capacity online. The minister has previously said this will cost Eskom R210 billion.

The electricity minister said the New Development Bank — the Brics bank — has expressed that it can make \$3 billion (about R57 billion) available for transmission over the next five years.

"And they are confident that their lending rates are favourable. We can get it from them, cheaper than what you can raise on the bond market," he added.

"So there is this pool of funds. And some of the Western major banks have come to say they can support transmission. But these are the issues that must be resolved — governance issues, ownership issues and the like."

Earlier on Wednesday, as part of the signing ceremony, the chairperson of the China Africa Development Fund, Song Lei, advised South Africa to relax the black economic empowerment (BEE) rules to attract more Chinese investment in transmission and distribution.

"If you stick to the current bidding and tendering framework, it might be difficult to be efficient. I suggest streamlining the bidding and tender processes, especially for emergency and major projects," Song said.

"Consider allowing the direct participation of Chinese power companies through integrated investments and construction and operation models."

Acknowledging this advice, Ramokgopa said BEE is a major element of the country's transformation agenda.

"And there is no reason why we should dilute it. I think that we could do both, so we will listen further. It is not only those kinds of issues that they are raising. We think we will find each other, but we will not relent on issues of transformation."



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# Zondo inquiry punished with costs

The order raises questions about who directs the defence of challenges to the work of commissions

Emsie Ferreira

**T**he Zondo commission has been punished with a costs order after seeking the recusal of a Johannesburg high court judge who heard an application for a postponement in Salim Essa's legal challenge to the report on state capture.

The adverse ruling has raised concerns in government about irregular expenditure because it confirmed that the commission and Chief Justice Raymond Zondo opted to be represented by a private firm of attorneys, instead of retaining the services of the office of the state attorney.

The recusal application was brought by Pule Seleka SC after a tense exchange with Judge Rean Strydom when the interlocutory application in Essa's review bid was heard earlier this month.

Seleka was an evidence leader in the state capture inquiry and was initially briefed by the office of the state attorney in line with an undertaking that it would enlist counsel who had worked with the commission to defend challenges to its report.

The thinking was that the commission would benefit from their familiarity with the subject matter, and that it would help to contain legal fees. But Strydom's ruling states that Seleka was instructed by BR Rangata Attorneys, not the state attorney, when he made the recusal application.

This raises questions about who will pay the costs and the firm's fees because the department of justice became the custodian of the report once Zondo handed the final volume to President Cyril Ramaphosa, and the department litigates through the office of the state attorney.

Essa, who was described as the Gupta family's "money-laundering lieutenant" in evidence led before the commission, filed an application from abroad last year to have sections of the report bearing reference to him set aside. He cited the commission as the first respondent and Zondo as the second.

In August the commission, at the time still represented by the state attorney, filed notice of its intention to oppose the application. It did not file an answering affidavit and has, according to the high court ruling, not done so to date.

The state attorney wrote to Essa in October asking that he stump up security for legal costs the state may incur in successfully opposing his application. No reply was forthcoming. In February, the commission filed a court application for the case to be dismissed with costs, alternatively that it be stayed pending posting of security of R5 million by Essa.

The rationale on the part of the department and the solicitor general was to discourage frivolous challenges to the commission's findings, and to ensure the state could recover money spent in opposing review applications filed by litigants who have left the country.

"We demanded that he put up security because he is a fugitive from justice," solicitor general Fhedzisani Pandelani said.



**Challenged:** Chief Justice Raymond Zondo opens the commission's state capture proceedings on 20 August 2018. A number of legal challenges to the final state capture report have been brought. Photo: Gulshan Khan/AFP

When asked about the cost order, he said the demand for security had been the end of the state attorney's involvement in the case.

"That was the last I heard. From there on we were nudged out of the case," he said, adding that it was unprecedented for the office of the state attorney to have a brief terminated.

He and Justice Minister Ronald Lamola's office said they were not aware of the failed recusal application. And both said the department would pay neither the costs as per the court order nor the fees of the law firm that represented the commission.

"To whom does this bill go?" Pandelani asked. "The commission is *functus officio* [its mandate has expired]."

Pandelani said the justice department cannot be held liable for what happened in the Essa matter because it had not authorised the appointment of a private firm of attorneys. "It can't be justice if the accounting officer has not signed off on it."

He added that though his office did occasionally outsource work, that had not happened in this case, hence the appointment of BR Rangata Attorneys was "irregular".

"We outsource under exceptional circumstances but there needs to be a paper trail."

The following transpired after the commission filed for dismissal, or an order compelling Essa to post security. His lawyer filed notice of his intention to oppose on 8 February, but did not file an answering affidavit. The commission then asked for the matter to be set down on the unopposed motion court roll for hearing on 2 May. Essa finally filed an answering affidavit on the eve of the hearing, where the matter was postponed indefinitely.

After the commission filed a replying affidavit, it was set down for 3 August. In late July, Essa lodged an application for a postponement,

which the commission opposed.

On the hearing date, Strydom proposed that the court deal with his postponement application upfront.

Essa's counsel argued that the commission flouted high court practice directives when it had the matter set down as an opposed application, while it had not filed all necessary papers.

Strydom asked Seleka for submissions as "to whether the JCE [the judicial commission of enquiry] complied with the directives of this court".

Seleka replied that it was set down by the registrar and after some debate with the bench, called for Strydom's recusal. He proceeded to plead that the manner in which the judge engaged him suggested bias.

"He argued that I gave evidence from the bench in assistance of the case for postponement on behalf of Mr Essa," Strydom recalled in the ruling.

Seleka submitted that the court seemed unwilling to see the inconsistencies in Essa's submissions on the availability of his counsel. At the same time it had, he said, shown a willingness to hear the application for a postponement when legal precedent dictated otherwise, and had inferred underhandedness in the manner the matter was set down.

Strydom dismissed the application the following day.

"In my view, what I said would not have been conceived by a reasonable person as a pre-determination of the matter, but rather, active participation by a presiding judge with coun-

sel. I have expressed views but have not pre-determined the application.

"My *prima facie* views expressed are still subject to persuasion and could not have created a perception of bias."

Regarding the exchange on compliance with court directives, the judge said he had not raised his voice or changed his demeanour in a way that could be interpreted as favouring Essa, and was waiting to hear Seleka's explanation.

"He could still have convinced the court that should there have been non-compliance, this could be overseen or condoned by the court. A reasonable, objective, and informed person would have concluded as such."

Strydom directed that the commission "pay the wasted costs occasioned by the refusal of the application for recusal".

Questions were sent to the chief justice but a response was not received by the time of publication.

Well-placed sources confirmed that there had been high-level discussions about defending legal challenges to his six-volume report and said Zondo had asked whether the state attorney's office in Johannesburg had time and capacity to handle the work.

His concerns were not without merit, they conceded, but said the state attorney's office was prepared to deploy staff from Pretoria to represent the commission. According to Pandelani, the possibility of requesting a deviation to allow it to engage BR Rangata Attorneys was raised. However, none was granted.

"We have not even reached that stage where we say there must be a deviation, we have said state attorneys must be used. I know there was talk of seeking one, I know that one was not granted. I don't have powers to approve deviations post facto."

He added that he had heard that the firm was prepared to waive a fee for handling the matter, on the understanding that it would be briefed again in future. The state

could not be held to such an agreement, he stressed, and it still leaves the matter of the costs order.

Government sources have suggested that the costs will likely be paid by the office of the chief justice.

This would see a state department assume responsibility for a decision the chief justice did not take as the head of that department, but as the former chair of a now defunct entity, and risk unauthorised expenditure, as Zondo was cited in the latter capacity. Pandelani asked whether procurement rules were respected in the process.

But the case also raises questions about how the state handles legal challenges to the findings of the country's many commissions of inquiry, and how it accommodates the understandable concern of judges, sitting or retired, that their work, and by extension their integrity, should be ably defended in court.

In Zondo's case, these may be particularly acute because he recommended the investigation of senior serving members of the ruling ANC, among them its chairperson, Gwede Mantashe, and first deputy secretary Nomvula Mokonyane.

Said Mbekezeli Benjamin of Judges Matter: "It's an anxious place to be, for judges to wait for the state to defend their integrity in post-inquiry litigation. Perhaps a judge filing an explanatory affidavit is a solution but seeing the chief justice actively involved in litigation to defend the state capture report as alleged raises separation of powers concerns."

A dozen legal challenges to the report have been brought. One was dismissed but the rest remain before court. The litigants include former Eskom chief executive Matshela Koko, whom the commission implicated in the Trillian scandal. It was described by Zondo as a scheme to exploit Eskom and benefit Essa. It is understood that the National Prosecuting Authority will seek Essa's extradition once he is indicted.

**'To whom does this bill go? The commission is *functus officio*, its mandate has expired'**

# 'SA needs to change mindset on poverty'

Lizeka Tandwa

**A**head of next year's crucial elections, and after the government had to renew the Covid-19 social relief of distress grant, ANC national chairperson Gwede Mantashe has said society should not solely rely on the state to escape from poverty.

South Africa is grappling with high levels of inequality and unemployment. The government's social grant allocation is about R250 billion.

Speaking on the sidelines of the ANC tripartite alliance meeting with Brazil's President Lula da Silva, Mantashe said South Africans need to change their passive nature.

"Society thinks it must be taken out of poverty, instead of working with the government in taking itself out of poverty."

"I can tell you that if you don't put your skin in the fire you don't change the reality around yourself ... We will only succeed if society participates in fighting poverty and other ills of society."

Mantashe added poverty and unemployment were vital issues in all the Brics member states — Brazil, Russia, India, China and South Africa — which held their 15th summit in Johannesburg this week.

"So, when we invite investment to our countries we focus on these issues," he said, adding Brics was the hope of 42% of the world's population.

Brics economies accounted for 21.3% of South Africa's total trade with the world last year, with China leading at 67.6%, India at 26.5% and Brazil and Russia's trade amounting to 4.2% and 1.7%, respectively.

The four countries accounted for 14.2% of South Africa's merchandise exports while the EU's exports are estimated at 21.3%, with the US at 8.8%.

Mantashe said party leaders drew important lessons from Brazil on how to manage coalitions. Lula is leading a coalition government with former rivals who ran against him when he was first elected in 2006.

"He gave us a very important lesson that what works there is the question of respecting each other. If you respect others, and they don't respect you, that arrangement will not work."

But Mantashe had strong views about the recently formed multi-party coalition.

"As we go through this period, I am convinced the apartheid parties and bantustan parties trying to form a moonshot is not going to work."

"Moonshot is an

American concept. It came from President [Richard] Nixon when there was a contest for going to the moon with the USSR... It's an old concept, recycled and it's meant to weaken the ANC to reverse change and transformation. That is why we should be determined to fight because we can't coexist with evil intentions."

Seven opposition parties, including the Democratic Alliance, Inkatha

Freedom Party, Freedom Front Plus and ActionSA, came out of their pre-election coalition talks last week with a concrete agreement on how they will share power if they manage to oust the ANC in next year's poll. They committed to the Multi-party Charter for South Africa and a declaration locking them into the agreement.

On Tuesday, South African Communist Party general secretary

Solly Mapaila — whose party has historical ties with Lula — said it was ready to strengthen relations with its Brazilian counterparts.

He said Lula had signalled to the ANC alliance that he was committed to continuing the struggle to end capitalism at an international level.

"He committed to use the position he has in Brazil to continue with the struggle against imperialism,"

Mapaila said, adding Lula was also committed to eradicating poverty.

"It's important to appreciate the manoeuvres of the imperialist forces, particularly led by the American government, that continues to destabilise countries. We have given [Lula] a challenge to rise to the occasion to deepen transformation so it becomes irreversible and that is something we need to do here."

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# Africa's lions could face extinction



The carnivores have lost about 36% of their range in the past two decades

Sheree Bega

**A**frica's largest carnivore is sliding towards extinction, with its population almost halved in the past 25 years because of habitat loss and fragmentation, the lack of wild prey, persecution and poaching.

For Samantha Nicholson, a senior carnivore scientist at the Endangered Wildlife Trust (EWT), imagining the continent emptied of its lions is unthinkable.

She manages the African Lion Database (ALD) initiative, which is endorsed by the International Union for Conservation of Nature (IUCN) Species Survival Commission's Cat Specialist Group. The initiative, funded by the Lion Recovery Fund and National Geographic, consolidates lion population, distribution and mortality data.

Recent estimates suggest that there are 20 000 and 25 000 individuals left in Africa, where they are listed as vulnerable by the IUCN on the Red List of Threatened Species.

"When we look at the data we estimate that in the last three lion generations — 21 years — lions have lost about 36% of their range," Nicholson said.

As top predators, lions maintain biodiversity and the integrity of ecosystems, but their future is precarious. "Not many people are aware of how lions are really facing some severe issues and there's real conservation concern for the species."

**L**ion numbers have been plummeting across the continent, according to the 2016 Red List Assessment. But, in South Africa, the lion population is stable or increasing in major reserves and rising through the addition of small reserves or the formation of conservancies.

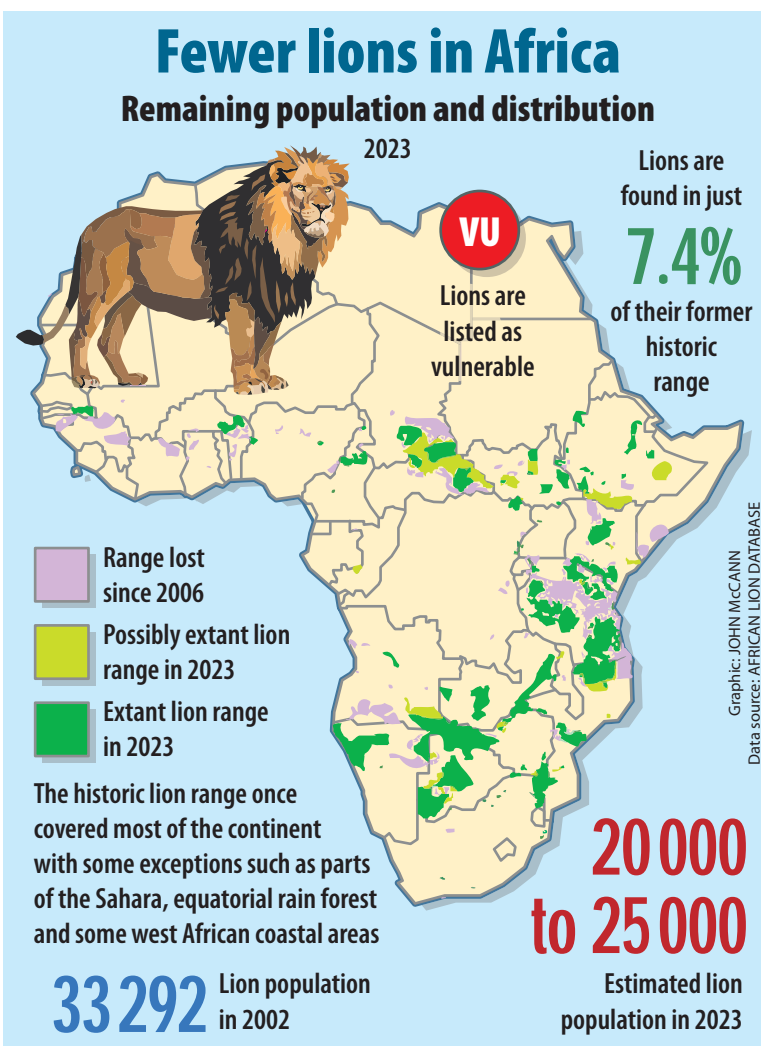
There are about 3 000 wild lions in South Africa, based on the African Lion Database. The country's free-roaming wild lions are listed as a conservation species of least concern by the IUCN.

Because most of South Africa's lions are in fenced reserves, human-wildlife conflict is not a threat as it is in Tanzania or Kenya, for example, Nicholson said, noting however that it is experienced around some areas of Kruger and Mapungubwe national parks and the Kgalagadi Transfrontier Park.

At a continental level, habitat loss and the loss of prey base are the two most significant threats to lions. "But in South Africa, because we have our fenced reserves, they are potentially more protected, habitat is secure and the prey base is managed within them."

What worries Nicholson is the increase in lion poaching in South Africa, which includes the targeted poaching of lions for their body parts such as their paws, claws, teeth, skins and even intestines.

SANParks confirmed that for the



period January 2020 until the end of June this year, eight lions were poisoned in the Xanatseni region of Kruger, and six lions killed in snares over the same period, as reported by *Daily Maverick*.

It told the publication that considerable efforts are being made to monitor the lions in the far north of the park and it is working closely with the EWT to fit monitoring and tracking collars on the remaining prides, with field rangers patrolling areas that are known hotspots for snares. SANParks did not respond to the *Mail & Guardian's* inquiries.

Nicholson said that poaching lions for their body parts is a very real threat. "It is not a common occurrence in many of our fenced reserves, but rather more in the larger systems like the Greater Limpopo

Transfrontier Area, although there have been a few poaching incidents in Dinokeng Game Reserve [near Hammanskraal in Gauteng] where parts have been removed.

"Whether it's for local muti or the international [wildlife trade] ... the threat that we really are faced with is poaching, usually poisoning or snaring."

One example is Kruger, "where we are seeing an increase in these threats and it's likely that populations are declining", she said. "But we do know that most of the northern area of the Kruger has potentially declined in lion numbers."

Because the Kruger fence is open to the Limpopo National Park in Mozambique, "you're faced with additional pressures from a neighbouring country, so you could poten-

**Pride: Pockets of hope for lions' survival do exist in parts of Africa.**  
Photo Gerald Anderson/Getty Images

tially have poachers moving in and out, sometimes undetected". And, because it's such a large system, poaching patrols are more difficult.

South Africa and Mozambique are probably the two countries that see the most lions poached for their parts, Nicholson said. "However, the data for South Africa in the ALD is mostly from captive facilities, but poaching for parts has occurred in Dinokeng and Kruger, specifically the northern area of Kruger, and the Greater Mapungubwe Transfrontier Conservation Area."

**A**ccording to large carnivore specialist Gus Mills, Kruger and the Kalahari are vital for lion conservation in South Africa. There, they are part of large, intact and well-managed systems. "Look, there can be a bit of poaching, but the lion populations in those two parks are doing very well."

That these lion populations are naturally controlled and not managed by humans is important. "We need to have areas that are fully functional ecologically and we've got those areas that are more or less as close as you can get in this modern world."

Lions, like all biodiversity, are facing huge problems but "Southern Africa, with South Africa, Botswana, and definitely Namibia, even Zimbabwe, Zambia are as good as you can get" in safeguarding lions.

Mills noted that humans have never coexisted with large carnivores. As people spread through Europe and Asia thousands of years ago, lion numbers fell. "They conflict with us and that's why we need protected areas to give them space to be able to survive."

Africa's big cat is in big trouble but there is some hope. "In some places we're seeing local extinctions but then in others, we're seeing isolated population increases or reintroductions," Nicholson said.

In 2018 and 2019, the Malawian government, working with African Parks, a nonprofit conservation organisation, reintroduced lions into Liwonde and Majete national parks.

"Those are reserves that maybe 10 years ago didn't actually have many lions but in the last five years, between the two reserves, there's almost 50 lions," she pointed out.

In 2015, seven lions from South Africa were reintroduced to the Akagera National Park in Rwanda, followed by another translocation in 2017. Lions were "poached out" in Rwanda in the early 1990s, mostly because of human-wildlife conflict. "Since the reintroduction by African Parks and the Rwanda Development Board, populations are doing well in Akagera."

In 2018, the Twenty-Four Lions project introduced 24 lions into the Zambezi Delta Ecosystem in Mozambique, in a project run by the Cabela Family Foundation, Zambezi Delta Conservation, Ivan Carter Wildlife Conservation Alliance and Mozambique's National Administration for Conservation Areas, reintroducing lions in vast tracts of land where they had lost their range. Their numbers have now swelled to more than 60.

Nicholson said the West African lion — one of two subspecies in Africa — is critically endangered with fewer than 250 mature individuals remaining. Most are found in the W-Arly-Pendjari protected area complex (32 250km<sup>2</sup>), which straddles Benin, Burkina Faso and Niger.

"That area is under pressure from armed conflict and extremist groups so that makes protected area management and conservation more challenging. Violent extremism generates insecurity and lawlessness, which can decrease management effectiveness and can worsen threats that currently exist, such as poaching, habitat loss or human-wildlife conflict," Nicholson said.

There are concerns about how those lions are faring because conservationists and protected area managers have difficulties surveying them.

"Across Africa, we really do have these little pockets of hope and conservation successes but there are also areas that are facing significant pressures and need a little bit more attention," she said.

# Rekindling democracy: UDF's resurgence and the quest for an active citizenry

**The UDF's re-emergence stems from a deep-seated concern about the erosion of the values and principles that were its lifeblood**



In the heart of South Africa's tumultuous history, the United Democratic Front (UDF) emerged as a beacon of resistance against the oppressive apartheid regime. On Sunday 20 August 2023, activists from the liberation struggle celebrated the 40th anniversary of the UDF under the stewardship of its last sitting national executive. Popo Molefe, founding UDF member and current convenor of the UDF40 initiative, called for the country's youth to engage in the upcoming elections.

The resurgence of the UDF is not merely a revival of mass mobilisation as a core organising tool; it signifies a rejuvenation of its core values, a rekindling of its democratic principles, and an impassioned plea to safeguard the hard-fought-for gains of democracy. Significant to this is the UDF's vision of a united, non-racial, non-sexist, democratic South Africa in which all are equal before the law.

The timing of the UDF's re-emergence is impacted by South Africa's evolving political landscape. It stems from a deep-seated concern about the erosion of the values and principles that were the lifeblood of the UDF's inception. Amid the challenges of the present era, democracy faces a new set of threats, demanding renewed vigilance and collective action.

This "rebirth" transcends the mere restoration of an entity; it seeks to breathe life into the very ethos behind the UDF's historical significance. It is a clarion call to revitalise the indomitable spirit that united diverse civil society organisations and communities against a common enemy. More than ever, the UDF40F aims to address the diminishing resonance of the values it once championed and the steady decline of democratic ideals paid for with countless lives.

Central to this mission is the empowerment of communities and the reawakening of their dormant energies. The UDF40 envisions a movement that galvanises citizens beyond armchair activism and social media engagement. It aspires to reintroduce the very essence of the UDF — grassroots



mobilisation, community cohesion and a collective sense of purpose. Through these means, the organisation seeks to ensure that those in positions of power are held accountable to the people they represent.

The historical roots of the UDF go back to the era of apartheid, when it played an instrumental role in unifying South Africans against a regime built on segregation and oppression. The prevailing landscape differs significantly, with established democratic governance and multiple political parties competing for power. However, the UDF40's focus transcends partisan politics. It pivots toward addressing citizens' daily struggles and demands transparency and responsibility from those in authority.

While the UDF fought valiantly for civil rights and suffrage during the apartheid era, current endeavours under the UDF40 extend to social and economic rights. These encompass access to basic services such as clean water, quality education and primary healthcare. Moreover, they address the pressing issue of soaring unemployment rates, seeking to breathe life into the promise of a better life for all South Africans.

Critics have questioned the motivations behind the UDF's re-emergence as the

UDF40, citing the tenure of former members who are now in positions of power without substantial changes. In response, the UDF40 recognises both past progress and more recent regressions. It acknowledges that the initial years of democratic governance secured notable gains, but also admits to a decline in ethical leadership and effective governance.

The UDF40 emphasises that their cause transcends the domain of political parties. It underscores the importance of reconnecting with the very fabric of society, reasserting citizens' role in shaping their destiny. The UDF40 champions active participation — not only during elections — to ensure that the government remains accountable to the people it serves.

As South Africa grapples with the shadow of corruption, the UDF40 recognises the imperative of rebuilding institutions eroded during the state capture era. It lauds the efforts of bodies such as the Special Investigating Unit (SIU) for their dedication in recovering misappropriated funds and combating corruption. Yet, it remains steadfast in its assertion that the journey to an idealised state of accountability is far from complete.

**TOP: Youth from several parties attend UDF 40-year anniversary celebrations.**

**LEFT: UDF40 national steering committee members, Vall Moosa and Popo Molefe, have been comrades for over 40 years..**

Photo: Yunus Chamda

In calling for societal re-engineering, the UDF40 envisions a transformative process that mirrors the UDF's historical struggle against apartheid. This renaissance seeks to reconstruct the values and principles that guided the nation to liberation. Central to this vision is the empowerment of communities, the amplification of their voices, and the creation of mechanisms that ensure those in power serve and account to the citizens they represent.

Contrasted against other multi-party initiatives, the UDF40 maintains that its focus is rooted in history and unyielding principles. While acknowledging the significance of various efforts, the UDF40's resolve remains unshaken in its commitment to its original ethos.

In the tapestry of South Africa's democracy, the re-emergence of the UDF 40 years after its formation signifies a rallying cry against the erosion of democratic values. The UDF40's mission is far-reaching — it strives to mobilise communities, empower citizens and uphold the ideals for which many died. In essence, the UDF's resurgence embodies the pursuit of active citizen participation, rekindling the spirit of resistance and holding the torch of democracy high in the complex and ever-evolving South African landscape.

**Popo Molefe, UDF40 National Steering Committee**

# 'SA must find alternative water sources'

Rapid improvements in governance and management are also critical to turn the sector in a water-scarce country around

Sheree Bega

**S**outh Africa's water sector is in a "downward spiral" and must be turned around. So says Sean Phillips, the director general at the department of water and sanitation.

The sector is characterised by poorly governed, poorly managed and underperforming institutions with high losses and high costs of inefficiency, which leads to low investment and poor services, which reduce payment, Phillips said in a recent presentation to the Water and Sanitation Sector Leadership Group, a strategic sector partnership forum.

Turning around the sector needs professionally managed, capable, efficient and financially viable institutions to increase investment, improve services and increase payment.

Phillips said South Africa's raw water supply is roughly in balance with demands on a national scale, but at local levels there are deficits. And water availability can deteriorate rapidly as supply contracts and demand escalates. This is because of economic growth, population growth, urbanisation, inefficient use — including losses in municipal distribution systems — degradation of wetlands and climate change.

Delays in the surface water resource development projects have been addressed, he said.

These include Phase II of the Lesotho Highlands Water Project for Gauteng; the uMkhomazi Water Project in KwaZulu-Natal; and the R10 billion Vaal Gamagara project in the Northern Cape, in a public-private partnership.

Broadening the country's water resource mix is critical for water security because the "potential to further develop its surface water resources is limited". South Africa, a water-scarce country, is already harnessing about 75% of its usable surface water.

"There is a need to increase sustainable use of groundwater; desalination of seawater; return flows from treated wastewater systems; and reuse of other poor-quality water such as acid mine drainage," Phillips said, noting that many of these are municipal functions.

Supply-side measures are not sufficient to avoid water deficits, he said. "Water conservation and water demand management must also be implemented, particularly in domestic and general industrial use by reducing physical losses in municipal distribution systems."

About 60% of national water resource infrastructure projects are funded by private sector finance. The National Water Resource Infrastructure Agency Bill is in public consultation and its establishment will enable more private finance to be raised, without necessarily requiring treasury guarantees, Phillips said.

The failure to collect revenue is undermining the sector's sustainability. Phillips said the rapid build of sector debt is money owed to water trading entities by water boards, municipalities and customers; money owed to water boards by municipalities and money owed to municipalities by customers.

On debt solutions, Phillips said his department will work with the treasury to ensure that equitable share allocations are withheld from



**Trickle: Water services are inadequate.**  
Photo: Michele Spatari/Getty Images

non-paying municipalities and standardised credit control and debt recovery processes will be put in place across all the water boards.

This will include enforcement of water restrictions on non-paying municipalities and legal processes to attach municipal bank accounts. Bulk prepaid metres will be installed by water boards in municipalities.

Phillips said the 2022 Green Drop report showed declining wastewater treatment with 334 systems (40%) in a critical state and 64% in poor or critical state. The Blue Drop 2023 "indicates similar deterioration in water services, in terms of quality and reliability of supply".

"[The] Minister [Senzo Mchunu] has crisscrossed the country visiting those municipalities with severe challenges with water and sanitation services."

The department's contribution is in the form of grants of R12 billion a year from the Regional Bulk Infrastructure Grant and the Water Services Infrastructure Grant, and technical advice and management support from the department and water boards.

Some examples include the Nooitgedacht water transfer treatment scheme in Nelson Mandela Bay, Greater Mbizana Regional Bulk Water Scheme in the Alfred Nzo district municipality, several projects in Maluti-a-Phofung in the Free State and Emfuleni and Midvaal local municipalities, and support by the department and Umgeni Water to eThekweni metropolitan municipality to improve the management of its wastewater treatment systems.

But there are limits to which support and intervention by the government can address the decline in the reliability and quality of water and sanitation services, Phillips said.

"The cause of the decline is poor maintenance and operation by municipalities, which must be funded by revenue from the sale of water by municipalities to customers.

"The [department] is repeatedly providing municipalities with grants to repair infrastructure, which is not maintained by the municipalities, deteriorates again rapidly, and then funding needs to be provided again. The high levels of support and intervention by the department are slowing the decline in water and sanitation services, not arresting or reversing it."

To do so, the municipal water and sanitation function must be fixed, which requires fundamental reform, he said.

Some of the reforms proposed include amending the Water Services Act to introduce a legal requirement that water services can only be provided by an entity (municipality or another) that has an operating licence; amending section 63 of the Water Services Act to strengthen enforcement through directives as is done in the National Water Act; and defining the functions for which water service providers are accountable.



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# Mkhwebane out, says committee

The suspended public protector failed to provide input on a draft report within 10 days, once again claiming that she lacked legal representation

Emsie Ferreira

**P**arliament's section 194 committee considering the impeachment of suspended public protector Busisiwe Mkhwebane on Tuesday adopted a report recommending that she be removed from office for misconduct and incompetence.

The adoption of the report was supported by the ANC, the Democratic Alliance (DA), the Inkatha Freedom Party and Freedom Front Plus. The Good party was absent from the meeting, as was the United Democratic Movement.

The Economic Freedom Fighters (EFF) and the African Transformation Movement (ATM) strongly disagreed, with the leader of the latter, Vuyo Zungula, arguing that the process was irrational and the report patently biased.

The EFF reiterated that it believed the report was ripe for legal review.

"We reject the report with contempt and we stand by our position that we reserve our right to take it on review," EFF MP Omphile Maotwe said.

Al Jama-ah also declined to support the report, but qualified that it was doing so because it believed the legislature could and should impose a lesser sanction than removal.

The EFF and the ATM's disagreement stemmed in part from the fact that Mkhwebane failed to provide input on the draft report, which she was given 10 days to do.

Instead, she maintained in a letter sent to the office of the state attorney on 14 August that she was unable to

participate in the section 194 process for lack of legal representation.

She noted that HM Chaane Attorneys had withdrawn as her legal representatives on 3 August, and asked that the state attorney appoint Motsoeneng Bill Attorneys from a list of law firms provided by the office of the public protector to take over the brief.

In a letter dated 20 August, Motsoeneng Bill Attorneys said their new client had been without legal representation for a fortnight, and had therefore been unable to respond to the draft report.

"Unfortunately, and unlawfully, the inquiry proceeded and took a few important steps during that very same period, including but not limited to the purported adoption of a draft report and the nomination of a deadline for her response thereto. It was clearly impossible for her to respond at a time when she was not legally represented.

"That deadline can therefore not be enforceable."

The law firm said it would not be able to consult Mkhwebane before Wednesday, and asked that it be given a few weeks to appraise itself of all issues at hand.

"For the time being, we only request that we be granted the space to render our professional services as effectively and quickly as possible by suspending or postponing all the activities of the committee until such time that the legal team will be in a position to render the necessary legal representation within a reasonable period of time."

Committee chairperson Qubudile Dyantyi asked for the input from



**Incompetence: A parliamentary committee had said that suspended public protector Busisiwe Mkhwebane should be impeached.** Photo Brenton Geach/Gallo Images

members and summed up the overwhelming view as being that Mkhwebane had been sufficiently indulged in the course of the long-running process.

The committee was established in March 2021 but only held its first hearings in July last year. Mkhwebane challenged the rules of the process in court, and was successful on one count, namely that she be allowed full legal representation in hearings.

She was long represented by Dali Mpofu SC but he withdrew at the beginning of April after the office of the public protector said it did not have the resources to continue paying Mkhwebane's legal bills.

Acting public protector Kholeka Gcaleka said at the time that the cost of Mkhwebane's legal challenges to the impeachment process and the lawyers' fees for hearings of the committee had come to more than R26 million for the financial year.

**'I hear members saying we have been beyond fair. You have given her an audi [hearing], not once, many times'**

Mkhwebane's legal strategy before the committee has been one of delay, marked by demands for both Dyantyi and evidence leader advocate Nazreen Bawa to recuse themselves.

Her seven-year term of office is due to expire in October, and if the process were still ongoing by then, she would be entitled to full benefits, including a gratuity of millions of rands.

The committee adopted the report in draft form at the end of July.

It found that the main charges against Mkhwebane were sustained. These included that she misconducted herself in the investigations into the Vrede dairy farm scandal, the Bankorp-CIEX matter, the CR17 campaign and the so-called "rogue" intelligence unit in the South African Revenue Service.

On Tuesday, Dyantyi said Mkhwebane's response to the request for input on the draft report was an attempt to hold the committee to ransom and to dictate how the process should unfold further.

He noted that AM Chaane Attorneys had been on brief for 63 days before withdrawing, and said the letter from her new attorneys displayed a thorough lack of urgency.

Fellow ANC MP Zola Nqola said the committee would be entitled to regard Mkhwebane's failure to

comment on the report as tacit agreement to the contents. "She has elected not to make use of this opportunity."

DA MP Benedicta van Minnen said Mkhwebane had repeatedly resorted to legal theatrics and the process needed to conclude.

Dyantyi concluded: "I hear members saying we have been beyond fair. You have given her an unprecedented audi [hearing], not once, many times, to the PP."

"I do hear the very strong views of the EFF that says we must allow the new attorneys to familiarise themselves. The ATM supports that but goes further to say as far as they are concerned they want to conclude that this process is irrational, is unlawful, and therefore they reject it."

"The majority of members who have spoken are proposing that we do a final adoption of this report," Dyantyi said.

ANC deputy chief whip Doris Dlakude said she was moving for the adoption of the report, adding that sufficient fairness had been extended. The DA's Kevin Mileham seconded this. After the majority of members supported the adoption of the report, Dyantyi said it would now be tabled to the National Assembly. The support of two-thirds of members is needed for it to be adopted, which is not a foregone conclusion.

Mail & Guardian

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28 Jul - 20 Aug 2023

# Gen Z's love for cosmetic procedures a cut above

Constant online exposure to the seemingly perfect bodies of others can lead to feelings of inadequacy and a desire to conform to unrealistic beauty standards, even if that means expensive surgery

Umamah Bakharia

**G**eneration Z – those born more or less between 1996 and 2010 – are increasingly turning to plastic surgery and non-surgical procedures, such as Botox and fillers, in an effort to enhance their young features, something that has become known as the “Zoom face” phenomenon.

Johannesburg-based plastic surgeon Dr Chrysis Sofianos told the *Mail & Guardian* that the obsession with appearance, which started during the Covid-19 lockdown as people were communicating more on video conferencing platforms, has encouraged cosmetic procedures among the younger generation.

“It goes through phases. With the lockdown, I had many patients come in for facelifts and blepharoplasty [eyelid] surgery because they were staring at themselves on the screen.

“Unfortunately, Zoom does bring out imperfections.”

According to a study by the American Academy of Facial Plastic and Reconstructive Surgery, the top reasons for wanting plastic surgery were the desire to “feel refreshed/look younger after ageing from pandemic stress” and noticing “things they want to improve during video calls”.

Said Sofianos: “That’s where the natural plastic surgery comes in, where patients, especially the Gen Z patients, aren’t wanting to come in and look 20 years younger, they want more of a natural enhancement.

“That’s what we are aiming for with plastic surgery these days. We are not aiming to change patients massively to the extent where they look abnormal or different,” he said.

Instead, the focus was on reducing or enhancing certain characteristics so patients would “feel better about themselves”.

A survey by the American Society of Plastic Surgeons found that Gen Z is increasingly opting for plastic surgery enhancements and fillers and, importantly, is open about doing so.

The increase in procedures has initiated a change in the perception of cosmetic plastic surgery, once viewed as a taboo topic, and considered the realm of celebrities or the wealthy.

In the past, many celebrities kept their procedures secret but, these days, there is more acceptance of the “my body, my choice” mantra, whether that includes surgery or not.

Recently, actress and model Angela White, known as Blac Chyna, had several cosmetic procedures reversed

and spoke openly about doing so, saying it was because she felt the enhancements no longer reflected who she was.

Thirty-four-year-old Joe Jonas of Jonas Brothers fame told *Allure* magazine in April he had gone the route of injectables “when I noticed I was starting to see more frown lines”, adding the results had given him the “confidence boost I was looking for”.

The star of Netflix’s *Young, Famous & African*, Khanyi Mbau, has openly admitted to spending a fortune on cosmetic procedures. Mbau says she believes it is a celebrity’s duty to “sell vanity”, adding that it is an “escape for people” and she needs to “constantly look like their dreams”.

Mbau even invited the media to film her undergoing liposuction, after which she told *Drum* magazine: “You still need to eat right and go to the gym; there are no shortcuts.”

South African socialite Faith Nketsi chose a non-surgical procedure in 2018 to enhance her nose. It was documented and shared on her Instagram profile.

**M**any of those in the Gen Z age group whom the *M&G* contacted said that, if they could afford it, enhancements would definitely be on the cards.

One woman, who started Botox injections the week after her 30th birthday last year, said she did it as “an extra preventative measure to slow the effects of ageing”.

It was a relatively easy decision to get the injections, she said, with cost being the biggest factor. “But I consider it a worthwhile investment. Beyond the anti-ageing benefits, Botox stops my stress headaches.”

Asked if anyone had tried to dissuade her from having the injections at such a young age, the woman said “no”, but commented that her partner had told her “ageing is a good thing”.

“I agree [with my partner] but I think women have a lot more pressure on them to stay looking young – and I dedicated most of my twenties towards this endeavour, mostly through skincare. I’m not going to let extra work stress in my thirties undo all that!”

Plastic surgery can be divided into two categories – reconstructive and cosmetic. Typically, the first step is a consultation with a registered plastic surgeon, who takes the patient through the process and explains the risks and side effects. Once the patient has consented, the procedure can be performed.



Many patients, however, find that maintenance adds a hefty price to the initial outlay for surgery.

“It depends on what the procedure is, because less invasive [procedures], like facial enhancement such as [Botox injections], would last three to four months, while volumising fillers would last nine to 12 months. So, you are easily looking at around R15 000-plus for a procedure that lasts for 12 months – but it depends on the type of surgery,” said Dr Deon Weyers of the Association of Plastic, Reconstructive and Aesthetic Surgeons of Southern Africa (Aprassa).

The high cost of surgical procedures can encourage patients to look for alternatives and they often resort to aestheticians at a much lower price. But aestheticians stress there is a difference between their treatments and those plastic surgeons offer.

“Aestheticians mostly do non-invasive treatments, like resolving skin problems, enhancing skin conditions and every other treatment that does not require surgery, for which you have to visit a plastic surgeon,” said medical aesthetician specialist Dr Nandi Mbawu.

When asked if they would go into debt to get plastic or non-surgical procedures to transform themselves, one student said it depended on the cost of the procedure and whether it would be feasible to save up for

it over a period of time. Another 21-year-old student said she felt “going into debt to look a certain way, which is basically influenced by social media, is crazy”.

“What if I don’t like my fillers or implants five years from now? Maybe when I am financially stable, I will have the means to put in or take out these enhancements but as a student, no way!”

She said it would be a different matter if the surgery was a medical necessity, such as a breast reduction to alleviate chronic pain.

An employed Gen Z woman said she would happily use her credit card for fillers because she knows the outlay can be paid back over time.

**A**prassa has warned there is a misconception any doctor advertising plastic surgery is appropriately qualified to practise and perform it. It said there can be dire consequences if the doctor is not correctly qualified.

“If you are undergoing a surgical procedure, you should go to a qualified surgeon with a specialist degree, acknowledged as a specialist by the Health Professions Council of South Africa and Aprassa,” said Weyers.

Don’t decide based solely on “what you see on social media or the trends – go to these governing bodies to check their credentials and get multiple options before deciding”.

Although plastic surgeons reported that Gen Z patients are concerned about after-effects it did not dampen their desire for enhancements.

“Facelifts have exploded at the moment but breast and body contouring are quite popular as well,” said Sofianos.

“Mommy makeovers, an enhancement procedure post-pregnancy, is quite popular, as is the Brazilian

butt lift. For the younger generation, any type of body contouring that enhances their features is quite popular,” said Weyers.

Speaking to the *M&G* about her procedure, a 25-year-old student said she went for fillers because the “dark circles” under her eyes did not fade, despite the use of various treatments.

Another 24-year-old student said she felt that her “baby face fat” was affecting her self-esteem.

Both women said financing the procedures was difficult and entailed saving for many months.

According to psychologists, social media has profoundly influenced teenagers’ and young people’s perceptions of physical perfection.

“This constant exposure to others’ seemingly perfect lives and bodies can lead to feelings of inadequacy and a heightened desire to conform to unrealistic beauty standards,” said clinical psychologist Dr Pam Tudin.

“This paradox of presenting perfection while admitting imperfection can create a confusing dynamic that further distorts teens’ perception of self-worth and body image.”

The Gen Z individuals that the *M&G* spoke to agreed, with many saying the “age of the influencer” had led them to view their bodies differently. Still, they acknowledged, individuals have control over what online content they consume.

Some said they would undergo procedures, such as fillers or tummy tucks if they could afford to, as these would give the “instant results” they craved.

Said one: “It is a cycle whereby societal beauty standards encourage plastic surgery but then the plastic surgery that gets done encourages the beauty standards of society – so it is double standards with what we find attractive as well.”

**‘For the younger generation, any ... body contouring that enhances their features is quite popular’**

# Pharmacy HIV, TB ruling 'welcome'

Activists and experts say the recent court ruling on this is in line with the global trend

Lyse Comins

**H**IV/Aids experts and activists have welcomed a recent court ruling that specially trained pharmacists may prescribe medicine to HIV/Aids and TB patients, alleviating the burden on the health system.

The Pretoria high court's Judge Elmarie van der Schyff dismissed with costs an application that a doctors' association, the IPA Foundation, brought against the South African Pharmacy Council (SAPC) to review and set aside its pharmacy-initiated management of the anti-retroviral treatment (Pimart) programme.

The initiative, which allows specially trained pharmacists to prescribe and manage medicines for HIV/Aids patients, was piloted in line with the World Health Organisation's vision to promote widely accessible primary healthcare.

Van der Schyff said in the judgment handed down last week that pharmacists had played "an efficient role" in providing healthcare services

during the Covid-19 pandemic and there was a dire need to widen access to antiretrovirals (ARV) and TB preventive treatment (TPT) therapy.

The IPA argued in its application that the pharmacy council had not given it enough time to comment on the proposed initiative because doctors had been in the midst of dealing with the Covid-19 pandemic.

According to court papers, the pharmacy council requested the director general of health in August 2018 to consider issuing permits to pharmacists who have completed a supplementary training qualification for PrEP and PEP — pre-exposure prophylaxis and post-exposure prophylaxis.

The Pimart qualification was subsequently developed in collaboration with the Southern African HIV Clinicians Society and the school of pharmacy of the North-West University. The pharmacy council recommended that permits only be issued to pharmacists who had completed the training.

On 22 March 2021, the pharmacy council published a notice calling for public and stakeholder participation regarding the adoption of the Pimart



**New dispensation: Specially trained pharmacists may now dispense HIV and TB medication.**

programme before the director general approved the issuing of permits on 12 August 2021.

The IPA challenged the validity of the decision to implement Pimart on the grounds of "procedural fairness" on two fronts: that the notice for public participation was published at "an opportune time" during the pandemic and that it was only published in the *Government Gazette*, which is not generally read.

In her judgment Van der Schyff noted: "The need to widen access to first-line ART [antiretroviral therapy] and TPT on community level is not a figment of the SAPC's imagi-

nation but a dire need that is also evinced in other countries."

"The decision to utilise PIT [pharmacy-initiated therapy] as a vehicle for Pimart and to enable adequately trained pharmacists to provide Pimart services is a decision that is rationally connected to the purpose for which was taken ... it is also a decision that is rationally connected to the SAPC's objective to assist in the promotion of the health of the population of the republic," she ruled.

Treatment Action Campaign chairperson Sibongile Tshabalala welcomed the ruling.

"The challenges that we are facing in the country include one of people queuing for a long time in facilities ... and also the attitude of nurses in health facilities, which chases away so many people from facilities."

"We also have the issue of key populations — people who use drugs, sex workers and LGBTQIA+ communities — who are not comfortable to go to public health facilities to access medication. So if a pharmacist is able to issue and prescribe ARVs and TB medication it will mean that we will be able to cover a lot of people."

Tshabalala said South Africa is also chasing the UNAids target to end HIV/Aids by 2030, and it has not achieved the target of ensuring that

95% of all people living with HIV are tested and know their status, that 95% of those seek and have access to uninterrupted treatment, and that 95% of those are virally suppressed — the 95-95-95 target.

"The country currently sits on 94-77-92, due to many issues including but not limited to lack of access to ART to achieve virally suppressed [status]. Therefore, the court ruling is contributing towards the ambitious trajectory of ending HIV by 2030," Tshabalala said.

"Pimart is one approach that will improve access to antiretroviral therapy for people living with HIV and those requiring PEP & PrEP."

Francois Venter, the former president of the Southern African HIV Clinicians Society and the director of Ezintsha, an HIV research organisation at the University of the Witwatersrand, said the ruling was in line with global trends.

"Pharmacists getting involved fits with international trends. South Africa is going to need all hands on deck to achieve its HIV targets, and pharmacists are highly trained and under-utilised," Venter said.

"Pharmacies are convenient and accessible. We need them to prevent and treat HIV, as we do not have enough health professionals or facilities."

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# Africa

## Zimbabweans 'should not expect a democratic outcome in elections'

Eunice Masson

Zimbabwe's citizens have been warned that the ruling Zanu-PF party will probably not allow a democratic outcome in this week's general elections.

Zimbabweans went to the polls on Wednesday in local, parliamentary, and presidential elections amid tensions between Zanu-PF and the Citizens Coalition for Change (CCC) headed by Nelson Chamisa.

The CCC has accused the ruling party of carrying out a campaign of violence and intimidation against its opponents to skew the election in its favour. As in previous years, the ruling party rejects the charge.

A joint webinar on the eve of the vote on Tuesday, hosted by Good Governance Africa (GGA), a non-

profit research organisation that advocates for improved governance on the African continent, and the *Mail & Guardian*, discussed election conditions in Zimbabwe, where democratic structures have been undermined.

While urging Zimbabweans to carry out their democratic right to vote, Chris Maroleng, the GGA's international chief executive, said the country could not expect democratic results after President Emmerson Mnangagwa replaced long-term leader Robert Mugabe in a military-led coup in 2017.

Mnangagwa's Zanu-PF went on to win disputed general elections in 2018.

"We are warning that to expect a democratic outcome, from what has been ... an unconstitutional change

of power and ultimately, a failure to reform the state, cannot ultimately result in the kind of progressive outcomes that we want," Maroleng said.

He and three colleagues conducting field research on the conditions ahead of the vote were deported from Zimbabwe by Mnangagwa's government last week.

Ibbo Mandaza, a Zimbabwean academic, author and publisher, told Tuesday's webinar that the election would see an abuse of people's votes.

"People queue up, they are confident that they voted for what they want; change. And at the end of the day, they [discover] that their vote [has] just been disregarded," he said.

Mandaza said although the elections would probably be rigged, he was hopeful that they would lead to the exposure of "the rigging

machine" that had overshadowed elections in the past.

Maroleng concurred: "These elections will generate an illegitimate outcome, most likely manifesting further polarisation of society."

He said Zimbabwe was, like many other postcolonial African states, still grappling with the issue of how to "ensure that there is a restoration of governance in their countries".

"[How can] we expect a democratic outcome from a structural situation that has not been preceded by the establishment of sound and democratic practice," said Maroleng, referring to Zimbabwe's 2017 coup.

"We expected from an unconstitutional change process to generate democratic outcomes, which in many ways, in terms of the analysis, is highly problematic and has

resulted in us making several analytical mistakes.

"If we are to treat elections as a democratic outcome in a structural situation that is not democratic, I think we have failed to really see what is in front of us."

Maroleng said alternative mechanisms were needed to generate the reforms that could produce lasting democratic outcomes. "These reforms are related to ... the structure of the state, within the executive, within the legislature, and ultimately, of course, the judiciary."

Zanu-PF, in power since Zimbabwe gained independence from Britain in 1980, has always rejected accusations that it has rigged elections.

The ruling party insisted up to the day of the event that the vote would also be free and fair.

# Wait for 'new Zimbabwe' continues

It is disheartening to see history repeating itself, killing hope for a democratic and just government

OPINION  
Tshidi Leatswe

The rule of former president Robert Mugabe was characterised by violence and human rights violations and that of President Emmerson Mnangagwa has squandered the hopes of many who saw the ousting of Mugabe as an opportunity for a "new Zimbabwe".

As the country holds its general elections on 23 August, Zimbabwe has yet again experienced an escalation on human rights violations, contrary to the pledge by Mnangagwa during his inauguration in 2018, when he promised "to act fairly and impartially, without fear or favour, as a president of all Zimbabweans".

This comes as no surprise because Mnangagwa and Mugabe had worked together for decades. Mnangagwa was present throughout Mugabe's tenure and played a role during the Zimbabwe war of independence. Since then, he has held influential jobs in the government, including that of vice-president.

Despite this, there was hope that Mnangagwa would do things differently. Instead he continued from where Mugabe's 37-year rule ended, in a government marred by allegations of abuse of due process and violence and intimidation.

The Gukurahundi massacre, in which Mnangagwa allegedly played a significant role (which he denies); the food riots; Operation Murambatsvina that forcibly cleared slums; and the violence surrounding the 2008 presidential elections are some of the legacies for which Mugabe will be remembered.

Under Mugabe, Zimbabwe enacted several repressive laws including the Access to Information and Protection of Privacy Act (AIPPA) in 2002 (later repealed), the Broadcasting Services Act (2001) and the Public Order and Security Act (2002), all aimed at protecting and increasing the state's power over the people and clamping down on human rights.

The Mnangagwa administration has continued the legacy of enacting repressive laws that are inconsistent with Zimbabwe's Constitution and depriving people of their rights. The Data Protection Act, the Freedom of Information Act (replacing AIPPA) and the Maintenance of Peace and Order Act (replacing the Public Order and Security Act) still infringe on rights provided for by the Constitution.

The Private Voluntary Organisations Amendment Bill and the recent passing of the Patriotic Bill (now a law), all pushed through under the pretext of protecting national security, have been and continue to be used by the government to silence peaceful dissent and target members of the political opposition parties and government critics.

The failure to deal with these human rights violations leads to a culture of impunity and severely limits and infringes on human rights provided for by the Constitution and international and regional human rights treaties such as the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, to which Zimbabwe is a state party.

Journalists, human rights defenders and political activists have been



Toll of the poll: Voters wait in line outside a polling station during the presidential and legislative elections in Harare on 23 August 2023. Photo: John Wessels/ Getty Images

intimidated, harassed, assaulted, arrested and detained by state security for doing their work. In May 2020, three opposition members of Citizens Coalition for Change were arrested for leading an anti-government protest over the authorities' response to the Covid-19 pandemic and widespread hunger in the country. On the same day, they were forcibly disappeared from police custody, sexually assaulted, tortured and dumped 87km from Harare. The women have since endured almost three years of abuse by the government, prosecuting them for "faking" their own abduction while the suspected attackers roam free.

Civil society is increasingly restricted and critical voices are silenced. The state continues to use the police to suppress and undermine activities of civil society organisations and the opposition parties' rallies and meetings. Authorities have either barred or violently dispersed peaceful protests. In 2018, six people were shot and killed after the government deployed the army to stop people protesting delays in releasing the August 2018 electoral results. The Motlanthe commission report into the killings revealed that the deployment of the soldiers was unjustified and excessive.

During and after a national stayaway in January 2019, at least 15

people were shot and killed by security forces, with others treated for gunshot wounds, several hundred arbitrarily arrested and some prosecuted in fast-tracked trials on bogus charges of public violence or subverting a constitutional government.

Mnangagwa's inaugural speech focused on economic reforms, but he also committed his government to "constitutionalism, the rule of law, and the independence of the judiciary".

These commitments remain unfulfilled; no meaningful investigations have been conducted to provide access to justice and effective remedies to victims and families, and no one has been held accountable for the deaths, adding to a lengthy list of injustices perpetrated against the people of Zimbabwe by their own government.

Contrary to the promise of an "independent judiciary", the courts have been used as a tool to criminalise peaceful dissent. Tsitsi Dangarembga was convicted for "inciting violence", the Amalgamated Rural Teachers Union of Zimbabwe members were arrested for peacefully protesting against poor wages; six University of Zimbabwe students — Benjamin Watadza, Emmanuel Chitima, Comfort Mpfu, Lionel Madamombe, Gamuchirai Chaburumunda and Darlington Chigwenwa — were arrested for staging a peaceful protest and spent

more than a month in jail; and opposition party leaders including Jacob Ngarivhume and Job Sikhala are languishing in jail for exercising their right to freedom of expression.

It is disheartening to see history repeating itself, especially the violence and escalating crackdown on human rights ahead of the elections, reports of attacks and banning of opposition parties' rallies, and the killing of opposition party members. The government continues to ignore the violence and divisions that have engulfed the country and the culture of impunity that is deeply entrenched in state entities, diminishing all hope and the promise of a "new Zimbabwe".

The Mnangagwa administration did not make good on its promises of a "new Zimbabwe" for all by prioritising full respect for human rights and the rule of law and ensuring adherence to the 2013 Constitution.

The new government must ensure the protection of human rights. The courts' independence is essential for justice. And the authorities must promote the active and effective participation of civil society organisations in their efforts to promote and protect human rights.

Tshidi Leatswe is the country campaigner for Southern Africa for Amnesty International. See "The deep flaws in Zimbabwe's election", Page 25



'I'm really happy with this medal ... we have a lot more pressure because we still carry the dreams of many people, whether from Africa, or Burkina Faso as well, and I am so glad to be an ambassador of Burkina Faso, that is still going through difficult times at the moment.' — **World Athletics Championships gold medallist Hugues Fabrice Zango**

## THE BIG PICTURE / Mufananidzo mukuru / Aworan ñlá / As-surat al-kabira



**Skinned:** Tannery workers process leather using traditional methods at a workshop in Kano, Nigeria. The leather is exported to various countries to be used in the production of shoes, clothes, bags, wallets, belts and furniture. Tanneries also provide job opportunities for many citizens.

Photo: Zulyadain Isa Bello/Getty Images

## CONTINENTAL DRIFT

### Brazil backs Africa

Brazil's President Lula da Silva spoke about the importance of his country maintaining a strong relationship with the African continent at the Brics Business Forum held in South Africa this week. "Brazil is back on the continent it should never have left. Africa offers vast opportunities and enormous potential for growth ... The Brics have a unique chance to shape the trajectory of global development. You, entrepreneurs, are part of this effort. Our countries together represent a third of the world economy," he said. Former president Jair Bolsonaro never travelled to Africa during his four-year term.

### Oil behind Niger's coup?

Zazia Bazoum Mohamed, the daughter of Mohamed Bazoum, Niger's president ousted in a coup, has written an open letter calling for her father's release and says he continues to stand for democracy. "He has made the fight against corruption and bad governance his main battleground," she said, adding that he was "democratically elected", is "the people's choice" and "has made a positive mark, both nationally and internationally". She added: "He has made the fight against corruption and bad governance his main battleground ... Today, taken hostage with his family, he is not resigning because he holds democratic values dear and has always fought against military regimes. He fights and sacrifices himself for the future of our dear country, Niger, for the Sahel and for the whole of West Africa." She also questioned the timing of the coup, linking it to the country's impending oil exploits. "This injustice against my family and against Niger makes me wonder if there isn't a link with the fact that Niger was due to become an oil-exporting country in three months' time."

### Refugees blocked

Morocco's navy has confirmed that it intercepted 190 migrants off the Morocco and Sahara coasts. "Units of the Royal Navy and elements in charge of coastal surveillance intercepted, on Tuesday, in the southern territorial waters between Tan Tan and Dakhla, makeshift boats with a total of 190 candidates for irregular migration on board, including 11 women, all sub-Saharan ... [who] were transported safely to the nearest national ports, after receiving the necessary care, before being handed over to the Royal Gendarmerie for the usual administrative procedures," military sources said. Moroccan authorities said 26 000 irregular emigration attempts were prevented within the first five months of 2023.

### Angola heads SADC

Accepting the one-year rotating presidency of the Southern African Development Community, Angola's President João Lourenço emphasised the need to "operationalise the Regional Development Fund and other existing investment attraction mechanisms". Along with increasing the use of non-polluting energy, he noted the need to further connect rail and road networks so as to "guarantee greater maritime and air links between our countries so that there is a greater flow of trade and movement of people and goods, so that there is real regional integration". — *AfricaNews*

# Ali, Gabon's political phoenix

Ali Bongo is standing in elections on 26 August for a third term as president of the central African country

**F**or years, Gabon's President Ali Bongo Ondimba struggled in the shadow of his charismatic father, Omar, who ruled the oil-rich central African country for more than four decades.

Then nearly five years ago came a stroke that sidelined him for months, spurred rumours about his fitness for office and fuelled a minor attempted coup.

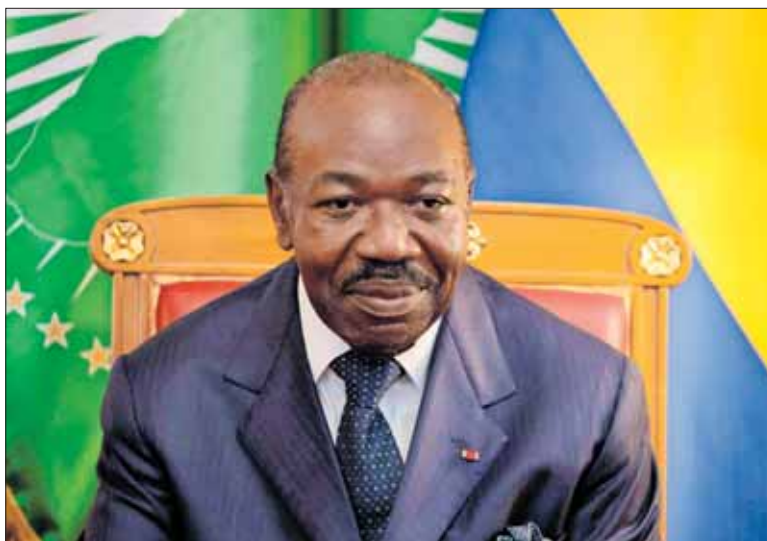
Today, Bongo's doubters are on the back foot as the 64-year-old, seemingly fresh for the fray, seeks a third term in elections on Saturday. Visitors who have seen Bongo close up say he has stiffness in his right arm and leg that affects his mobility, but his mind is sharp.

Emerging from a long convalescence after his 2018 stroke, he embarked on an image revamp, putting himself forward as a man of rigour bent on rooting out "traitors" and "profiteers" in his inner circle.

Those targeted include his powerful chief of staff, Brice Laccruche Alihanga, now in prison along with several ministers and senior civil servants.

As elections approached, he began a whirlwind national tour, made high-profile foreign visits and pitched Gabon's credentials as a proclaimed guardian of the forests.

To compare Bongo between youth



**Dynasty:** Ali Bongo (above) has been president since 2009, replacing his father, Omar, who ruled from 1967. Photo: Ludovic Marin/Getty Images

and middle age is to see a stark change in persona.

The carefree scion of a wealthy ruling family, Bongo was once known by his initials of ABO, Ali B — or, less flattering, as Monsieur Fils (Mr Son).

He was born to a teenage girl, Josephine Kama, in the Congolese city of Brazzaville, which at the time was still part of France's rapidly shrinking colonial empire. Because he was born abroad and out of wedlock, Bongo for years fought rumours that he was a foreigner who had been adopted.

He nurtured ambitions as an aspiring funk singer — in 1977 he recorded an album, now a YouTube curiosity, featuring top-class musicians and entitled *A Brand New Man*.

Within three years, shepherded by his father, he abandoned the path of

entertainment and entered politics, renaming himself Ali Bongo and converting to Islam like his parent.

Bongo senior, who took office in 1967, had the reputation of a kleptocrat — one of the wealthiest men in the world, with a fortune derived from Gabon's oil.

He was also a pillar of "FrancAfrique" — a now much-contested strategy by which France bound itself to its former African colonies through cronyism, often tainted with corruption and rights abuses.

Bongo worked as his father's faithful lieutenant, travelling the world and forging contacts at the time of the second oil boom.

But to his detractors, Bongo lacked his father's charm and communication skills.

He attended some of Brazzaville's top schools and studied law in France but did not learn any of Gabon's local languages — a major disadvantage.

His lavish spending, especially on luxury cars, also raised eyebrows in a country where oil wealth contrasts with widespread poverty.

In 1989, he was appointed foreign minister aged just 30 but had to step down two years later when a new Constitution stipulated that cabinet members had to be at least 35.

He was back in government by 1999, heading the defence ministry.

There he remained until shortly before the start of the election campaign caused by his father's death in 2009.

The handover was not a surprise, given all the years of grooming by his father and Bongo's own ambitions, despite some opposition within the ruling Gabonese Democratic Party (PDG).

In 2016, Bongo was re-elected by 5 500 votes, edging out opposition challenger Jean Ping after a campaign marred by bloody clashes and allegations of fraud.

Pitching to a country that had been run for decades by his family, Bongo tried the difficult task of posing as an agent of change — packing each speech with pledges of "renewal" and "innovation".

He unveiled a string of projects, including diversifying the economy, opening up markets to Asian investors, trimming the state sector and promoting Gabon's environmental treasures.

Bongo married French-born Sylvia Bongo Ondimba in 1989. They have four children. — *AFP*

# On the road



Makeover: The Mahindra XUV700 AX7 L SUV has bold front fascia, enhanced by LED headlights with stylish C-shaped daytime running lights.

## Mahindra's best-ever SUV a boost

The XUV700 AX7 L SUV has good looks and offers buyers great value for money

Ntsako Mthethwa

Last year, Indian carmaker Mahindra debuted its all-new visual identity in the form of a new logo it says was designed exclusively for SUVs and lifestyle bakkies.

Its XUV700 was the first model to sport the Twin Peaks logo last year, as a budget-friendly, medium-size SUV that aimed to compete in a segment where several other well-equipped seven-seaters reside.

As a successor to the lacklustre XUV500, with its firm ride quality and massive body roll, the XUV700 was intended to improve on it, and it is the most impressive SUV to ever roll out of the Indian automaker's factory.

Its top-of-the-line AX7 L dazzles with its striking proportions, sleek door handles and bold front fascia, enhanced by LED headlights with stylish C-shaped daytime running lights, fierce-looking taillight clusters and 18-inch alloy wheels.

With its imposing stature, the AX7 L looks longer and larger than its XUV500 predecessor, thanks to a length of 4695mm, width of 1890mm and height of 1755mm.

The increase in dimensions has resulted in a more spacious vehicle, which buyers of seven-seater SUVs will find attractive.

The XUV700 AX7 L impresses as soon as you enter the vehicle, with



Bigger and better: The XUV700 AX7 L SUV has bigger dimensions than its XUV500 predecessor, has been given a new taillight configuration and has stunning 18-inch alloy wheels.

features such as soft-touch materials, a sleek black centre tunnel and white faux leather accents, which turn the premium up a notch.

Still, not all buyers will love it, including yours truly. A darker option might have been better, I thought, especially for buyers looking to cart the family around.

All the good thrills inside, such as the Sony sound system, a panoramic roof and the overall build quality, are supplemented by a single wide-screen panel that runs across the dashboard.

The panel comprises two 10.25-inch screens – one in front of the driver and the other for infotainment purposes.

The infotainment system dazzled

us with its stunning graphics and booming sound system.

But it also frustrated us with its sluggish and unresponsive touchscreen. Sometimes, it would deny us access to the Apple CarPlay smartphone connectivity.

To make matters worse, we kept getting an alarming "Engine Systems Failure" warning, which forced us to pull over and restart the vehicle.

Was it a glitch in the matrix? We don't know but Mahindra SA assured us they would investigate and fix the issue.

In its defence, the AX7 L has easily enough room for seven passengers. With the third row folded down, there is sufficient boot space for

sizeable items for those weekend getaway excursions.

Naturally, though, with all seats up, the luggage space is compromised – no getting around the physical space paradigm here.

An electronic tailgate would have been a welcome addition.

Also, it's worth mentioning that the third row of seats is best left for children, due to the lack of legroom for taller passengers.

When it comes to the drive itself, the Mahindra XUV700 AX7 L is powered by a 2.0-litre mStallion turbo-charged petrol engine, with 149kW and 380Nm, paired with a remapped six-speed automatic transmission that drives the front wheels.

The numbers are not mind-blow-

ing but they give the car enough pep for daily driving and it has enough power for overtaking, courtesy of a responsive powerplant and an automatic transmission that shifts smoothly.

Though not class-leading, the XUV700's suspension setup makes for a smooth and comfortable ride, soaking up bumps and potholes.

If there were things we disliked, they would be the amount of wind noise at highway cruising speeds and the somewhat unrefined auto Start/Stop system, which is in no hurry to restart the car.

The XUV700 AX7 L does have its flaws but it's a considerable leap forward from the XUV500 it replaces. If you remember where Mahindra started, you will be impressed by its latest products.

After a week of driving the SUV, we recorded an average fuel consumption of 9.8l/100km, which is a bit high. A diesel option would be more attractive to customers feeling the pinch of rising fuel prices.

At R559 999, the Mahindra XUV700 AX7 L is priced competitively for a family-size SUV.

It is the most impressive Mahindra I have ever driven and it affirms the brand's ambition to challenge the global market against established seven-seater rivals such as the Hyundai Grand Creta, Chery Tiggo 8 Pro, VW Tiguan Allspace and Hyundai Santa Fe.

- Overall verdict: 7/10
- For: Stunning design, great build quality, pricing
- Against: A bit thirsty, glitches, white faux leather inside
- Price: R559 999



'It's fairly well known that we all hate each other to some extent. *Top Gear* has worked because of a combination of camaraderie and mutual dislike. That's actually the magic.' – James May

# Porsche 911 revs to former glory

A mechanic with a keen eye for detail has restored a wrecked 1970s ST with a rich racing history

Jordan Schmidt

**T**he Porsche 911 is a timeless classic that has won over motoring enthusiasts around the world.

Considered one of the best driver's cars ever made, there's a seemingly endless selection of collector 911s which the motoring community has continued to drool over.

This time around, I had the privilege of experiencing a local classic with an empowering story behind it about the mechanic who brought it back to life.

The Porsche ST Tour de France is a unique 911 with a story that begins in 1970. Almost all the manufactured models were different, as the cars were allowed to be specced individually for private use and competition. In addition, few were made, making the ST highly desirable.

Rallying was popular in the 1970s and Porsche was deeply invested.

The ST was the car of choice.

However, the already light 911 was in need of more weight-saving measures. So, out came the drill, and everything that could be made lighter was punched with holes or removed.

Porsche's biggest concern was the factory-entered Matra prototypes but it believed the robust 911 would outlast the Matras on the rough roads of the Tour de France.

To Porsche's horror, it discovered, just before the rally, the French government had reworked the road, knowing the Matras would struggle with the rough surface. The 911 ST, driven by Gerard Larrousse, finished third, when it should have won.

What remains is a gorgeous 911 ST, in bold livery which speaks to the early 1970s, bringing us to this piece of history which I got to experience.

Because the 911 ST is so rare, it is no surprise the model we were testing was a replica but don't sell this car short. Jen Abbot, a youngster with a passion for racing, has taken it



Seventies livery: Mechanic Jen Abbot and her team lovingly refurbished this 53-year-old Porsche 911 ST.

from a rotting crash wreck to something worth talking about.

Abbot, a mechanic by trade, works on restoring Porsches to their former glory and this special model is one of the many wrecks her team has brought back to life.

Her 911 ST isn't a showpiece as it

has seen its fair share of racing, competing in events such as the Knysna Simola Hillelimb earlier this year.

As Abbot has made the 911 ST her own, she fitted a 2.9-litre MFI Magnesium flat-6 at the rear with a five-speed gearbox. This allows for a lighter and more responsive drive,

while making a fantastic noise.

The high-revving, lightweight motor screams as it opens up past 5000r/min with a red line that seems to go on forever. It provides a linear, yet old-school, power delivery that has a strange ability to force a smile onto your face.

Handling is a big part of Porsche's identity, and I found this was embedded in its history. This car is 53 years old, and even by today's standards, it corners with precision with just a hint of a happy rear when you get overzealous.

The car was restored to closely resemble the original, from the wheel arches to the paintwork. The attention to detail is impressive – even the mini light rims in the back match the set of the original.

I've driven my fair share of classics and it's refreshing to experience a car that so strongly represents its former glory in today's modernised industry.

It's good to know this iconic car is still driven exactly as was intended 53 years ago, to appreciate how far Porsche has come over the years and to recognise what makes the 911 special, both now and in the past.

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# Business

## Fix it or eat Brics dust, South Africa, say experts

Economists warn that the country's trade deficit is deepening and it runs the risk of being left behind when the next big global manufacturing chain shift emerges

Lyse Comins

South Africa's total trade with the Brics countries has increased by nearly \$10 billion over the past decade but, if the country is to fully benefit from its membership of the bloc, it needs to plug its trade deficit and fix its macro-economic environment.

A report released this week by Chris Hattingh, the Centre for Risk Analysis's head of policy analysis, highlighted how South Africa had grown its trade with the bloc from \$36.4 billion in 2012 to \$45.5 billion in 2021 but is still running a trade deficit with all its Brics counterparts.

"South Africa's trade balance with the Brics has fluctuated throughout this period, from \$5.8 billion in 2012 to \$10.3 billion in 2015, before receding to \$7.5 billion in 2021. Trade with China alone in 2021 represented more than 70% of bilateral trade, followed by India (21%)," Hattingh said.

Economists have cautioned that as the smallest economy in the bloc, battling major problems such as energy insecurity, poor logistics infrastructure and inflexible labour laws, as the tide of the global economy shifts, South Africa risks deepening its deficit and being left behind.

South Africa's exports to other Brics nations remain dominated by raw materials. The top five exports in 2021 included ores (48.3% of total exports); mineral fuels (17.8%); iron and steel (6.3%); precious stones (4.5%) and copper (3.7%). Its major imports were manufactured goods, including electrical machinery (19% of imports); other machinery (17.5%) and vehicles (7.6%).

Brics partners make up 21% of the country's global trade. China accounts for most of it but largely imports raw commodities from South Africa while mainly exporting manufactured goods and other value-added products to it.

"While the Brics direct investment in South Africa nearly doubled between 2015 and 2021, from R63 million in 2015 (\$3.7 million) to R106 million (\$6.2 million) in 2021, this represents less than 4% of total foreign direct investment, despite the Brics accounting for 20.9% of South

Africa's global trade," Hattingh said. China is by far the largest foreign investor in South Africa among the Brics members, with direct investment totalling \$5.29 billion in 2021, representing 3.7% of South Africa's total foreign investment.

"These contrasts starkly with European partners such as the Netherlands (33.5% of total direct investment), the UK (28.2%), Belgium (7.1%) and Germany (4%), as well as the US (5.4%), together making up the top five investors in the country," Hattingh said.

According to South African Revenue Service's figures, so far this year, China has exported R214.7 billion to the country and imported goods valued at R116.3 billion.

Last year, the value of South African exports to China was R188.6 billion compared with imports of R367.4 billion.

"Brazil exported goods to the value of R14.7 billion to South Africa while its imports amounted to R5.1 billion between January and June 2023," Hattingh said.

This year, South Africa exported about R45.3 billion in goods to India, while importing about R65.3 billion.

In contrast, the US, South Africa's second-biggest bilateral trade partner's exports to the country were \$6.5 billion (about R122 billion), up from \$5.5 billion (R103 billion) in 2021. It imported goods worth \$14.4 billion (R264 billion) last year, a decrease from \$15.5 billion (R292 billion) in 2021.

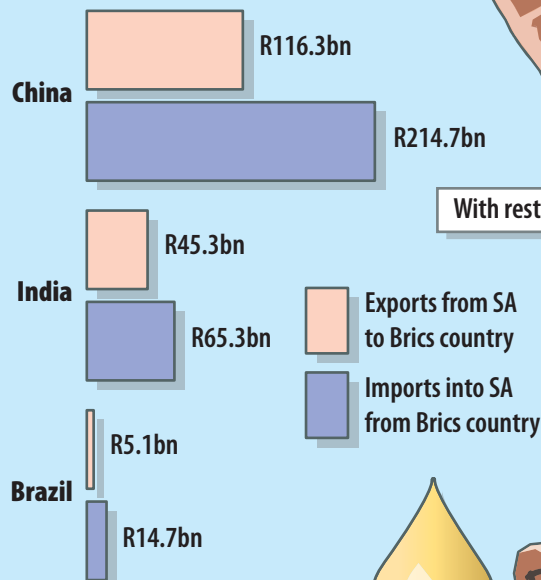
Hattingh foresees a future of simplified and shortened manufacturing chains, which could benefit South Africa.

"We expect some elements of 'near-shoring' – shifting manufacturing away from Asia to geographically closer locations – in the near future. The ensuing manufacturing production shifts can be a boon for South Africa, African countries and the Brics as Western countries seek alternative manufacturing locations and Chinese firms seek alternative partners for their manufacturing value chains," Hattingh said.

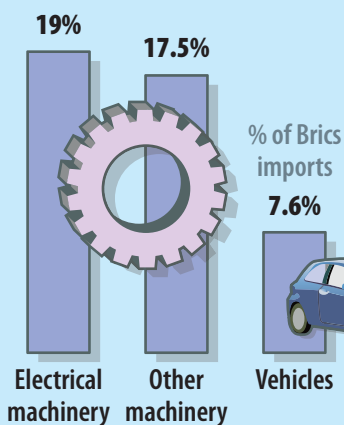
But Chinese investment on the African continent has focused largely

### Our trade imbalance with Brics countries

Value of South Africa's trade with top three Brics partners during first half of 2023



What South Africa's major imports from Brics countries are



Graphic: JOHN MCCANN  
Compiled by: LYSE COMINS Data sources: CRA REPORT, STATS SA

on construction and mining, which made up 35% and 21%, respectively, of total Chinese investment on the continent by 2020.

"Following nearly 15 years of cooperation, South Africa and the other Brics [nations] have made considerable gains in enhancing their economic relations.

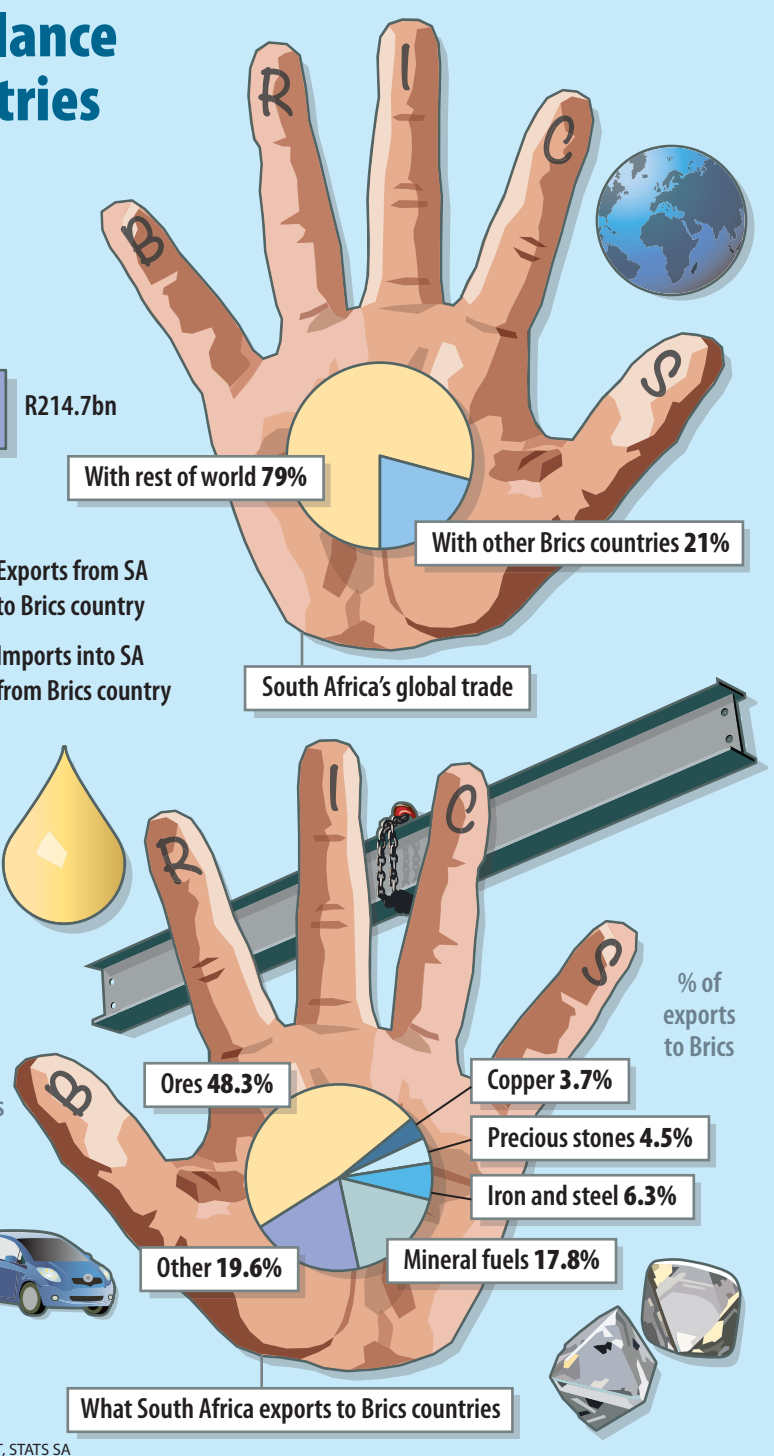
"Nevertheless, South Africa's trade with the bloc remains unbalanced, with bilateral flows dominated by trade with China, characterised by volatility, dominated by exports of raw commodities and imports of manufactured goods, and a growing trade deficit," Hattingh said.

"At the same time, while bilateral direct investment between South Africa and Brics is increasing, it remains small compared to South Africa's traditional economic partners.

"As long as power blackouts, logistics constraints and deindustrialisation continue to worsen, trade relations with Brics partners will remain skewed," he noted.

Economist Dawie Roodt said that although South Africa was benefiting from trade relations, investment

**'Increasing exports to Brics partners will be dependent on a substantial improvement in SA's railway performance'**



and technology exchange in the bloc, there was also a political disadvantage to its membership.

"The single disadvantage is perhaps a political one in that the world and the Americans will see us more under the influence of the Chinese, which could see some reaction from their side, perhaps getting us kicked off Agoa [the African Growth and Opportunity Act] – not necessarily, but it could get to that, eventually," Roodt said.

"Clearly, South Africa imports far more from the Chinese than it exports and we need to rectify that but the only way to rectify that is not to blame the Chinese for this.

"We need to fix our own macro-economic environment, and create a more competitive macro-economic environment, and fix our trains and our harbours and other issues like our labour legislation," Roodt said.

"It is our fault we are running a huge deficit with many of the Brics countries. The Chinese economy is a major economy and will become more consumer driven."

But, he added, he was particularly excited about the Indian economy.

"I think the Indian economy is going to drive world economic growth for the next couple of decades. The Chinese and the Indians will become more important."

PwC senior economist Christie Viljoen said South Africa is "frequently in the company of leaders from some of the world's largest economies" which creates the opportunity to grow investment and trade

relationships. China and India are ranked in the top 10, while Russia and Brazil are among the top 20.

"Brics members are competing with South Africa in terms of trade and investment with the rest of Africa. Regular interaction between the Brics countries is helping South Africa understand these economies and their approach to the rest of the continent," he said.

But, as the smallest economy in the Brics bloc, it could face difficulties in keeping up with the economic and development agendas of these larger, more rapidly growing economies.

He agreed with Roodt that the country needs to fix its logistics infrastructure to compete.

"Increasing exports to Brics partners will be dependent on a substantial improvement in South Africa's railway performance. South African exports to these countries must be shipped from origins in Gauteng, Mpumalanga and Limpopo to ports in KwaZulu-Natal and the Eastern Cape in order to board cargo ships," he said.

"Unless South Africa is able to improve its energy security and increase its manufacturing and industrial base, the skewed trade relationship between it and the Brics nations will continue.

"South Africa will remain an exporter of raw materials, and importer of manufactured goods, unless it can start competing with China and India in the manufacturing and industrial sectors," Viljoen said.



'Brics economies have emerged as powerful engines of global growth. Yet the rapid economic, technological and social changes underway create new risks for employment, equality and poverty in many Brics countries.' – President Cyril Ramaphosa

# Corporates move into townships

Tiger Brands and delivery services such as Uber Eats are targeting this growing market

Anathi Madubela

Low- to middle-income earners contribute about 40% to total expenditure in the country and major corporations are increasingly interested in this market even as consumers tighten their belts.

Overall South African consumer behaviour has shifted as salaries weaken in the face of a struggling economy and a soaring cost of living, with households spending most of their money on priorities and shedding what they consider to be non-essentials.

The past five years have been the worst for nominal compensation growth, with take-home pay not keeping pace with inflation, growing 22.8% from February 2018 to February 2023. This is compared with the 26.6% increase in the consumer price index over that period, according to BankServAfrica.

General trade households — those in the low- to middle-income segment — remain a critical target for food and beverage company Tiger Brands as the largest and fastest-growing community, said its chief customer officer, Luigi Ferrini.

In addition, consumers' behaviour has shifted significantly over recent years, with many seeking increased convenience and better value, Ferrini said. This has led to many of them opting to do their shopping locally, in the township.

"Because of the informal trader's in-depth understanding of their consumer base, they are well placed to service the consumer's needs," he said.

"Available statistics [Trade Intelligence, 2022] indicate that at least 70% of all consumers shop within the informal sector and visit outlets an average of four times a week compared to larger modern retail outlets, which consumers visit once a week on average.

"In addition to this, the informal market is growing at a faster rate than modern markets. As a business, if we want to grow strategically, this is the market in which we need to invest, without question."

At the beginning of the month Tiger Brands said it was expanding its presence in local general trade to capture significant growth opportunities identified in the informal sector, by implementing robust route-to-market support and solutions for its general trade customers, including spazas and midi-wholesalers.

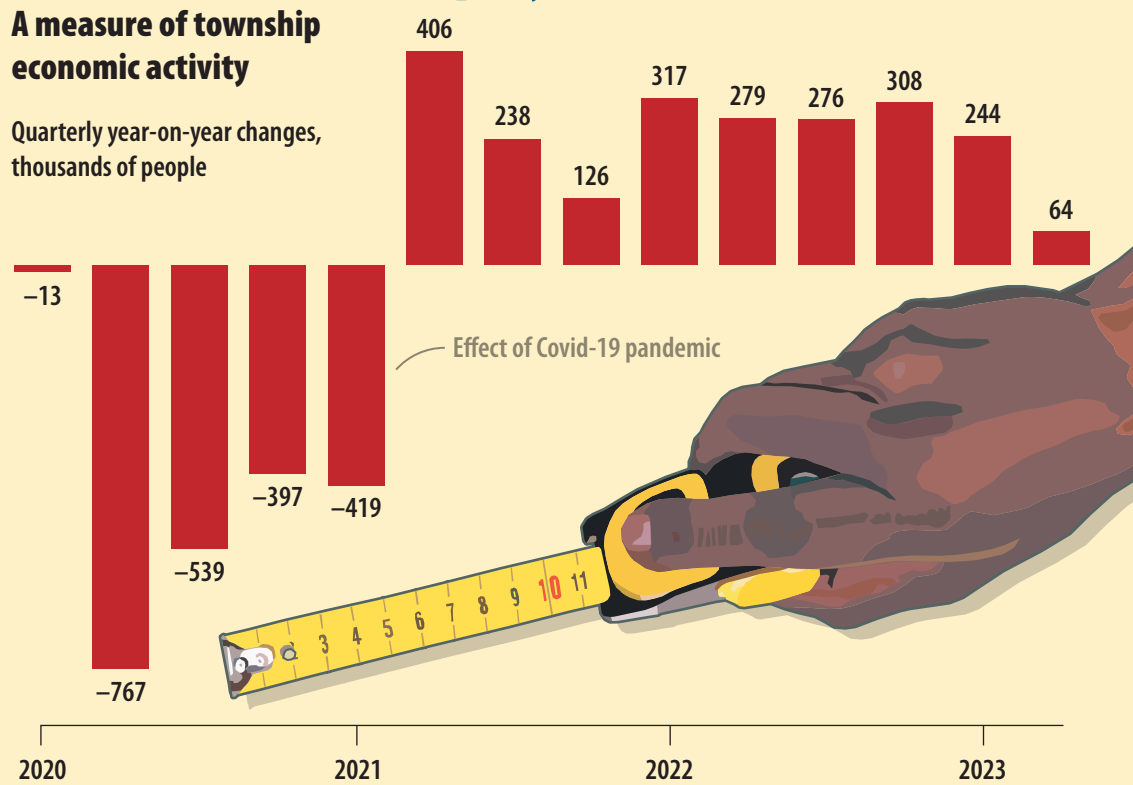
The business's growth objective is to expand its reach and support about 130 000 general trade stores over the next five years. To date, Tiger Brands has reached more than 46 500 general trade outlets with a target of 50 000 by the end of the year.

The company said that as it looks to build brand awareness among consumers in the informal sector and boost the sale of its products, select general trade stores and walls are being branded with mural sto-

## Informal sector employment

A measure of township economic activity

Quarterly year-on-year changes, thousands of people



**Strapped:** As the cost of living rises more low- and middle-income people are shopping locally. Photo: Sharon Seretlo/Gallo Images

**'The informal market is growing at a faster rate than modern markets. This is [where] we need to invest'**

ries of some of its recognised brands such as Golden Cloud cake flour, ACE maize meal and Oros fruit juice.

"The South African informal sector is a yet-untapped market with significant growth opportunities for Tiger Brands," Ferrini said.

"According to Trade Intelligence, informal and independent traders, such as spazas, contribute 26% or R184 billion of the total R716 billion SA FMCG [fast-moving consumer goods] market. It makes up 6% of GDP and employs one-third of the country's workforce.

"In growing our presence within this sector, through robust route-to-market support and solutions for general trade customers including spazas and midi-wholesalers, Tiger Brands expects to increase its con-

sumer basket in these outlets and the distribution of its products."

Ferrini said the business had achieved significant growth in this market. For example, in Tembisa, in Gauteng's East Rand, Tiger Brands' consumer basket has increased by 185.7%, and its product availability has risen from 28.5% in 2020 to 97.3% currently.

Product availability is a retailer's ability to meet customer demand for an item at a given time.

"By implementing some of our route-to-market solutions — a mobile cashless and order platform, trader loyalty rewards, offering pack sizes, product bundles and better price/pack architecture that meet shopper needs — we can reduce cost within the supply chain, which benefits the trader who is able to

make a better margin and in turn offers more affordability for the consumer," Ferrini said.

Tiger Brands isn't the only company trying to capture this growing segment during these trying times.

According to digital marketing agency Rogerwilco's Township CX Report for 2023, 24.35% of South Africa's population lives in townships. This is equivalent to 11.6 million people and a number of companies are trying to get into this relatively untapped market.

More than 1 000 individuals living in townships across South Africa were polled for the report and 60% of the respondents said they or someone they know had sold products and services online, or had begun working online.

There is a desire for local brands and investment in them, which can also be seen in the rise of township-based delivery services, according to the report.

Delivery giants such as Uber Eats, Checkers Sixty60 and Mr D are top of mind in townships.

Uber Eats said it is making a R200 million investment over three years to empower young people in township economies. Through a strategic partnership with the Gauteng department of economic development, the initiative aims to create earning opportunities for merchants and delivery people in townships by leveraging technology.

The initiative is targeting 2 000 delivery people and 700 restaurants to sign up to the Uber Eats platform. The R200 million investment is an ongoing effort which will go towards hardware, training, campaigns and account support, Uber said.

"Over the years, we have accumulated invaluable insights into the preferences and needs of the individuals, families and communities we serve with our products and services," said Nakampe Molewa, the general manager at Uber Eats for sub-Saharan Africa.

"These insights have shown us that residents in townships are seeking greater convenience across various price points."

When the Uber Eats app launched, it was predominantly a food delivery app, Molewa said. During that time, there was a shift towards e-commerce, which has accelerated since the Covid-19 pandemic and the lockdowns it triggered. On-demand delivery is no longer just a fad, but a need for businesses and consumers.

"We have a strong belief in the success of this initiative, as it is expected to not only maintain the integrity of supply chains but also enhance them," Molewa said of the R200 million investment.

"Consumer spending and budgets vary for different communities and merchants — the township retail economy is able to match consumer preferences in areas they serve and beyond.

"Our vision is to stimulate the township economy for retail, manufacturing and delivery entrepreneurship by digitising the township economy in a manner that is accessible for all.

"So far, we have already onboarded 100 restaurants and 50 delivery people in the township," Molewa added.

## Business



**Gloomy outlook: After the blows dealt by the pandemic came the cost-of-living and the electricity crises. The government's financial policies will make dealing with further emergencies difficult.** Photo: Guillem Sartorio/Getty Images

# Déjà vu in SA's fiscal crisis

Crisis is baked into the government's fiscal consolidation policy, which constrains growth while simultaneously eroding public services and intensifying spending pressures

**W**hen Enoch Godongwana delivered his first budget speech last year, it looked as if we would soon see the back of the country's spending crunch.

Commodity prices had soared, as the world's economy awoke from its Covid-induced malaise, its supply chains groaning under the pressure — driving up mining profits even further.

The tax windfall that followed gave the country's public purse the boost it needed to peak above a deficit. Moreover, during the first months of last year, it became clear South Africa's economy would finally recover to its pre-pandemic level.

In his foreword to the budget document, then treasury director general Dondo Mogajane wrote that there was a light at the end of the tunnel. "It's important to remember how we got here — and to ensure that history does not repeat itself," he added.

At the time, analysts were sceptical that the government would be able to resist spending pressures and continue to rein in the fiscus. This was for good reason because, as it turns out, history has repeated itself.

This year's budget contained even better projections on the fiscal front, noting that this year the government would achieve a main budget primary surplus for the first time since 2009. The consolidated budget deficit would narrow to 4% of GDP — the lowest since 2016.

Even better, a considerable debt relief package would bring Eskom back from the brink, relieving the fiscus of the utility's crushing weight.

But whatever optimism this cre-



Sarah Smit

ated turned out to be short-lived, as it soon became clear that even the treasury's modest projections for the economy were far too sanguine.

A number of economists expect the treasury to miss its fiscal targets by quite a margin. And, as spending pressures mount, it will have to keep an even tighter grip on the country's purse strings — a predicament that looks to hit public services hardest.

This is as the treasury has reportedly told all government departments in provinces to brace for budget cuts next year, informing them that no new spending will be allocated to them.

The potential budget cuts will follow the sharp contraction in spending that followed the pandemic, which cut deeply into the healthcare, basic education, criminal justice and social services budgets, according to a recent analysis by the Public Economy Project.

This passage from optimism to crisis, insofar as the state of the public purse is concerned, is a familiar one. Indeed, South Africa's fiscal woes in the lead-up to the pandemic were brought on by such a similar set of conditions that you'd be forgiven for having a sense of déjà vu.

Having achieved fiscal consolidation since the beginning of the country's macroeconomic transition, in 2001 then finance minister Trevor Manuel declared "the beginning of a new cycle".

"We can now embrace a more confident and expansionary vision.

"This budget tells the story of the choices and decisions we have made and which have advanced the transformation of our country and its economy to the point where we can now begin to enjoy the fruit," Manuel said at the tabling of the 2001 budget.

A period of expansion followed, fuelled by the commodity boom at the time.

Employment in the public sector grew and there was a rise in social transfers to poor households and to local governments. There was a considerable rise in infrastructure spending. Eskom embarked on its biggest new build programme since the 1970s. The budget also supported the construction of the 2010 World Cup stadiums and getting the Gautrain up and running.

**B**ut the commodity boom would not last forever. And, by 2011, with China's growth slowing, its spoils had started to run out. That year, the treasury pushed South Africa onto "the fiscal consolidation bandwagon", Seeraj Mohamed, the deputy director of economics at the Parliamentary Budget Office, noted in a presentation earlier this year.

This push came after policymakers in developed countries pivoted sharply away from the fiscal stimulus policies they adopted in the wake of the global financial crisis of 2008, Mohamed added.

Said crisis came as a warning about the perils of financial globalisation which saw rapid expansion in the 1990s and 2000s.

In his 2001 budget speech, Manuel indicated there would be further steps to remove exchange controls, allowing South Africa to participate in the more liberalised global economy.

Incidentally, in late 2010, South Africa joined an alliance with Brazil, Russia, India and China, which came together in the aftermath of the 2008 crisis. The Brics pact was wrought

out of its members' disillusionment with financial globalisation, which was seen as having extended US dominance.

The current turn in South Africa's fiscal crisis also coincides with the end of a commodity cycle and another slowdown in China. It also comes at a new juncture in globalisation's trajectory, which has come with another set of risks to South Africa's economy — as the *Lady R* saga proved.

The treasury has historically underestimated the impact of the various crises brought on by a stubborn adherence to neoliberal economic orthodoxy, which continues to be touted as the cure for the country's economic dysfunction, instead of its cause. This much can be seen in the renewed effort to inflict spending cuts and through the liberalisation of the country's electricity market.

In his aforementioned presentation, Mohamed pointed out that fiscal consolidation — which constrains economic growth, while simultaneously eroding public services, intensifying spending pressures — "deepens existing schisms and crises and intensifies risks". In other words, crisis is baked in.

In the decade following 2011, South Africa's government failed miserably in its goal to achieve inclusive growth. Unemployment soared and public services deteriorated. It didn't help, of course, that the state capture era ushered in a period of ineffective public spending.

The effect of this was that the Covid-induced crisis brought South Africa to its knees and the country had little more than a commodity crutch to get back to limping. Hard on the heels of the pandemic came a cost-of-living crisis, made worse by an electricity crisis.

More crises will follow — and South Africa's fiscal policy will make it harder for the economy to withstand their blows.

## BIZ BRIEFS

### Load-shedding will ease in Joburg, says City Power

The City of Johannesburg's electricity supplier, City Power, has approved four bids from private producers to provide the metro with 92 megawatts of power from various sources.

The electricity supplier said it was talking to the department of mineral resources and energy for more units, to help mitigate shortages and ease load-shedding. The City of Johannesburg says that obtaining electricity this way will cost it less than procuring it directly from power utility Eskom. City Power chief executive Tshifularo Mashava said the contract duration for the independent power producers will be three years. "It is not the 20-year contract that we will be signing but a three-year one. This allows us to buy power at a cheaper rate than what we are currently paying to Eskom, which therefore means that when we make our submissions to the National Energy Regulator of South Africa (Nersa), when we look at our costs going forward, we get to reduce our cost, which means that the increase back to our customers can be slightly reduced in the long term," Mashava said. Earlier this year Nersa authorised Eskom to increase its tariffs by an average of 18.65%. As a result, municipalities have raised electricity tariffs by more than 18% effective 1 July.

### Curro schools celebrate increased profits

Private school group Curro said its half year earnings surged by 34% to R203 million from R152 million in the same period in 2022. Cobus Loubser, the chief executive of Curro, said: "Reaching a quarter-century is a significant achievement. These positive numbers are a testament to Curro's dedication to imparting quality education over the years." The school group, which is celebrating 25 years in existence, said pupil numbers increased by 3% to 72 385 from 70 724 as of December 2022. Headline earnings per share increased by 26% to 34.6 cents per share, from 27.5 cents in the corresponding year. Curro is planning to invest up to R800 million this financial year in capital projects to maintain, replace and expand facilities. "Our vision has always been to extend quality education to as many learners as possible in Southern Africa and I'm confident in Curro's trajectory. We're not just celebrating our past 25 years, but looking ahead with the same fervour and commitment."

### Sasol laments the toll of ailing state-owned entities

Chemical and energy company Sasol said its profits had been hampered by the underperformance of South Africa's state-owned enterprises. The firm's chief executive Fleetwood Grobler said the country's dysfunctional rail service meant that Sasol could not move its product to the coast efficiently, leading to either delayed or lost sales. These challenges affected Sasol's bottom line to the tune of just over R1 billion. The petro-chemical company said its earnings before interest and tax fell about a quarter to R17.7 billion in its year ended June. Grobler said the company was holding discussions with state rail, port and pipeline company Transnet as well as power utility Eskom. "These are ongoing discussions. But we're encouraged by the collaboration that we've seen," he said.

# Thought Leader

Comment and analysis from the Mail & Guardian



## Deciding Brics' purpose will determine its future

Important questions remain but there is no doubting the effect of these new allegiances

**T**rying to write the “first draft of history” is rarely easy, even for the imprudent, and seldom wise. Discretion should be the better part of analytical valour. But sometimes you’ve got to go big, or go home: the Brics summit is more likely than not, in the fullness of time, to be recognised as momentous milestone in the re-alignment of geopolitical forces and institutional architecture.

How so? Obviously, in economic as well as political terms the world has gone through a period of intense change over the past three decades. When the Berlin Wall fell in 1989, American political scientist Francis Fukuyama (in)famously declared it to be the “end of history”. (In fact, it was a bit more nuanced and complex than that, but it’s the bit everyone remembers). Meaning that “liberal democracy” had prevailed, and that a glorious new era of economic globalisation would sweep all before it.

It did and it didn’t. Economically, the distinction between rich and poor countries has become fuzzy to the point of being meaningless. Many of the poorest people in the world live in “rich” countries. China can certainly no longer be sensibly described as a “developing” country.

And therein lies the irony. This economic globalisation, which was supposed to be a permanent extension of Anglo-American capitalism, created — as Marx might well have predicted — the seeds of, if not its own destruction, then at least a new order that would challenge its dominance.

Brics is one major symptom of this. The combined GDP of the five Brics countries is well on the way towards catching up with that of the G7 “Western” bloc.

That is one starting point. The other is more political. Countries in the global south have long felt excluded from global governance and decision-making — the composition of the P5 (the permanent members of the United Nations Security Council) is the most obvious example, China notwithstanding. But they did not have the power to press their case.

Now, perhaps, they do. At the very least, Brics is likely to establish itself as the global south alternative to the G7 — a counter-balance in the global institutional architecture. (With the addition of six members, we might



**Richard Calland**

also consider going with a similarly succinct styling, say, the B11.)

Whether this will be helpful to humanity in terms of tackling the most pressing concerns, such as climate change, remains to be seen. But at the very least, it will provide global south countries with an aperture for their frustrations and demands. It may reduce the influence or significance of the G20, or it may render it more important, as the meeting place for negotiation between the two blocs.

So, Brics has regained its mojo. Big time. Many countries would like to join it. They see it as a club on the rise, with potential and meaning; a place where they can be included and not excluded.

Much of this shift has been propelled by Russia’s war in Ukraine. The West’s stance has irritated many members of the global south, who resent the inconsistency in the application of the “international rule of law”.

But that sense of injustice is not confined to Ukraine, but also fuelled by the way in which rich, Western countries handled the Covid-19 crisis and the roll-out of the vaccine — which exposed global inequalities, and the underbelly of naked Western self-interest.

Brics, then, is already more relevant and more powerful. It is on the rise.

What might deflate the sense of ambition (and hubris) emanating out of Sandton this week?

One reason is the diversity of interests within the core group. There is as much that divides the group as unites it. From the South African perspective, for instance, it stands out as the only member with a clear path ahead of it as a secular, liberal democracy. (The evangelism of Brazil is debat-

**The lesson is that you have to grow carefully, making sure that there are sufficient ties, common strategic interests and similarity**



Graphic: JOHN McCANN

able; Argentina may well embrace a libertarian president in its elections in October, and India has long drawn criticism for its Hindu nationalist nature, the increasingly illiberal tenor of its political leadership and culture, despite its long-standing democratic robustness.)

Deciding on whether to increase membership was the most potent issue to be decided. The lesson from other multilateral bodies is that you have to grow carefully, making sure that there are sufficient ties, common strategic interests and similar sized economies — the main obstacle to economic integration in Africa.

The European Union, for example, was successful because the original member countries were of similar stature and economic size. Only once it started to grow fast and include countries with very different, and

weaker, economies did the political project start to falter.

So, Brics will need to tread carefully. If it tries to run before it can walk, it may well stumble.

Determining Brics’ purpose will be critical to the sturdiness or otherwise of its foundations. That in itself will be a challenge to the leaders. The existential question is acute: is Brics a political formation or an economic one, or both?

The character and sense of strategy (or lack thereof) of the five leaders matters. It’s unlikely that the sense of current momentum could have been accomplished had Jair Bolsonaro not lost the election in Brazil to Luiz Lula da Silva last year. Similarly, next year, elections in South Africa, and especially India — the real rising power in the bloc — will matter greatly to the Brics’ future trajectory.

This suggests that Brics is not yet institutionalised. It remains a quirk of history that could yet turn into something much more substantial.

South Africa is fortunate that by virtue of the accident of history it is hosting this Brics summit at this particular time. The Sandton Declaration — or whatever piece of paper emerges — could enter the pantheon of global history. But only if the five leaders can exercise astute judgment about the scale and speed of Brics ambition — and its core reason to exist.

**Richard Calland is director of the Africa Office of the University of Cambridge Institute for Sustainability Leadership and a founding partner of the Paternoster Group. The views are those of the author and do not necessarily reflect the official policy or position of the Mail & Guardian.**

## Thought Leader

Mail &amp; Guardian

## Zondo: Law and politics collide

Share a thought for Chief Justice Raymond Zondo. Chairing the commission of inquiry into state capture was demanding, depressing work, surely made more so by the knowledge that it would not change the present. The looting continued — and still does — while he was excavating the past.

Two months after the president outlined how the report's recommendations would be processed, Nomvula Mokonyane was elected as the ANC's first deputy secretary-general. (The Zondo report urged her criminal prosecution for receiving inducements, notably a R50 000 monthly stipend from Bosasa.)

Zondo knows distasteful compromise is keeping Cyril Ramaphosa in power. He knows his findings against the ANC — it was either asleep as the country was plundered or did not care — will have as much effect as graffiti alongside a highway.

As a man aspiring to become chief justice it bordered on noble for Zondo to take the ruling party apart. As a lawyer it must be hard to leave the defence of your work in the hands of counsel working for the state controlled by that party.

Yet Zondo and what remains of the commission must do precisely that because more is at stake than prevailing in the dozen court challenges filed by people named in the report.

In the case of state capture accused Salim Essa, senior counsel for the commission and the chief justice incurred a costs order for wasting the court's time by seeking the recusal of the high court justice hearing a routine application in that review bid.

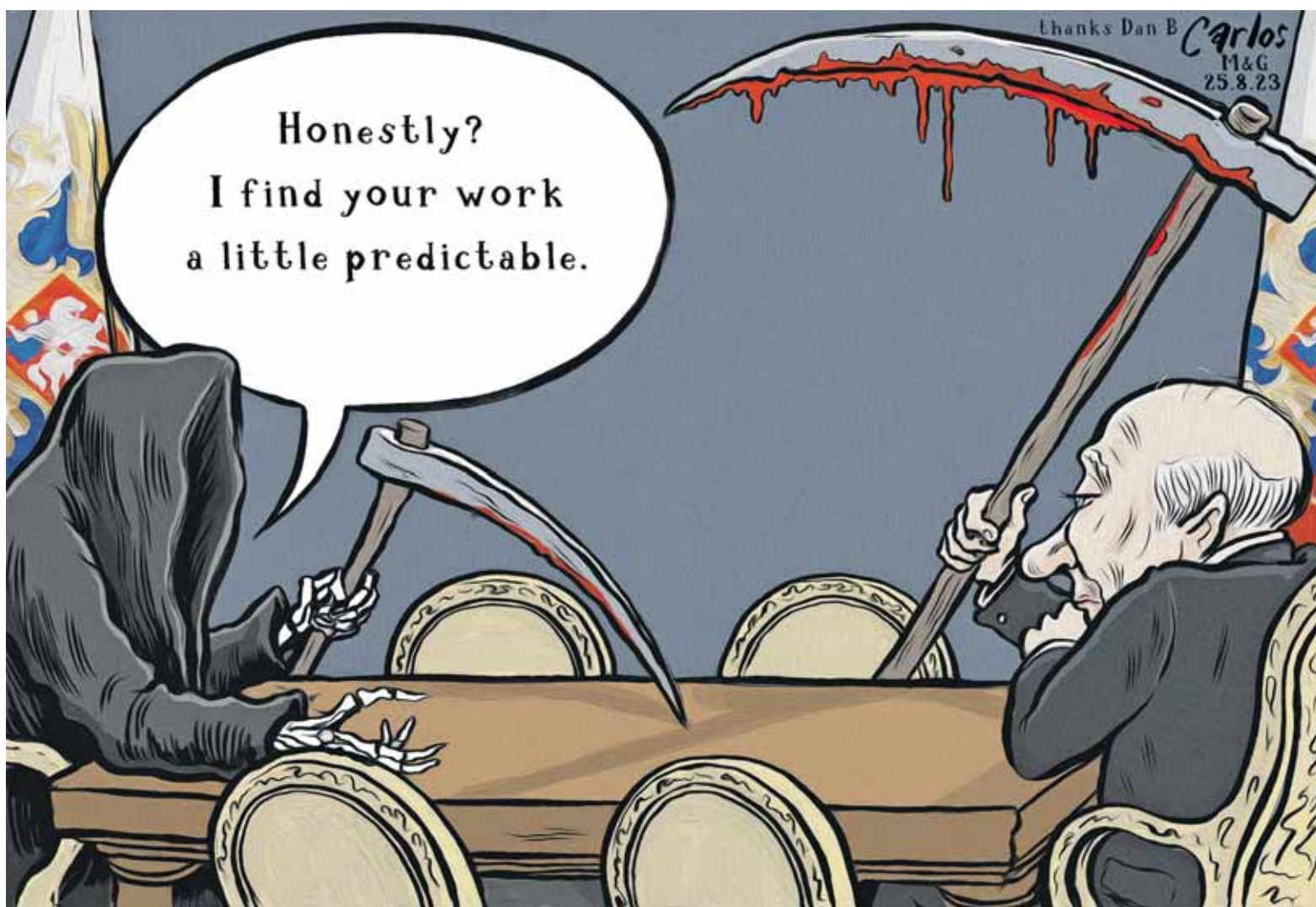
Let us be clear that we are not in the realm of US supreme court Justice Clarence Thomas, the recreational vehicle of his dreams and the friend in the healthcare industry who helped him buy it.

Zondo was not in court on 3 August when the application for recusal was heard. He may well have cautioned counsel, an advocate whom he on occasion took to task while he led evidence before the commission, not to go down that road.

We do not know whether taking a private law firm as instructing attorneys in the matter was his doing. We are miffed he did not respond to our questions, but mainly would have preferred having no reason to ask.

In the process not only Essa but Zondo's (many) critics in the state were gratified. We are increasingly seeing law and politics collide elsewhere, from Israel to the US, where prosecutors and judges have to make decisions that may determine the presidential elections. We watch the legal reckoning of Donald Trump and Hunter Biden unfold with uneasy recognition because we have been there with Jacob Zuma, and what followed was an onslaught on the judiciary. Zondo was his prime target.

So let Justice Minister Ronald Lamola and the solicitor general handle this. Let the outcome be on their heads. We need the chief justice at an impeccable, safe distance because our democracy depends on the sanctity of the judiciary.



## No Sandton showdown at Brics+6



Paddy Harper

A drama-free summit reminds the opposition that Cyril is still running the show

**T**hursday. For a government that can't keep the lights on, ours has certainly turned up since the weekend, sparing neither pomp nor ceremony for friends from abroad and turning the space around the Sandton convention centre into one of the safest places on the planet.

Sandton has been a blue-light city since Monday, when the first of the Brics heads of state started to arrive, awash with uniforms of every possible persuasion.

There are even actual metro police at intersections directing traffic during load-shedding, rather than homeless people who usually do the job.

Sandton's street people also appear to have moved — or have been moved — to less heavily policed pastures for the course of the week.

There's been a concerto of convoys, weaving in and out of the traffic built up around the convention centre for days, but even the presidential protection unit members have been on their best behaviour and have thus far refrained from kicking any Polo drivers in the head.

Perhaps there have been too many potential witnesses — and cameras — on the streets of Sandton; perhaps it's the presence of important visitors with cheque books, but the blue-light brigade has thus far gone about their business with a remarkable level of restraint.

There's still time.

The South African tendency to be



Sharing the limelight: Presidents Xi Jinping, Luiz Inacio Lula da Silva, Cyril Ramaphosa and Prime Minister Narendra Modi appeared in person at the Brics summit, with Vladimir Putin discreetly attending via video link. Photo: Marco Longari/Getty Images

late for everything — and our love for a good argument — appears to have rubbed off on our more punctual fellow Brics nations and, by Wednesday, the minute-by-minute programme had gone out the window.

The Brics family photo at the plenary was not only light of one leader, but was also three minutes late.

The agreements hammered out by the Brics sherpas — the diplomats tasked with doing the preparatory work for the summit — hadn't been signed off on by the foreign ministers or the heads of state.

With no deal on the expansion of Brics, the adoption of the declaration scheduled for Wednesday

**The South African tendency to be late for everything appears to have rubbed off on our more punctual fellow Brics nations**

lunchtime was delayed — along with a media briefing by President Cyril Ramaphosa, in his capacity as Brics chairperson — but by the early evening a deal was secured.

The result announced by Ramaphosa was expansion to admit six new member states (Argentina, Iran, UAE, Saudi Arabia, Egypt and Ethiopia) — with a decision on a Brics currency and an alternative payment system deferred until the next meeting.

Not a bad first outing for Ramaphosa as Brics chairperson — or as host to President Xi Jinping, concluding the state visit with an armful of bilateral agreements with China and R670 million in investment in energy generation.

Ramaphosa clearly didn't suffer for turning down the offer of his predecessor, Jacob Zuma, to introduce him to his friends in Brics, and firing him instead.

The summit may have gone into extra time, but there has been far less drama during the event than there was in the months leading up to it.

There was some alleged discomfort on the part of Indian Prime Minister Narendra Modi over the level of attention being paid to his Chinese counterpart by Ramaphosa.

Xi paid a one-day state visit the day Brics started, and was busy signing bilateral agreements — and cheques — with Ramaphosa while Modi was waiting on the runway for Deputy President Paul Mashatile to receive him on our president's behalf.

Modi was all smiles by Wednesday afternoon though, the result of both a successful bilateral with Ramaphosa in the morning and a historic moon landing by the Chandrayaan-3 spacecraft later in the day.

The summit has certainly seen none of the frenzy that was whipped up ahead of the summit over the planned participation of Russia's President Vladimir Putin because of the warrant for his arrest for removing children from Ukraine issued by the International Criminal Court.

Putin's decision to send Foreign Minister Sergey Lavrov and stay at home and participate through a video link did away with the bulk of the noise around Brics, clearing the way for a way more pleasant — and efficient — summit for his fellow heads of state.

Video Vlad took one for the team and did Ramaphosa and the other Brics leaders — and the rest of us, for that matter — a rare solid, averting the showdown in Sandton that South Africa's opposition parties had been hoping for.

John Steenhuisen and Julius Malema must be cursing Vlad the Invader for staying home and denying them airtime — and an opportunity to embarrass Ramaphosa on the international stage.

They've been invisible all week, with the incident-free summit — and the show of capacity, will and expertise by the host nation — a reminder that it is Ramaphosa, and not his critics, who is running the show.

And the country.

## Thought Leader



Another Brics in the wall: High-rise buildings in Beijing's central business district show the city shrouded in air pollution. All five Brics countries fall among the world's top 20 carbon polluters. Photo: Sheldon Cooper/Getty Images

# The elephant in the room at Brics is the climate crisis

The bloc's countries are some of the worst polluters, so they need to take climate seriously

**C**limate change is as crucial as any other topic at Brics, if not more so. As heads from Brazil, Russia, India, China and South Africa gather for the 15th summit, it has never been more crucial for these countries to talk about climate change, its impacts and what the countries can collectively do about it.

Speaking on Thursday at Brics, South African President Cyril Ramaphosa said: "As nations of the world confront the effects of climate change, we must ensure that the transition to a low-carbon, climate-resilient future is just, fair and takes into account differing national circumstances. In line with this objective, Brics nations need to advance the interests of the global south and call for industrialised countries to honour their commitments to support climate actions by developing economy countries."

While a united stance on climate change is helpful, there is a huge irony in that all the Brics countries are massive carbon emitters.

With trade set to dominate the talks, some leaders are murmuring about climate change. Aside from Ramaphosa, India's business chapter chairperson Onkar Kanwar highlighted how crucial it is to reduce emissions. He spoke about the importance of water, agriculture and climate change.

On Tuesday at the Brics business forum members from respective countries all noted how important a just transition is, why we need green jobs and the importance of sustainability.

But what these countries need to acknowledge, firstly, is how much carbon they emit and secondly, the



Ozayr Patel

achievable plans and how they can help each other to fix the problem.

Brics countries are terrible polluters. This is something that needs acknowledgement. According to Worldometer the Brics countries are all in the world's top 20 carbon polluters. China and India are first and third on the list. Russia is fourth. The list has Brazil and South Africa at 12th and 15th, respectively.

The fact that all five countries are in the top twenty needs addressing.

In the interest of balance, we must note that some strides are being made to curb carbon emissions. China has abundant renewables and electric vehicle initiatives. India, Brazil and South Africa are all undergoing some sort of just transition. Russia is not generally known for its climate initiatives.

While India, Brazil and South Africa are some key countries undergoing a just transition, they have all three called for the extension of coal in the last few years. Coal is the major energy source in all three countries. They all face the challenge of balancing energy needs with the need to lower emissions urgently.

China is heavily coal-dependent and projections are that this will only ease after 2030. The World Bank reported that the country emits 27% of global carbon dioxide and a third of the world's greenhouse gases. Despite major renewable ventures and a massive uptake in electric vehicles, the country is still a heavy carbon emitter.

These countries need to acknowledge that they are heavy polluters,

they need to acknowledge that they are a major problem of the climate crisis we currently face. If Brics wants added credibility, these countries must work on actionable steps they can take to reduce emissions. They need achievable collaboration on better technologies, energy systems and electric vehicles.

The world cannot afford more carbon emissions.

Let's take a gander at what sort of climate change some of the Brics countries face. This year alone, China received record-breaking temperatures. In July, temperatures hit 52.2°C, a record high, which is exacerbated by climate change and set to happen more frequently if carbon emissions don't ease.

China is also susceptible to droughts and floods, depending on the region. Safe to say a changing climate where emissions are polluted unchecked does not suit China at all.

Brazil is a country with high inequality, so any disasters will impact the poor the hardest. The country faces multiple climate threats, in the form of droughts, storms, food security issues and coastal erosion. Unabated climate change and carbon emissions will be devastating for Brazil.

India also recently experienced temperatures in the 50°C region. India's monsoon seasons are well known, and with a changing climate, these could be impacted. This could mean drought in some regions or flood in other regions. There is already water stress in some parts of the country.

South Africa is a water-scarce country. There's serious possibility of drought in some parts. But some parts are also a serious flood concern. Drought could affect agriculture and food security. South Africa must be conscious of these impacts climate change will have on the country.

In a book on Russia's climate

impact, the researcher Thane Gustafson said: "Melting permafrost will degrade infrastructure across 70 percent of Russia's landmass. Droughts, floods, and extreme weather events will make parts of Russia less habitable and economically productive. This will drive economic migration, pushing rural populations into already crowded cities."

Authors Heather Conley and Cyrus Newlin comment in the Centre for Strategic and International Studies that Russia is warming 2.5 times faster than the rest of the world. If this is not an indication that Russia must get it's act together on climate change ASAP, I'm not sure what is. Yet the country seems blasé about curbing emissions.

A unified voice on climate change will certainly help. These countries must acknowledge how climate change will impact them. They need to work together on adaptation and mitigation. Initiatives and resources must be shared so the worst impacts of climate change are felt with less force.

At the same time, they must acknowledge the harm they're doing by emitting so much carbon. The countries need to own up to it, be involved in loss and damage funds, climate reparations and account for the damage they've done.

More importantly, they must be serious about tackling climate change. A unified Brics on the matter has potential to make other countries stand up and take notice.

Perhaps I'm being idealistic, but I'm a glass-half-full person, especially when we're not in a drought. If that happens with the coming El Niño, I guess I'll be a glass-empty person, only not by choice.

Perhaps these crucial climate discussions are already taking place behind closed doors at the Brics summit. I wouldn't know. But the cynic in me says it is unlikely.

25 YEARS AGO

Politicians from all major parties and some international relations experts are worried by what they see as disarray in South African foreign policy exposed by the crisis in the Democratic Republic of the Congo.

They believe the impasse is undermining the country's interests in the region and could mar President Nelson Mandela's hosting of the Non-Aligned Movement summit, the biggest international conference held on local soil, which takes place in Durban over the next six days.

They say South Africa's use of peaceful diplomacy has manifestly failed to achieve negotiated progress towards an interim government of unity in war-torn Congo and charge that no alternative strategy has been developed. Instead, they argue, the initiative now lies with Angola and Zimbabwe, which have intervened militarily to prop up Congolese President Laurent Kabila, and with Rwanda and Uganda, which are giving military support to an alliance of anti-Kabila rebels based on Tutsis from the east of the Congo.

Government contest this view. — *Mail & Guardian* 28 August to 3 September 1998

## VERBATIM

“We have factually demonstrated that the abuses are widespread and systematic and may amount to a crime against humanity. We say a minimum of 655, but it's likely to be thousands of people who have been killed.” — Nadia Hardman, author of the Human Rights Watch report on Saudi border guards accused of the mass killing of migrants on Yemen's border.

“We need to ask urgently what is good for the whistleblowers who are so vulnerable, exposed and in real danger as they seek to put an end to acts of wanton corruption. We need to ask what is good for the foreigner who lives with insecurity as the dark clouds of xenophobia continue to hang low over those look for hope in South Africa. The struggle is not over.” — Anglican Archbishop Thabo Makgoba speaking on the 40th anniversary celebration of the founding of the United Democratic Front.

“Zimbabwe's pre-election and post-election periods have been more contentious than the actual election day period, so it's hard to say that observer presence means anything by itself.” — Grant Masterson, of the Electoral Institute for Sustainable Democracy in Africa.

“The lack of interest by citizens in these [Zimbabwe] elections is based both on fear and a total lack of political trust in the state, the government, political parties. But the fear is based on 23 years of being traumatised by direct violence and living in terror, especially around elections.” — Tony Reeler, senior researcher at the Research and Advocacy Unit.

“Thank you for proving, especially to so many girls and women, that yes, we can.” — A tweet by Irene Montero, Spain's acting equality minister, on Spain winning the Fifa Women's World Cup.



Tension rising: Chinese President Xi Jinping speaks during the Brics Summit at Sandton Convention Centre in Johannesburg on 24 August. Photo: OJ Koloti/Gallo Images

# Global south is flexing its muscles

After moving past the Putin will-he-won't-he brouhaha, we can focus on the great impact Brics can have on member countries and the world

OPINION  
Nontobeko Hlela

For much of the first half of this year the news cycle in South Africa was dominated by the question of whether President Vladimir Putin of Russia would attend this week's Brics Summit in Sandton in person.

There was feverish speculation about whether the South African government would arrest him, as per the unilateral warrant of arrest handed out by the International Criminal Court earlier this year.

Not nearly as much energy went into discussing what membership of Brics means for South Africa or on ways to improve Brics to live up to the ideals that guided its founding.

These ideals included developing a more equitable world that places more emphasis on multilateralism and reforming the international financial system, which has been rigged in favour of the Western countries for centuries.

More recently, there also has been growing commitment to securing African and Latin American representation on the UN Security Council.

Brics was generally presented in very negative terms and it, and the countries that have now joined the group, such as Saudi Arabia and Iran, were portrayed as a gang of authoritarians whose main purpose

is to do away with the "rules-based global order" and compete with the US and the G7 for influence.

Amid the increasingly febrile atmosphere, few commentators dared point out that the "rules-based global order" did not apply to the criminal actions of the West, including its destruction of Iraq and Libya.

There was also a general silence with regard to the fact that the regular assertion that we should side with the "democracies" ignored the fact that the internal democracy of the Western powers does not apply to their approach to international relations.

The economic might and global significance of the Brics members on issues of trade, which would be significantly increased if new members joined, was given scant attention. This was unfortunate.

Of course, we do not want to lose our access to the US market, but gaining further access to the Chinese market would be a huge boon to our economy, and there are all kinds of possible benefits for us in areas such as energy, technology and aviation.

South Africa has been portrayed as a country that shouldn't aspire to more than knowing which side its bread is buttered on, mind its Ps and Qs and not participate in a grouping that dares to challenge and seek an alternative to Western domination of the planet.

Some have even argued that South Africa is playing a dangerous game

by wanting to maintain relations with the Brics countries as well as the West. They conveniently ignore the fact that India has done precisely this, and is praised for its dexterity and welcomed in Western capitals, while continuing to openly trade with Russia.

This is the mentality President Xi Jinping of China spoke of when he addressed the Summit on 23 August: "The Cold War mentality is still haunting our world and the geopolitical tension is getting tense."

The idea that countries must be with one group or another is all too familiar from the first Cold War.

There is considerable irony in the fact that the people who deny that a new Cold War is brewing are the very ones who argue that countries such as South Africa are "playing with fire" by wanting to have foreign and economic relations with whomever they choose, without being dictated to by people in Western capitals, and their local allies in the media and elsewhere.

China's plans to expand its relations with the African continent, and South Africa in particular, are seen as a direct challenge to Washington.

No matter how many times China has reiterated that it is not competing with the US-led West, but rather wants to be allowed to develop on its own, in the way it chooses, its growing global power is seen as a threat to US hegemony.

There has been rapidly escalating paranoia and war talk in the West.

All this is unfortunate for countries in the global south that want to engage with, and learn from, the

world as a whole.

That includes China and there is much interest in learning more about the policies that enabled it to bring its people out of extreme poverty and to build such a highly capable state. Moreover the assistance that China has given to a number of African countries has led to improvements in the lives of many people on the continent.

The Brics expansion to include Argentina, Egypt, Ethiopia, Iran, Saudi Arabia and the United Arab Emirates has increased its clout and bargaining power. The global south needs a grouping that is committed to its development and that will not use its financial muscle to bully other countries or use the international financial system to wage economic warfare, as the US does.

While the nitty-gritties of a Brics currency are yet to be worked out, there is real promise of progress towards some sort of global south payment system, which would be a huge advance. Among other benefits it would advance own-currency trading, which is already happening among some Brics countries.

The countries in the expanded Brics make up almost half of the world's population — and the youngest populations on Earth. This is a welcome counterweight to the G7 that represents less than 10% of the world's population and has ageing people and infrastructure.

The G7 has used its economic muscle, and the power accrued from its imperial past, to run roughshod over the rest of the world making decisions on behalf of the majority and implementing policies that continue the political and economic subjugation

of the global south.

We should not be cowed by those who keep lecturing us about the need to be good boys and girls and dutifully obey our old colonial masters in perpetuity. We should embrace the new path opened up by an increasingly powerful and more assertive global south that has so many possibilities for our economy, businesses and our growth path.

We should be encouraging our leaders to sign a free trade agreement for Brics members that will allow for improved ease of conducting business and travel between the countries.

This could be taken further by expanding this agreement to include all countries of the global south, even the ones that might not yet be members of Brics.

Countries that are not members of Brics are already members of the New Development Bank, the Brics Bank, so there is no reason why it is possible for the entire global south to become one big free trade area.

Protectionism is not going to get our countries out of poverty.

We need more development and better co-operation and co-ordination between our countries.

We must insist on being able to think for ourselves, and to make our decisions, in the interests of our future — that of Africa and the global south as a whole.

**Nontobeko Hlela is an independent commentator on international relations and geopolitical issues. The views expressed are those of the author and do not necessarily reflect the official policy or position of the *Mail & Guardian*.**

## Thought Leader

# The deep flaws in Zimbabwe's election

Transgressions before and during the vote raise questions about whether the process was free and fair

OPINION  
GGA staff reporter & Craig Moffat

**G**ood Governance Africa (GGA) has been analysing and closely tracking the run-up to Zimbabwe's Harmonised Election, on 23 August.

GGA notes with concern the accumulating number of transgressions that do not inspire confidence that this election will be declared free, fair and credible.

The organisation's international chief executive, Chris Maroleng, was kicked out of the country days before the election.

Speaking during an election observers and media briefing in Harare on 16 August, the Zimbabwe Electoral Commission (ZEC) chairperson, Justice Priscilla Chigumba, gave assurance that the country's electoral body was ready to deliver a credible election.

Furthermore, the Zimbabwean police Commissioner, General Godwin Matanga, reportedly pledged there would be sufficient policing measures to ensure the safety of observers and the holding of a peaceful election.

Critical as these assurances were, developments observed reflect a failure and lack of commitment to adhere to the minimum standards of integrity required for a credible election.

In the days leading up the election, the ZEC failed to account for the long-standing disputes concerning the delimitation report and the voters' roll. Recently, the ZEC has been tied up in fresh legal battles with the Citizens Coalition for Change (CCC) over the voters' roll and the printing of ballot papers.

On 11 August, CCC's secretary for elections Ian Makone filed an urgent application seeking an order to compel the ZEC to provide an up-to-date roll and a final list of polling stations. In response, and somewhat unsurprisingly, the high court dismissed this application as "not urgent".

The voters' roll has been a controversial issue during previous electoral cycles and remains so, with persistent allegations that it is flawed, casting doubt on the legitimacy and credibility of electoral processes.

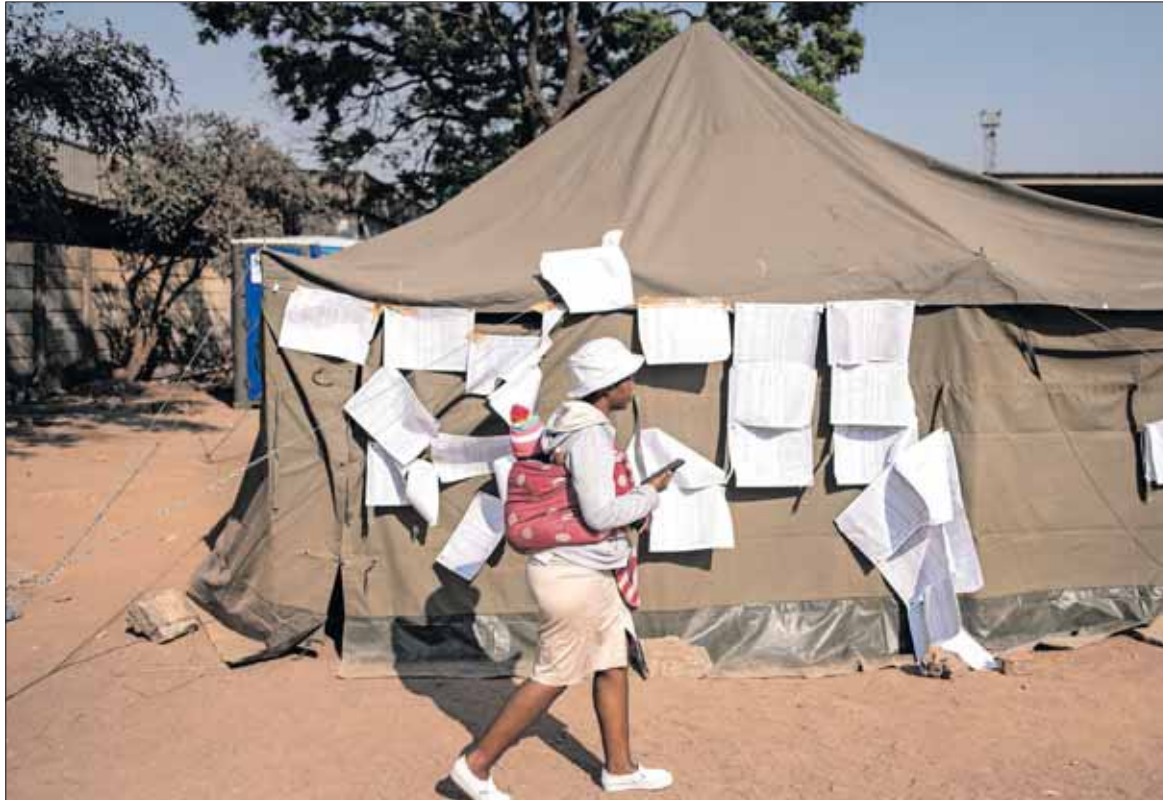
In addition, the CCC lodged an application seeking an order to compel the ZEC to disclose details regarding the printing, distribution and serial numbers of the ballot papers.

The ZEC bowed to pressure and, on 18 August, published these details.

Apart from these matters concerning the voters' roll and ballot papers, the run-up to the election was preceded by other legal battles that saw some previously nominated candidates either being disqualified, readmitted after appeals, withdrawing or being forcibly retained.

A 30 June *Extraordinary Government Gazette* published an initial list of 11 presidential candidates as well as the parliamentary and local government nominees.

On 19 July, Elisabeth Valerio of the United Zimbabwe Alliance success-



Steeped in controversy: A woman walks past the voters' roll at a polling station in Harare, Zimbabwe, during the presidential and legislative elections held this week (above). Election officials count ballots (below). Photos: John Wessels/Getty Images



fully appealed her initial exclusion from the presidential race. Saviour Kasukuwere, initially part of the 11, was later disqualified and, despite numerous appeals, has been kept out of the race.

On 3 August, the Supreme Court reinstated 12 CCC parliamentary candidates earlier struck off from the ballot after the high court ruled that they, together with six candidates from other opposition parties, had filed their nominations late.

On Tuesday 8 August, Douglas Mwonzora of the Movement for Democratic Change, also one of the initial 11, announced his withdrawal, citing concerns about the pending election's credibility. The ZEC, however, has forcibly retained him, arguing that his withdrawal should have come less than 21 days before the polling day.

These nomination court decision controversies, which ultimately disenfranchise some sections of the electorate, confirm that the electoral court cannot be relied upon as an enabler for citizens to exercise their constitutionally enshrined right to participate freely, without fear of

intimidation, in the electoral process or to be heard in the event of this being a disputed election.

The exorbitant election fees; candidate disqualifications; selectively applied campaign restrictions, particularly regarding access to rural areas; cases of violence and the removal and defacing of campaign posters are among the impediments that characterised the pre-election period.

**A**s noted by Dr Musa Kika, director of external relations for the Institute for Integrated Transitions: "In a democratic state, police would not prevent opposition forces from accessing rural constituencies against court orders, as is the case in the current election ...

"Similarly, courts cannot uphold amendments and bills contrary to constitutionally enshrined rights and freedoms," he said.

As the electorate and Zimbabwean civil society play their part to both defend and exercise this right, the country's leadership, regional and international observer mis-

sions, such as the Southern African Development Community Election Observer Mission (SEOM), EU and the Commonwealth have a duty to ensure that this and future elections meet the minimum standards of regional and international best practices for the conduct of free, fair and credible elections.

This election is particularly a test of Zimbabwe's commitment to re-engagement efforts that include the long-standing bid to gain re-entry to the Commonwealth.

SEOM, in line with its mandate, will assess the conduct of the elections against a set of central principles stipulated in the revised SADC Principles and Guidelines Governing Democratic Elections of 2021.

These include full participation of the citizens of the country in the democratic and development processes; measures to prevent political violence, intimidation and intolerance; equal opportunity for all political parties to access the state media, as well as access to information by all citizens and acceptance of, and respect for, the election results by all political parties.

It is therefore commendable that invitations were extended to a diverse pool of regional and international observers, some of whom like SEOM, the EU and the Commonwealth, were deployed in all the country's 10 provinces.

It is imperative that these observer missions place the electorate at the centre of their assessment of this election and, where necessary, make recommendations calling for the much-needed electoral reforms to strengthen future electoral processes.

**T**he election was flawed, as highlighted by the transgressions detailed above, which, coupled with it being held in a strained sociopolitical and economic context, places its credibility in question.

However, for the same reasons, it appears Zimbabwe's electorate remained resolute and encouraged, and upheld the hope for democratic reform by going out in their numbers to defend their hard-fought fundamental right to vote and demand the reform they seek.

It is the GGA's hope that the international electoral observers, some of whom were only recently deployed, will not only evaluate developments during the last week leading up to the election day, and the events of the day itself, but will conduct comprehensive evaluations including focusing on the longer-term developments that have occurred in their absence.

A lesson from previous elections in the SADC region for all international observers to remember when finalising their observation reports is that major contestations often arise from the vote-counting process.

Once the results have been tallied, most observers have either left the country or completed their mission and have submitted their final observation reports. As a result, the observation reports may unwittingly create the misconception that the election was held in a free, fair and credible manner.

The ruling party could abuse this part of the process and use it as a justification to claim a flawed election victory.

Therefore, to avoid international observers contributing to a polarised situation, they should formulate mitigation measures to minimise this risk. One possible action they could take is staying in the country until all the results are fully counted and communicated.

Given that the incumbent ruling party in Zimbabwe has been variously accused of narrowing the space for civil society organisations to function; co-opting the judiciary; infiltrating and dividing the opposition; as well as compromising the ZEC and generally using the security apparatus in nefarious ways, it is imperative that all of these matters be coherently addressed ahead of any future elections in the country.

The GGA is continuing to keep a close eye on all electoral developments, post election day, and will provide additional analysis as the results are released.

**Dr Craig Moffat is at Good Governance Africa, a research and advocacy nonprofit organisation with centres around Africa.**

**The views expressed are those of the author and do not necessarily reflect the official policy or position of the Mail & Guardian.**

## Thought Leader

# ANC needs to find its moral character

The ruling party's leaders should follow Kant's maxim: 'Act as if you would agree that your actions be made universal law'

OPINION  
Mzwandile Manto

As one of the leaders of a fledgling community development forum, I recently had close encounters with some of the politicians in local government.

I have been aware that our people do not trust their political representatives. I spend every summer holiday in my home village and I experience many of the problems that lead people to believe that their political representatives have abandoned them.

I have even witnessed politicians deceiving their constituent communities. What shocked me is the flagrancy of their deception, almost as if they do not care about being caught lying to the people.

But at the same time as they are repulsed by the open contempt and constitutional delinquency of their politicians, these communities have normalised their own acute moral corrosion.

When they say that history repeats itself, it is usually an injunction to avoid past mistakes. But I think there are times when history must repeat itself, when lessons from the past might be the only saving grace to move forward. And we do have an abundance of moral history.

We had a dream for a non-racial, non-sexist, democratic society, wherein the government would be based on the will of the people. It was fragile and flickered dimly through the turbulent 1990s.

On 10 April 1993, the South African Communist Party leader and chief of staff of uMkhonto weSizwe, Chris Hani, was assassinated. At that time, South Africa was still taking tentative steps towards reconciliation. It had only been three years since the unbanning of the ANC and other liberation political parties.

It did not look like the negotiations would be successful. Adjacent to this was the rise of the Afrikaner right wing, who threatened a violent uprising if there was one person, one vote.

The World Trade Centre talks held under the auspices of the Convention for a Democratic South Africa (Codesa) had also deadlocked again.

It seemed as if the masses had resigned themselves to accept that it was "not yet uhuru", and the struggle would have to continue.

Hani's assassination confirmed their deepest fears that the apartheid regime had no genuine interest in giving up power.

It also made them suspicious that the ANC did not have the wherewithal to force an agreement from the apartheid regime.

The nation was still reeling from the Boipatong Massacre less than a year prior to the Hani assassination.

It is therefore not an exaggeration to say that it was nearly impossible to stop the calamitous tide of political violence after Hani's assassination.

But, on 14 April 1993, four days after Hani's assassination, ANC president Nelson Mandela addressed the nation.

He was not standing on the podium at a stadium when he made that address.

His regal figure was projected to the nation from the centre of our television sets, his message politically transcendent and stately.

Against a heavy current of a justifiable national disposition for vengeance, Mandela had neutralised the impending Armageddon.

The tide was too ferocious for the state to intervene without causing unprecedented bloodbath, and the righteous anger of the people too strong to dissuade with political stratagems and rhetoric alone.

Mandela's most important weapon was what many political leaders today have lost. The moral character that, through moral example, begot Mandela's moral influence.

But moral character, from which moral examples flow, would not have had that force of persuasion if it was not a sign that human nature can be overcome.

After all, Mandela himself was not shy of military conflict. He was instrumental in advancing the cause for an armed struggle, stating during a BBC interview in 1961 that it was futile to talk peace and nonviolence with a government whose only reply was savage attacks on unarmed and defenceless people.

By appreciating his human nature, we can appreciate that his magnanimity must have taken a great deal of effort, as he suppressed his natural proclivities and did not succumb to anger.

"Act as if you would wish that your actions could be made universal law," charged Immanuel Kant in his *Metaphysics of Morality*. In other words, how would you conduct yourself if you knew that your deeds would serve as examples to be emulated by others? Would you say that through your moral examples you created a desirable society in which you can thrive?

This Kantian maxim has no greater significance than when human instinct entices political leaders to take actions that seem justified

**The moral examples of political leaders influenced the people to let their consciences be the police of their characters**



High ground: When Chris Hani was assassinated, the country was walking the delicate path to end apartheid. Vengeance could have been one response but Nelson Mandela chose peace. Photo: Getty Images

but would have calamitous consequences if their followers emulated them.

We cannot privatise the virtues of the ANC to a single person but collectivise its vices to the ANC as an organisation. Otherwise making an argument for moral rejuvenation in the ANC would be misguided without first appreciating the contribution of the ANC to Mandela's moral virtues.

Even more difficult would be holding the ANC responsible for moral degeneration in society without first recognising the organisation's moral leadership at some point.

It is the ANC that should say whether its choices are in accordance with that Kantian maxim by which to act as if your actions are worth emulating as examples of moral virtue.

The ANC should say whether fraud and corruption in the state passes that Kantian maxim, by which to ask if fraud and corruption would still be tolerable if every citizen were to act fraudulently and corruptly.

The ANC should say whether its disinvestment in morality has passed the Kantian maxim, by which moral disinvestment unleashes acts of immorality in society at large.

The disinhibition that results from abandoning moral virtues manifest in different actions that share the common character of immorality.

The same way that moral disinvestment removes the shame of kleptomania, it removes the shame of being openly racist in a democratic society.

And what moral argument is possible to dissuade communities from stealing, when political leaders

steal from the poor with apparent impunity?

A legal system is in place to deal with the criminal aspects from the deeds of immorality.

But the rule of law alone failed to sustain the morally repugnant apartheid regime, and was rendered useless to prevent an onset of the impending bloodbath following Hani's assassination.

It was the moral examples of political leaders that influenced the people to let their consciences be the police of their characters.

The Kantian maxim has no specific preponderance over other philosophical treatises on morality. But when the ordinary citizen says, "if the president or the ministers are doing it, why can we not do it too", that is evidence that the actions of leaders — moral or immoral — are examples for moral conduct or misconduct in society.

The ANC may not be directly responsible for all the symptoms of moral corrosion in society. But we must bear in mind that there was a time when moral virtue in society reflected moral virtue in the ANC and other liberation movements.

To what extent moral virtue or vice in society can be attributed to the ANC is not the issue. What is important is that at the dawn of democracy, the ANC proved capable of exerting moral influence on society through the moral examples of its leaders.

It does not matter if it was goodwill or political necessity that drove

Mandela and his comrades to subordinate their instincts to the pursuit of moral examples needed to create moral communities. What matters is they were aware that an ideal society required a certain moral character on the part of its members, and were willing to demonstrate how to attain that moral character.

Just as moral examples played a decisive role in leading us through the 1990s, maybe the ANC needs moral examples again to deal with its own demons, to slay the beast of racism that is shamelessly rearing its head, and to morally engineer societies capable of being policed by their own moral consciences.

It is not too late if political leaders are prepared to shed the pride masking their moral deficiencies and allow themselves to be vulnerable and open to correction.

The point of departure is for the ANC to take moral responsibility for today's moral decay, just as it did for moral renewal of our societies at the dawn of democracy.

It begins with individuals choosing those actions they would be proud to present as moral examples worthy of emulating. And moral influence is not persuasive because we are perfect. It is persuasive because we can show how to overcome our vices despite our imperfections.

Mzwandile Manto is the secretary general of the Mgwali Development Forum.

The views expressed are those of the author and do not necessarily reflect the official policy or position of the Mail & Guardian.

## Thought Leader

## US shifts from a trade war to a subsidy war

OPINION  
Anne O Krueger

To the dismay of many economists, the Biden administration has retained most of its predecessor's tariffs and trade barriers. In fact, the US has imposed additional protectionist measures, such as the "buy American" policies, resulting in higher costs for American consumers and taxpayers.

During Donald Trump's presidency, the US imposed a 25% tariff on steel imports and a 10% tariff on imported aluminium. Trump's administration initiated a trade war with China, withdrew from the Trans-Pacific Partnership that former US presidents George W Bush and Barack Obama negotiated with 12 Pacific Rim countries, and "renegotiated" the North American Free Trade Agreement, rebranding it as the United States-Mexico-Canada Agreement.

Trump chose to take these and other actions unilaterally, even though pursuing a multilateral approach through the World Trade

Organisation would have been far more effective and less likely to harm US allies. But the Biden administration has gone even further, fully embracing industrial policy by enacting the \$430 billion Inflation Reduction Act (IRA), which includes hundreds of billions of dollars in subsidies for green technologies and renewable energies, and the \$280 billion CHIPS and Science Act, aimed at fostering a robust US semiconductor industry.

According to the White House, the CHIPS Act will bolster domestic semiconductor production and create "tens of thousands of good-paying, union construction jobs and thousands more high-skilled manufacturing jobs" while mobilising hundreds of billions of dollars in additional private investments. To facilitate the reshoring of chip production, the Act allocates \$52 billion to research and development and workforce training and provides a 25% tax credit to domestic manufacturers.

By subsidising US-based companies, however, the bill discriminates against foreign producers. Similarly,

the IRA provides a \$7500 subsidy to purchasers of US-made electric vehicles (EVs), giving American-made models an advantage over their Chinese and Japanese rivals.

But studies have repeatedly shown that subsidies often harm the countries implementing them. Such measures tend to reduce competition, stifle innovation, raise costs and disadvantage exporters who rely on imported inputs. Worse yet, when one country introduces subsidies to enhance the competitiveness of domestic producers, other countries typically counter with protectionist policies of their own. And retaliation and tit-for-tat escalation damages the economies of other countries and their trading partners.

It is already clear that the coming subsidy war will have no clear winners. Depending on the size of retaliatory foreign subsidies, they may nullify some (if not all) of the competitive gains that the initial subsidy aimed to provide.

This dynamic is particularly evident in sectors such as semiconductors, batteries and EVs. In response

to Biden's industrial policies, for example, the European Union has recently greenlit a \$47 billion plan to bolster its semiconductor industry, while South Korea and Japan have rolled out plans to subsidise domestic chip production. Meanwhile, European, Japanese and South Korean companies are establishing or investing in US facilities to qualify for IRA subsidies and tax credits.

Although Biden's subsidies might enhance domestic semiconductor manufacturing capacity, especially given America's ability to out-subsidise most rivals, this will come at a cost. Morris Chang, founder of the Taiwan Semiconductor Manufacturing Company, has recently estimated that chip manufacturing is 50% more expensive in the US than in Taiwan, where more than 90% of the world's high-end chips are currently produced.

Chang is sceptical that the existing US subsidies would be enough to close this cost gap. But as Adam Posen of the Peterson Institute for International Economics notes, the true price of economic decoupling is

"not so much trade barriers, bad as they are, but reduced productivity growth".

Moreover, a significant portion of the money spent on industrial subsidies will probably go to waste, increasing the burden on all taxpayers. Regrettably, US Secretary of Commerce Gina Raimondo has recently touted the CHIPS Act as a blueprint for supporting other domestic sectors.

Given that other countries will almost certainly respond in kind, it appears that Trump's trade war with China has morphed into a budget-busting global subsidy war that no one can win. — *Project Syndicate*

Anne O Krueger is a senior research professor of international economics at the Johns Hopkins University School of Advanced International Studies and senior fellow at the Center for International Development at Stanford University. The views expressed are those of the author and do not necessarily reflect the official policy or position of the *Mail & Guardian*.

# Africa is for Africans – all of us

The principle of non-racialism remains one of society's most radical and valuable principles because it includes classism and sexism

OPINION  
Donovan E Williams

If you ask Google which is the first country to gain independence in Africa, the answer it will give you is Ghana, on 6 March 1957. The thing with Google is that it is never wrong. It is also never correct. Google does not give answers, the Google search engine, through its algorithm, tells you which "answer" is probably the most correct – not the answer.

Google will tell you that Sudan became independent from Britain on 1 January 1956, more than a year before Ghana did. You will find some pseudo-intellectual explanation that Sudan was under the joint administration of Egypt and Britain, but Google conveniently "forgets" that Egypt itself was under British colonial rule.

Why do academic scholars, and basically everyone else, not count Sudan's independence from colonialism as the first African country to become independent?

Maybe because our understanding of what is African is no different to that of a European or an Indian or a Chinese person – narrow and exclusive.

The concepts African and black should be one. No single colour knows oppression better than black. Steve Biko deliberately referred to the colour black as political. Biko

was not being rhetorical or playing to the gallery.

Africa, though, is not the continent of victimhood. We should not celebrate our massacres, because there won't be enough days in the year for that. But, equally, we cannot continue to celebrate our oppression on the basis of who is oppressed more. It is this thinking that allows xenophobia on our continent.

So what does it mean to be African? Or should we really ask if there is a difference between black and African?

In South Africa, in the days of our struggle we used the oppressors' perspective of differentiating between the disenfranchised. We acknowledged that the oppressive white people did not want any of us except how we could serve them. So we called all the disenfranchised black, because wherever a white person could go, none of us could.

But white people also distinguished between us, by calling some coloureds, others Indians, and those from various tribes black. We fought against this ignominy of apartheid, but accepted our oppression was not the same and coined the phrase, "black in general, and African in particular".

This phrase originated in South Africa. If this phrase was known on the continent in 1956, today we would be celebrating Sudan being the first African country to gain



**Conundrum: Africa is made up of 54 countries, and all but two were colonised by European countries. But not all people on the continent are regarded as black or African.** Photo: Getty Images

independence from colonialism. It is not by accident that the African continental body was named the Organisation of African Unity. The European Union does not mention unity; European countries have been at war many times. In Asia, there is the Association of Southeast Asian Nations. The Americas have the Organisation of American States. None include unity, except for Africa.

Why? Because we do not have a problem with white people or those who do not care about Africa or black people, we have a problem with each other. Africa may be the largest continent on Earth, but we act like there's not enough space for anyone except those called African.

Many may be irritated by the ANC and their allegiance to non-racialism. But non-racialism remains the most amazing and radical principle to be developed. It incorporates suppression based on colour or complexion, while factoring in both class and gender oppression.

Thabo Mbeki's famous speech, "I am an African", helps us to acknowledge that Africa is not composed only of those whom Europeans found here; time has passed, people have travelled and the people who pledge allegiance to this continent have also changed.

I recall an African peer review mechanism heads of state and government meeting in the 2000s in Algeria.

The host, Algeria's president Abdelaziz Bouteflika, in his opening address, said (I paraphrase because of memory and translation): "President Abdoulaye Wade, in my culture you are a barbarian. But you are not a barbarian, you are my friend. So I reject my Arab culture when it regards you as a barbarian. But, I am reminded on this continent when I say that I am African, that I am not, I am Arab. So can I be Arab and still be African? I give up that part of my Arabness so I am African, but can I still be Arab and be African?"

Non-racialism factors in the material conditions that have oppressed people based on their colour and culture.

So, yes, there's only one race, the human race, but humans with power normalised a system of oppression and prejudice where those with darker skin were made to believe they were inferior and those of fairer complexion were automatically superior.

The radical nature of non-racialism is that it does not truck on hate or envy. It believes in the innate goodness of all human beings. It embraces difference, so that we all are a part of something, so that we reject the divisions imposed on us by those who require anger to remain in charge.

Donovan E Williams is a social commentator. The views expressed are those of the author and do not necessarily reflect the official policy or position of the *Mail & Guardian*.

*IN RECOGNITION AND CELEBRATION OF COURAGEOUS, ETHICAL, RESPONSIBLE AND VISIONARY LEADERS WHO UNDERSTAND THE POWER OF CONSCIOUS LEADERSHIP AS A WAY OF BEING IN BUSINESS AND IN THE WORLD.*

# HUMANISING BUSINESS, ONE LEADER AT A TIME



**Danny Donkers** Country Director: Amgen SA  
Winner: Conscious Companies Awards 2022

*“Your profession is not what brings home your pay cheque. Your profession is what you were put on earth to do with such passion and intensity that it becomes a spiritual calling.”*

These words by Vincent van Gogh are as relevant today as they were way back then. At some point we need to turn away from the chaos of the world and pause for a moment, in order to celebrate leaders and organisations who heed the call to create a conscious and ethical business environment. The annual Conscious Companies Awards do just that and is a litmus test for conscious, ethical and purposeful leaders and their companies in the country. Conscious Companies is proud to announce the finalists of the Conscious Companies Awards 2023, to be held on September 7 at The Venue in Melrose Arch.

In a quest to identify these courageous, conscious leaders and companies, the Awards unearth and applaud conscious, ethical and visionary leaders and their organisations. However the reality of a very fallible leadership made up of mostly imperfect men and some women who heed the call to create evolutionary business practices, such as authenticity, a higher sense of purpose, creativity, trust, compassion, care, transparency and good governance - all aligned to productivity and profit - is the very reason why Conscious Companies exist. When the leadership of an organisation has the passion and purpose and an innate calling to do the right thing, they stand at the shore without instruction, as courageous leaders do, who are willing to utilise their resilience and resources for greater good.

We have seen more than our fair share of looters and cheaters, pervasive greed, raw ambition and dishonest dealings by our leaders. The noise of corporate greed, corruption, fraud, mismanagement and a leadership crisis in both the political and business space spheres by the elaborate façade of outwardly impressive leaders who remain inwardly impoverished by greed, ambition and power is a misnomer in a country that gave birth to the King IV report. Where we should be a global beacon of conscious leadership, ethical behaviour and governance, why are we so severely compromised?

But there is hope. In a quest to uncover conscious companies it became evident that when men and women, capable of great leadership appear on the scene, sooner or later they come to possess an influence commensurate with their greatness. Outstanding epochs in the history of an organisation or nation were made legendary by their outstanding leaders who worked with purpose, placing humanity first. Through the Awards, over the years, we have discovered some innovative, profoundly perceptive leaders who buck the trend and display the courage, commitment, care, compassion and a code of ethics that saves the day. These are the worthy finalists of the Conscious Companies Awards who exhibit individual character and resilience to deal with the stress, conflict, challenges and the complexities of daily corporate life. The annual Conscious Companies Awards is a litmus test of conscious, ethical and purposeful leaders and their companies in the country.

*“Out of the unknown life of man’s unremembered past, there comes down to him the legacy of being able to know and to do much more than anyone else can. This awareness of himself, of others, of his environment and his intuitive guidance are necessary phases of his consciousness. - Brenda Kali”*

## WHY CONSCIOUS LEADERSHIP MATTERS?

When corporate culture takes its cue from its leadership, it plays out in its reputation, performance, profit and the perception of its corporate brand. The tone, manner, attitude and character of a conscious leader cannot be separated from the organisation he or she represents. Found in the hidden strata of their beings, thoughts and feelings is a morally untainted view of ‘doing the right thing’ and building the firmest possible foundation upon which the organisation rests. In expanding corporate consciousness, the conscious leader guides his company to prosper, perform and pursue profits while placing a premium on people, community, culture and the environment beyond the bottom line. It is the essential understanding of values and ethics, reason and justice, meaning and purpose and a reason for being that sets the organisation apart.

Consciousness is a rare spark that flashes in the behaviour and actions of leaders that change the course of the organisations with which they are entrusted. It is a conscious leader who, refusing to compromise on his or her morals and principles, instills an enduring culture of help, care and service to others in harmony and cooperation. This gives a breadth and depth to the company’s idea of itself more than anything the bottom line can achieve. It is deeply fulfilling for people to be part of a conscious company led by value-based leadership. Customers and stakeholders feel valued and served and employees feel safe and have a sense of belonging beyond the pay cheque.

## A MAN WITH A MISSION PROGRAMME DIRECTOR MARC LUBNER



**Marc Lubner** Group CEO: Afrika Tikkun  
Winner: Conscious Companies Awards 2017

Marc Lubner, Group CEO of Afrika Tikkun, and winner of the Conscious Companies Awards in 2017, is the recipient of several awards including the Distinguished Service to Society. He is an integral part of the conscious leadership journey and is a man with a mission determined to help break the cycle of poverty, crime and abuse and gifting young people with a sense of hope. Under

his stewardship, Afrika Tikkun, a social impact organisation dedicated to developing children and youth, has made an indelible difference in society by providing skills development and training, to children and youth from early infancy into job skills training leading to employment. The cradle to career module has impacted thousands of young people in South Africa. The Afrika Tikkun Investment Trust, ensures that all profits are routed to fund learners in dire need of assistance. “I introduced the concept of ‘responsible kindness that is based on the premise of neither creating victims nor dependency but to let us ensure that what we do is to be kind to human beings around us, and do it in a manner that empowers them.” says Marc. He lives a deep and compassionate life of kindness.

*“If there are no more conscious leaders to follow - you must become one”*

# FINALISTS CELEBRATED AT THE CONSCIOUS COMPANIES AWARDS 2023

## FINALISTS IN THE BUSINESS CATEGORY ARE:

(In alphabetical order)



**Mteto Nyati** Chairman:  
**Greg Reis** Founder:  
BSG

**F**ounder Greg Reis and Executive Chairman Mteto Nyati are a marriage made in heaven. They view leadership as waking the senses to the realities of conscious co-existence. They firmly believe that to be a formidable force for change and inclusive prosperity lies in both purpose, people, culture and innovation. BSG is a business and technology consulting company renowned for innovation and progressive change, for transforming business operations through insights, discovery and technology-enabled business transformation.



**Dudu Msomi** CEO:  
Busara Leadership

**D**udu Msomi, the Founder and CEO of Busara Leadership Partners believes that conscious leadership is about taking responsibility and accountability for what you do as much as for what you do not do. The company is a research-orientated strategic advisory and consulting company whose expertise is to facilitate the development and effectiveness of leaders to achieve their desired goals. Busara has trans-disciplinary skills and multi-sectorial experience that gives the company the ability to strike the right balance.



**John Coetzee** CEO:  
Green Worx

**J**ohn Coetzee, CEO of Greenworx Cleaning Solutions is a unique social entrepreneur who is passionate about sustainability. He pioneered the concept of green cleaning in Africa specialising in bio-enzyme technology. "Clean your conscience" is the tagline of the country's foremost eco-accredited biotechnology and award winning sustainability product manufacturer in Africa. Striving to make the world a greener, cleaner, smarter place, the company provides innovative, effective and high-quality products and solutions through a trusted network of distribution partners.



**Lubin Ozoux** CEO:  
Sumitomo Rubber

**L**ubin Ozoux, CEO of Sumitomo Rubber South Africa (SRSA), is a dynamic visionary whose strong belief in doing the right thing is ingrained in his DNA, that is critical in an industry that has direct implications on people's lives. SRSA manufactures Dunlop, a global tyre brand with a history going back to more than 130 years. He believes the key to excelling in industry and delivering consistent business results is derived from nurturing the talents of individuals and empowering them.



**Jaco Maritz** Group CEO:  
SYSPRO

**J**aco Maritz, Group CEO of SYSPRO, stands tall in his unerring sense of responsibility and accountability not only to the company but also to its people. One of the longest standing privately owned vendors of ERP software in the world, SYSPRO is a leading 45 year old global Enterprise Resource Planning software provider specialising in key manufacturing and distribution industries. With a strong global presence the company is committed to creating environments where people, systems and processes work together.

## FINALISTS IN THE NGO/NPC CATEGORY ARE:

(In alphabetical order)



**Namritha Sivsanker**  
CEO: Hope SA

**H**ope SA Foundation is the brainchild of CEO, Namritha Sivsanker, who founded the organisation after experiencing personal trauma. This set her on a journey to fight gender-based violence and support victims of abuse. Poverty alleviation, women abuse, disaster relief, animal welfare and skills development are some of its focus areas and the aim is to offer skills training and establish safe houses for women, children, and men who have been victims of abuse.



**Daniele Diliberto** Founder:  
Ladles Of Love

**D**aniele Diliberto, Founder of Ladles of Love was inspired by 'seva' (service) to humanity, based on the principle that no one should go hungry. It began as a seed serving 70 homeless growing to feeding more than 38 million meals to people from all walks of life. Why they do what they do is to restore love, dignity and respect to those in need, where over 70% of children live below the poverty line and over 200 000 homeless people are destitute.



**Moira Gerszt**  
Acting CEO:  
Smile Foundation

**M**oira Gerszt, Acting CEO of Smile Foundation, founded by Marc Lubner, has been with the organisation for over 20 years and has always been focused on making a difference in the lives of children with cranio-facial abnormalities. The organisation gives children from disadvantaged communities the hope of living a normal childhood by providing those with facial abnormalities and severe burns by giving them the best possible surgical and psychological care. Partnering with key academic hospitals, corrective surgery is made possible for children who would otherwise be deprived of the gift of a smile.



**Andisa Liba** CEO:  
Women's Tech

**A**ndisa Liba, co-founder of Women's Tech Connection, is a dynamic young social entrepreneur whose contribution to the advancement of women in the technology arena in Africa is peerless. She spearheaded a dedicated learning and support community for the professional qualification and career development of women in technology, designed to give access to opportunities. The organisation enables female technologists to thrive and become industry leaders so that they become the driving force that transforms the system.



**Dr Wilhelm Lichtenberg**  
Founder:  
Young Hearts Africa

**S**pecialist heart surgeon, Dr Wilhelm Lichtenberg, founder of Young Hearts Africa, turned his vision into reality to save the lives of indigent children in need of corrective cardiac surgery in South Africa. Young Hearts Africa is a life-line for more than 13,000 indigent children annually facing possible death due to congenital heart disease. Popularly known as the *singing surgeon*, Dr Lichtenberg and his organisation, leverage the power of music to create public awareness and raise much-needed funding for these vulnerable children.

## THE PANEL OF JUDGES

**Prof Mervyn King**

Chairman:  
Panel of Judges



**P**rofessor Mervyn King, Chairman of the judging panel, has enjoyed a meteoric career in law that spans five decades, during which he made ground breaking contributions to the profession. He is currently the founder and patron of the Good Governance Academy. Counsel and former Judge of the Supreme Court, he is also Chairman Emeritus of the King Committee on Corporate Governance, which produced King I, II, III and IV. Among his numerous accolades are Honorary Doctorates from several Universities around the world.

**Michael Judin**

Chairman: Conscious  
Leadership Academy



**P**artner at Judin Combrinck Inc. Attorneys, Michael is a champion of conscious leadership as non-executive Chairman of the Conscious Leadership Academy. He is also a non-executive director of the American Chamber of Commerce in South Africa and chairs their advisory board. He is also the Ethics Chair of the SA Medical Technology Industry Association. As a member of the King Committee, he wrote the chapter on negotiation, mediation and arbitration for King III and was a member of the task team that wrote King IV.

**Vukani Magubane**

Corporate  
Executive



**V**ukani Magubane has been a judge of the Conscious Companies Awards since its inception. She holds a Bachelor of Arts in Journalism and an Economics Degree from the University of Massachusetts, Amherst, and a Master of Arts in Journalism from Columbia University. She has held various senior positions in communications and corporate affairs that include De Beers, Barclays Africa, Standard Bank, Naspers and as Director of Public Affairs, Communication and Sustainability at Coca Cola.

**Hoosain Karjeker**

Chairman:  
Mail & Guardian



**F**ormer CEO and current Chairman, Hoosain Karjeker, is the publisher and shareholder of the Mail & Guardian. He is considered an industry veteran, having spent close to 30 years of his life in various roles at media organisations across the country. He drives an agenda of integrity and authentic reportage in the media that embodies the true spirit of Conscious Leadership that spotlights societal challenges and its impact where it matters most. The publication is an unwavering partner of Conscious Companies.

# LEADERSHIP: THE GOOD, BAD AND UGLY



**Brenda Kali**  
Chairperson / Founder:  
Conscious Companies  
CEO: Conscious Leaders  
and Ethics Institute

I spent some time over the holidays delving into the traits of highly conscious and the most diabolic leaders through the centuries. The qualities of an exemplary leader is the litmus test for the performance of a country or company. Outstanding epochs in the history of an organisation or nation were made legendary by conscious leaders who had understood the powerful propensities of their actions and worked with purpose and resolve as well as prioritising humanity.

My research took me to the heights and depths of the spectacle of leadership behaviour. From the stoic Marcus Aurelius to Genghis Khan, one of the most brutal conquerors of all time, from strong-willed, fearless and often cruel but also just Akbar the Great to Alexander the Great,

whose narcissistic leadership style served his own passions. From Adolf Hitler to Jacob Zuma, Nelson Mandela to Booker T Washington, and business leaders such as Bernie Madoff, Elon Musk, Tim Cook and John Mackay, there are traits that differentiate the conscious leader from the self-interested rogue.

No one human being is perfect, but the glaring differences - where the humanity of one is at the polar opposite to the glib villain - is why we have a global leadership crisis. This is an era of malevolence in which the good has little chance to triumph. Millions would rather follow an expressive psychopathic leader, whose contentious clamour ultimately leads to destruction, than an inspired, gentle and humane one.

In 1934, Time magazine named Hitler "Man of the Year". In 2016, Americans elected Donald Trump as their president. Hitler held the world stage and slashed at his countryman. So did Idi Amin and Muammar Gaddafi. The deeper lessons of history are echoed here in modern day business, when leaders driven by a façade of grandiosity consider personal profit and material gain as all-important considerations.

Morally mature, conscious, ethical leaders, whose actions manifest greater good for all, are not born remarkable, neither are they perfect. They have learnt the skills to manage their own existence, fully cognisant of who they are. It is evident that when men and women capable of great leadership appear, they come to possess an influence commensurate with their greatness.

To recognise a great leader, we need look no further than Mandela. Although none are perfect, history is peppered with great leaders such as Mahatma Gandhi, Winston Churchill, Martin Luther King and George Washington. A leader who was unparalleled in the 16th century as a man for all seasons was Sir Thomas More, who refused to compromise his morals, ethics and principles for anything, even death. He chose to die rather than compromise.

We live in extraordinary times plagued with uncertainty and pressure. But there is an opportunity to change the course of a nation or business by changing the shape, character and consciousness of its leadership in our corporate evolution. Consider the social context facing most leaders and employees in the world of work, where power struggles, self-interest and fear are the motivating forces behind some of the unconscious actions that scream at us from media headlines. In a society where need, not achievement, is a source of rights and entitlement, it provides fertile ground for moochers, looters and cheaters. It is easy in the chaos of this corporate machinery for an organisation to lose sight of its meaning and purpose beyond profiteering. The culture of excessive materialism, dishonest dealings and blind disregard for corporate governance aside, we still look to leaders to display courage and vision. When corporate culture takes its cue from its leadership, it plays out in its reputation, performance, profit and the perception of its corporate brand.

The tone, manner, attitude and character of an ethical leader cannot be separated from the company they represent. Found in the hidden strata of their beings is a morally untainted view of "doing the right thing" and building the firmest possible foundation upon which the organisation rests. In expanding one's consciousness and ethical behaviour, the conscious leader guides the company to prosper while placing a premium on people, community, culture and the environment beyond the bottom line. It is the essential understanding of values and ethics, reason and justice, meaning and purpose and a reason for being that sets the organisation apart.

It is a conscious leader who, refusing to compromise on morals and principles, instils an enduring culture of help and service to others in harmony and cooperation. This gives a breadth and depth to the company's idea of itself more than anything the bottom line can achieve. It is deeply fulfilling for people to be part of a conscious company with an ethical, value-based leadership. Customers and stakeholders feel valued and served and employees feel safe and have a sense of belonging beyond the pay cheque.

In the absence of this consciousness, the leadership of a company or a country who is socially irresponsible and environmentally destructive, breeds an unpleasant chaos, where insecurity permeates the very soul of a nation or company.

We have a choice. Operating in consciousness is a choice for leaders and given the ethical and moral agitations of our age and the country, it is a critical time to choose.

## STALWARTS OF CONSCIOUS LEADERSHIP



**Merrick Abel**

CEO: Primeserv Group

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**Adam Craker**

CEO: IQbusiness  
Winner: Conscious Companies Awards 2018

Winner of the Conscious Companies Awards 2018, Craker is an 'activist CEO' and visionary leader, who is an ardent lobbyist for government and business collaboration.

## PARTNERS WITH PURPOSE

When founders Pepe Marais and Gareth Leck launched communications agency Joe Public United in 1998, they had little idea that the 2009 recession would not only lead them to a breakdown in business, but also to a breakthrough in business consciousness. Surviving the ordeal, they would rebuild their business on one single-minded purpose: To serve the growth of their people, clients, and country, through the power of



**Pepe Marais**  
CCO:

Joe Public United (SA)



**Gareth Leck**  
CEO:

Joe Public United (SA)

creativity'. This personal journey of transformation in consciousness, in an industry that is often perceived far from being conscious, enabled them to create a more conscious culture that is daily guided by six core values, namely Greatness, Respect, Ownership, Work, Thinking, and Honesty.

Most leaders have a cognitive understanding of consciousness but for Pepe in particular, his deeply transformational journey was experienced at a cellular level. Subsequently he is pursuing his PHD in conscious leadership and his book *Growing Greatness - a journey towards personal and business mastery*, has also been a by-product of his personal purpose. "The gift of purpose has expanded me and given me an abundance of energy", he says. "It has provided me with a level of clarity that has improved all aspects of my life exponentially".

Based on his purpose, Pepe also re-defined his definition of success as the ability to create an environment of harmony and joy, where the focus is on the well-being of people - growing them to achieve the highest levels of self-worth, honesty and excellence by nurturing ideas, dreams and trust.

In 2020, Pepe and Gareth transformed their business into a majority black owned enterprise, in an authentic move to deliver on their organisational strategy. Joe Public is currently ranked by Financial Mail as the number one business in the South African marketing and advertising industry, and is also ranked amongst the top 10 independent agencies in the world, by Drum.

# HUMANS ARE THE RISK OF ARTIFICIAL INTELLIGENCE

The future is now, old man. Or woman. Or them. But the future is now! The Fourth Industrial Revolution is in full swing. Despite the risks of leaping into tomorrow's world prematurely, the cat is already out of the bag. Regenerative large language learning models are just the start. Every day, news of technological and digital "advancements" and innovations grace headlines, as glimpses of artificial intelligence's (AI's) infiltration into every facet of our society and individual lives emerge.

In 2014, China publicly announced its outline of a social credit system using data and AI to construct a moral ranking system that monitors the behaviour of its citizens and ranks them based on their "social credit". The Chinese Government aims to reinforce the idea that "keeping trust is glorious and breaking trust is disgraceful", punishing individuals with throttled internet speeds, banning access to flights, and even barring people's children from enrolling in higher education if the Communist Party deems them untrustworthy.

1984 Orwellian comparisons are not exclusive to the totalitarian Far-East, but alive in the apparently democratised West as well. After the recent riots in France, the French Parliament passed laws granting police the authority to remotely activate cameras, microphones and GPS systems on the phones, laptops and cars of its citizens and residents. The government systems make use of facial recognition, geo-tracking and social media data, scraping variables to create risk profiles for anyone in the public, and confirmed for use at the 2024 Olympics in Paris.

As usual, the industry at the forefront of technological advancement, and making the most gains, is the war industry. Huge amounts of data from satellite and drone imagery can now be evaluated in seconds, and strategy options assessed with pinpoint accuracy to minimise the risk of casualties for "us", and maximise death and destruction for "them". The conflict in Ukraine may be driving AI innovation for the American military industrial complex in their second proxy war with Russia, but war wouldn't be war without the reigning champion in the Middle East, Israel.

Israel has been using AI systems to plan deadly military operations for drone swarms in Syria and Lebanon and even Sapiens author Yuval Noah Harari fears that Israeli democracy is fighting for its life in the wake of Netanyahu's government taking aims to neutralise the country's supreme court. The idea and responsibility of democracy is either being exposed as a farce, or too ideological for practical application, revealing the more common ideologies of greed, money and power sitting behind the war machines, and now empowered by high-tech capabilities.

Next on the card may be our right of autonomy. As World Economic Forum founder Klaus Schwab wrote in his book, *The Fourth Industrial Revolution*, "As capabilities in this area improve, the temptation for law enforcement agencies and courts to use techniques to determine the likelihood of criminal activity, assess guilt or even possibly retrieve memories directly from people's brains will increase ... Even crossing a national border might one day

involve a detailed brain scan to assess an individual's security risk."

Self-driving cars sound like a wonderful idea, until the doors lock without prompt and the car drives you to the police station for unpaid parking tickets, and with implanted brain-computer interface devices approved for human testing, such as Elon Musk's Neuralink, so that one day you will be able to start your Tesla by blinking your eyes ... twice ... or by just initiating that thought.

The "enhancement" could also come with severe consequences for personal thoughts that are not approved by your government. Is our integration with technology stripping away individual rights, or are tin-foil hats required to the party? It's a wild world, especially when our rights are restricted as consequences for non-compliance to mandated policies and laws.

The imminent "achievement" of technological "singularity", where the evolution of a self-learning, self-developing artificial intelligence surpasses the skill and intellectual capacity of the human being, may actually save



*The risk of AI is not AI, but the human-being, and the carnage left in the wake of his ideological attachments.*

us from ourselves. But before we deal with Arnie's Terminators, we would first need to deal with Orwell's 1984.

In the unabated quest of our advancement, we have become overly arrogant about our survival. This is not the first rodeo for humans. Civilisation of the Bronze Age, Ancient Egyptians, and Indus Valley people developed extensive civilisations, but were wiped off the planet for reasons still unknown. Is this the tale of the human? A continuous repetition of hubris hurtling towards our own demise. Are we happy to continue riding this wave towards Babylon? Replicating the sins of the father? Alas poor Yorick.

With instant access to digital records, AI is smarter than you and all your friends, or anyone you know. The advent of AI has promulgated knowledge and democratised art. The future is now. ChatGPT is being appointed as the chief executive of corporations, and AI robot butlers are on pre-order, eager to serve you cappuccinos. Commerce and industry have reached new highs (or lows) and will continue to do so. Perhaps now our addiction to creating processes, systems and automation can be quelled by the robots, and the humans can go back to being humans.

Hollywood writers can go on strike over AI labour concerns, but research shows that AI is still more creative than 90% of humans. And yet we are far more advanced. With all of our tools and technology and fancy gadgets, the ability to be a human remains exclusive to humans. AI may be able to write, but it doesn't have the childhood trauma to understand the subtleties of sarcasm, and AI may be able to draw a beautiful picture like a real artist, but AI cannot move to Berlin and overdose like a real artist. The blessing, and the curse, is that we are human.



**Guru Kali**  
Creative Director: Agni Media Concepts  
Director: Conscious Leadership Academy

AI's vast data is still the sloppy seconds of the lived human experience, and the intelligence of nature is far superior to anything artificial. Maybe just a few trillion more variables and you'll be Gucci.

If we are to overcome the self-inflicted challenges of technology, we would first need to overcome the intellect, and remember the nature that we exist as. At some point, we lost sight of the fact that to harm nature is to harm ourselves. We have allowed the avarice of misguided, unaware leaders to guide us towards corrals of illusion, distracted from the consciousness that we are. The risk of AI is not AI, but that of the human-being itself, and the carnage left in the wake of his ideological attachments. As much as we may assume our expertise and ability to use, misuse, guide or control the remarkable tools that we have created, we will continue to stumble towards our demise as long as the awareness remains external to the human experience. We are attempting to apply finite rules to infinite games, but the sky is big enough for anyone to fly, and the only option left on the table is to bring higher dimensions of consciousness into our awareness.

Our salvation, as it always has, does not lie towards the external, but internal. We remain infinitely connected to nature, whether we are aware of it, or not, or acknowledge it, or not. It is only in the stillness of our breath that we can remember who we are. No manipulation by our fellow humans can tarnish that, and no AI can soar these skies. If we can remind ourselves that whether this human experience is an illusion, a game, simulation, divine revelation, or all of the above, that the answer is still Love. If we can remember that as a human, nothing human can be foreign to us, and that we are not trying to save nature, but that we are nature trying to save ourselves, then perhaps we can step out of our own way, and AI can come along for our ride. Cappuccinos for the road?



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# A critical look at the electoral conditions in Zimbabwe



**'Any win by ZANU-PF is a death sentence for its citizens, and will contribute to a deteriorating outlook for the region'**

## Derek Davey

In Zimbabwe, the pursuit of rule by law, instead of the rule of law, has bedevilled this year's elections, even before citizens cast their votes on 23 August 2023. The state has passed several laws including the Patriotic Bill, the Public Order and Security Act (POSA), and the Private Voluntary Organisations (PVO) Act, which at their core seek to narrow democratic space and limit civil liberties and human rights for the citizens of that country.

In a webinar hosted by Good Governance Africa (GGA) in partnership with the Mail & Guardian, pre-election conditions were analysed. On the back of GGA's international CEO Chris Maroleng being kicked out of the country, webinar participants discussed the implications of this kind of event ahead of key elections. They also analysed the structural conditions characterising the political economy of the country, which raise questions about the ability of the country to truly hold free, fair and credible elections.

There was a general consensus among the participants that this year's elections are unlikely to result in any real change, due to the conditions that exist in Zimbabwe, which are not democratic by any stretch of the imagination; the elections are only there to legitimise the ZANU-PF regime. Using "democratic" institutions like elections to advance authoritarian "legitimacy" has increasingly become part of the autocrats' global playbook. The SADC, described as a "lame duck", is also unlikely to challenge the regime or object to how the election is conducted. However, the panellists felt that as the economy is at a point of collapse, and deep divisions exist within the ruling party, some kind of change is becoming inevitable in the country.

Dr Ross Harvey, Director of Research and Programmes at the GGA, opened proceedings for the webinar. He described the pre-election living conditions for Zimbabwean citizens as "sub-optimal", with unemployment at 90% and "terrible" infrastructure conditions. Harvey introduced the three panellists, who each intervened with five-minute opening remarks.

## Opening remarks

Zimbabwean academic, author, publisher and director of the Southern Africa Political Economy Series (SAPES), Dr Ibbo Mandaza, said that he wished to interrogate the conditions of "democracy" in Zimbabwe before the elections. The criteria for free and fair elections are well known, but the present arbiters keep lowering the bar because "this is Zimbabwe" — this is fundamentally racist. People queue up to vote but find at the end of the day that their votes have been disregarded, which angers me intensely, said Mandaza.

People still believe their votes determine the next government, but sadly, this will not be. Africans must begin to interrogate these things called "elections". In Zimbabwe, elections are only there to legitimise the ruling regime. There is essentially no difference between rigging an election and a coup, which means that we have had a series of coups since 2000, with one "real" coup in 2017, which was not constitutional. This will continue unless there is an exposure of the rigging of this election, which will render it null and void, Mandaza said.

Author and academic Dr Feddious Mutenheri said there is much pessimism in Zimbabwe regarding the election, as the only election that ever ushered in a new government was the first one, held in 1980. The closest we came to change after that was in 2008, when Morgan Tsvangirai beat Robert Mugabe, but without the requisite percentage to take power.

The present administration was changed in 2017 via a coup, as indicated by Dr Mandaza, which makes it difficult to fathom that elections work as a vehicle of change of government in Zimbabwe. However, elections are still very important.

Dr Mutenheri also asked some difficult questions: What have the regional countries and SADC put into place to ensure there are measures for the elections, which, if not observed, would make them null and void? Is the SADC ready to challenge President Emmerson Mnangagwa? Is it ready to ask him difficult questions? Is their mission willing to declare the election unfree and unfair? There were several dubious processes leading up to the election; have these been taken into account by external observers who only arrived in the country shortly before the election itself? Will the SADC hold Mnangagwa to account? The Wednesday election will be a test case for the region, said Mutenheri.

Maroleng said his approach — and that of the GGA — concerns governance. Many post-colonial states are still grappling with how to restore governance in their countries. Governance is about the authoritative allocation of resources, about who gets what, when and how. What we have increasingly seen in states like Zimbabwe is that resource allocation has been distorted in favour of the ruling elites, not the citizens. When governance has not been practised with people in mind, it is not trusted.

Most African states enjoy the display of democratic processes like elections, but elections are not preceded by sound democratic practices. When the 2017 coup occurred, most people were happy because Robert Mugabe was displaced, but what happened was unconstitutional, and what happened was unconstitutional, and heralded unfortunate changes that were not democratic — and appear to have made life for citizens even worse than they were before.

"If we treat elections as a panacea, in a structural situation that is not democratic, then we have failed to really see what is in front of us," said Maroleng. We need alternative mechanisms to produce democratic outcomes in elections, within the executive, the legislative and judiciary structures and the media. These reforms can be the only cure, not the election, which will manifest an illegitimate outcome, and, most likely, more violence. People should go out and vote, but they cannot expect a truly democratic outcome.

Harvey echoed Maroleng's sentiments and said that there must be a separation of powers between the executive, the legislative and judiciary, and a fully free media for a true democracy to exist and function. He asked Mutenheri what defines a free, fair and credible election.

Mutenheri said the SADC guidelines were expected to be adopted by its member states. The principles include establishing an independent and impartial electoral body to monitor the elections, staffed by qualified citizens. There are questions about Zimbabwe's electoral body, which contains relatives of ZANU-PF officials, who are highly interested parties. Mutenheri detailed the relationships in astonishing detail. Another principle is that the state is supposed to safeguard civil liberties such as the freedom to campaign and access the media, but Zimbabwe's state institutions have made it very difficult for the opposition to exercise these rights. There have been complaints of harassment from the opposition, and the judiciary colludes in this harassment by either delaying or subverting justice.

Another SADC guideline is that resources should be available for the democratic process to be fulfilled, but corruption hampers this, and most resources go

towards ZANU-PF. The opposition is viewed as an enemy, as "terrorists", or as unwanted elements. Nelson Chamisa of the opposition party Citizens' Coalition For Change (CCC) has escaped attempts on his life, and at times has been unable to access his electorate. The voter's roll has not been published, so the opposition parties are not sure of their constituencies, and although this matter was taken to court, the roll has still not been released.

The state must provide a neutral judiciary, but this is questionable in Zimbabwe. There was, for instance, a recent court case where 12 CCC representatives were banned, and the party has been fighting to ensure that they can stand — this consumes time and resources that would otherwise have been allocated to proper campaigning under "normal" conditions. Under such circumstances, we cannot expect the elections to create meaningful change, but still, if people do vote in numbers, it will be difficult for ZANU-PF to subvert their will, said Mutenheri.

Harvey said that ZANU-PF may have created difficult conditions for people to vote under, but asked Dr Mandaza about divisions within the party and what kind of effect these might have.

Mandaza said that most of the dynamics of change in Zimbabwe have been triggered by events within the ruling party itself. The coup indicated an advanced state of disintegration within the ruling party and the state, which have become irrevocably conflated under ZANU-PF and showed how factionalised the party was. The outcome of the coup was that one faction lost. The fissure between Mnangagwa and Vice-President Constantino Chiwenga is real, and they each used each other to institute the coup and get to where they are now.

Mnangagwa has since run the state through a system of cronyism and tribalism, so the other ethnic groups have mobilised against him, which is why he lost many provinces in the last election. "The divisions within ZANU-PF are fatal, and one will see in these elections a big discrepancy between the parliamentary vote and the presidential vote," said Mandaza, adding that if the results had not been "cooked" in the 2018 elections, Mnangagwa would have lost.

Harvey asked what reforms could be implemented in Zimbabwe for free and fair elections?

Mandaza said what is required is constitutionalism, rule of law, separation of powers, an accountable executive, a vibrant legislature, and a fiercely independent judiciary. Moreover, the military has to go back to the barracks.

Harvey asked what mechanisms might usher in these fundamental changes. Mandaza replied that he is meeting with observers and former heads of state, who are moving towards a conference that will create a coalition government, which will reflect Zimbabwe's political players and civic society generally. "South Africa must be party to this process, and this is something I brought up in my recent article in the Sunday Times," said Mandaza. The South Africans have hitherto been slow to act, but may be starting to get the message.

He said that the Zimbabwean question has never been resolved without regional and international participation. Britain was pressurised by Zimbabwe's neighbours into the 1979 Lancaster House Agreement. SAPES believes that South Africa will do nothing unless it is put under pressure, so Mandaza indicated that he would be meeting with the British, the US, China and other countries to create this pressure. If South Africa is reluctant, "let us try for SADC, but the way it operates almost always precludes intervention in its states".

Ramaphosa has a very laid-back attitude towards Zimbabwe, he added.

"The liberation movements have long ago served their purpose, and the war veterans are no longer a factor in today's politics. Unlike South Africa, Zimbabwe is on the eve of a new dispensation, and the international conference that is pending should reflect that," remarked Mandaza.

Harvey agreed that "natural attrition" (in Mandaza's word) is what seems to dislodge liberation movements, rather than democratic elections. Maroleng said it is interesting that ZANU-PF may be in its last phase, but will the party reform itself out of power? Will the conference make ZANU consider accepting reforms and resign from power? "They will need very strong incentives to do so, and will likely rather keep using force to maintain power," said Maroleng, adding that ZANU-PF seems to be fragmenting along the lines of the personalities in the party.

Mutenheri said Zimbabwe is at a point of change, just like in 2008. The Afrobarometer indicates a possible victory by the CCC. "Zimbabwe is moving towards change, but ZANU-PF is no pushover, and their rigging mechanisms are in motion as we speak. There is always a need in Zim to bring in international influence, but SADC needs to step up and bring this problem child to heel. The region cannot again bury its head in the sand, as it has always done. There is a need for an intervention of sorts, but are there people in the region with the guts to really make the necessary changes?" asked Mutenheri.

ANC Secretary-General Fikile Mbalula has taken us back to the Mbeki days of "hear no evil, see no evil" and propaganda such as "this is regime change from the West". Ramaphosa doesn't seem to have the appetite or moral standing to even question ZANU-PF, and South Africa is the biggest trading partner in the region. Zambia presents an avenue of change, and this election may be a test for President Hakainde Hichilema. There has to be a change in Zimbabwe because of the financial crisis there; the economy has totally collapsed. Any win by ZANU-PF is a death sentence for its citizens, added Mutenheri, and will contribute to a deteriorating outlook for the region.

## Closing remarks

Mandaza said that SADC only exists in name; it is a lame duck. Reaching out to SADC is a waste of time. The state has imploded in Zimbabwe; it is very divided. The people want a decent administration. We have come to an end-game.

Maroleng concurred, saying that an unconstitutional change of power took place when the coup occurred, so hoping for democratic change through an election is unrealistic. However, there is hope because there are positive change agents within the state, who do appear to care for real governance. "We call on them to push for change, as citizens of Africa who care for the people in Zimbabwe. True patriotism is sometimes to express dissent, and not to accept the sad state that exists in the country today. We do not want revenge; we care deeply about Zimbabwe. Without a strong Zimbabwe, there is no strong Southern Africa. The GGA advocates for good governance, and calls on Zimbabweans to vote with good conscience, and to not resort to violence."

Harvey concluded by saying that the hope of GGA is to see an independent judiciary, an executive held to account, a legislature willing to speak truth to power, a free media and civil society, a state that respects a state of civil liberty and rule of law, and governance in the interest of all citizens.

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|-------------------------|-----------|--------------|
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|-----------------------|---|--------------|
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For the full post requirements, please log on to the University website and click on vacancies:

<http://www.unizulu.ac.za/vacancies/>

To apply for these positions, please email the application form and all required documentation to Ms N.N. Mdletshe, **MdletsheNN@unizulu.ac.za** OR log on to PNET ([www.pnet.co.za](http://www.pnet.co.za)) to submit your application by no later than 12h00 on the closing date stated above.

1. Communication will be entered into with short-listed candidates only.
2. Hand-delivered or posted applications will not be accepted.

“While the University of Zululand strives for equal opportunities, preference will be given to **suitably qualified South African Citizens, particularly females and people with disabilities**, in terms of the University's employment equity policy. UNIZULU is committed to employment equity and equal opportunity”.

The University reserves the right NOT to make an appointment or to appoint at a different level as per the advert.

**Applications made after the closing date will not be accepted. If you do not meet the minimum requirements, please do not apply.**



### Join us in-person

#### Reflecting on public budgeting and inclusive governance:

The role of Policy, Oversight and Activism

Join the South African Health Technologies Advocacy Coalition (SAHTAC) and Imali Yethu in partnership with the Mail & Guardian for a Roundtable to discuss the current state of budget transparency and accountability in South Africa.

With a shrinking economy, competing priorities and a number of contestations and struggles for control of the State revenue it is crucial that ordinary citizens in South Africa are aware of the importance of public spending and the public budget.

**30 AUGUST 2023**  
09:00 to 13:30

**Radisson Blu Gautrain Hotel, Sandton**  
Corner of Rivonia Rd & West Street

To attend in person at the Radisson Blue Gautrain in Sandton, kindly RSVP to: [mahlodim@mg.co.za](mailto:mahlodim@mg.co.za) by 29 August.

For those who would like to attend online: [www.mg.co.za](http://www.mg.co.za)

In Partnership with



Mail & Guardian



### Academics & Courses

**CONTACT:**  
**Ilizma 063 026 7450**  
**Vanessa 083 458 8155**

### Jobs

**CONTACT:**  
**Elsie 076 556 8777**



### ERRATUM

#### CORRECTION OF CLOSING DATE FOR ADVERTISED VACANT POSTS

Please note that the closing date for the CSP vacancy advert which was published on the 20 August 2023 is **01 September 2023** for all posts. For full post details are available at:  
<http://www.policesecretariat.gov.za/vacancies.php>  
<http://www.dpsa.gov.za/dpsa2g/vacancies.asp>

**ENQUIRIES:** Dipsy Wechoemang 012 493 1400



civilian secretariat for police service  
 Department: Civilian Secretariat for Police Service  
 REPUBLIC OF SOUTH AFRICA



Applications are invited for the vacancies listed below.

## Executive Dean: Education

Faculty: Education  
Department: Education  
Post code: 5024  
South Campus  
(Five-year fixed-term contract)

Nelson Mandela University is an innovative African university which embraces the values and legacy of Nelson Mandela and pursues a humanizing educational purpose and philosophy that contributes to student access and success.

**Core purpose of job:** To provide strategic, transformational, transformative and visionary leadership to the Faculty of Education and to develop, implement and participate in university-wide decision-making processes towards achieving the faculty's strategic goals and ultimately Vision 2030.

**Key performance areas: To strategically direct and manage the underlying deliverables in and for the Faculty:** • Transformational and transformative academic leadership • Excellence in learning and teaching • Excellence in research, innovation and internationalisation • Human Resources management • Financial and physical resources management • Stakeholder engagement • Marketing.

**Core competencies:** • Intellectual and academic leadership skills • Change management and transformation skills • Excellent communication skills • Strategic thinking • Complex problem-solving skills • Influencing and negotiation skills • Excellent interpersonal and networking skills.

**Requirements:** • A Doctoral degree in Education, or related field • At least eight (8) to ten (10) years' senior management experience of which five (5) years would have been in the area of higher education • Demonstrable experience and track record in the scholarship of learning and teaching • Demonstrable experience of working with the basic education sector in an unevenly served basic education context • Proven scholarly abilities and achievements suitable for leading a growing Faculty • Proven experience in managing and leading the deployment of academic missions, namely learning and teaching, research, and engagement.

## Senior Director: International Office

Faculty: Research, Innovation and Internationalisation  
Department: International Office  
Post code: 8000  
South Campus  
(Five-year fixed-term contract)

Nelson Mandela University is an innovative African university which embraces the values and legacy of Nelson Mandela and pursues a humanizing educational purpose and philosophy that contributes to student access and success.

**Core purpose of job:** The core purpose of the job is to provide both strategic management and leadership of Nelson Mandela University's internationalisation initiatives, along the three academic missions of the University (learning and teaching; research; and engagement). Reporting to the Deputy Vice-Chancellor: Research, Innovation and Internationalisation, the Senior Director for International Education will also be responsible for facilitating the attraction, support, and retention of international students; promotion of positive and productive international partnerships that advance the intentions of University's Vision 2030; as well as facilitation and support of the institutional academic and strategic internationalisation programme led by the Vice-Chancellor and senior executives of the University.

**Key performance areas:** • Develop and implement appropriate strategic plans for the internationalisation of the Nelson Mandela University activities, along its three academic missions of learning and teaching; research; and engagement • Lend support to the institutional academic and strategic internationalisation programme led by the Vice-Chancellor and senior executives of the University • Strengthen and grow the footprint of the institution across the rest of the African continent and to grow and nurture existing partnerships in the global South • Strengthen and grow international exchange programmes • Strengthen Nelson Mandela University's relationships with other institutions of higher learning, locally, regionally, nationally and globally • Collaborate with academic administration in directing the recruitment programmes of international students • Contribute to the positive identity enhancement, marketing and profiling of the University internationally, in liaison with Communication and Marketing Department • Actively promote a culture that supports internationalisation at the Nelson Mandela University • Manage human resources and direct, manage and maintain finances of the International Office, in line with institutional policies and best practice • Develop and implement systems and processes for the effective management of international partnerships at the Nelson Mandela University • Develop and implement appropriate strategic plans for the internationalisation of the Nelson Mandela University activities, along its three academic missions of learning and teaching; research; and engagement • Lend support to the institutional academic and strategic internationalisation programme led by the Vice-Chancellor and senior executives of the University • To strengthen and grow the footprint of the institution across the rest of the African continent and to grow and nurture existing partnerships in the global South • Strengthen and grow international exchange programmes • Strengthen Nelson Mandela University's relationships with other institutions of higher learning, locally, regionally, nationally and globally • Collaborate with academic administration in directing the recruitment programmes of international students • Contribute to the positive identity enhancement, marketing and profiling of the University internationally, in liaison with Communication and Marketing Department • Actively promote a culture that supports internationalisation at the Nelson Mandela University • Manage human resources and direct, manage and maintain finances of the International Office, in line with institutional policies and best practice • Develop and implement systems and processes for the effective management of international partnerships at the Nelson Mandela University • Support the University with regard to its transformational agenda, in line with the Vision, Mission and Values of the institution.

**Core competencies:** • Ability to provide strategic leadership to an international office • Ability to engage with diverse stakeholders regionally, nationally and internationally • A comprehensive knowledge of the Higher Education legislation and regulatory frameworks related to international education • An in-depth insight into trends in higher education nationally and internationally • A sound knowledge of academic administrative requirements in respect of the admission and enrolment of students • Strong financial planning and management skills • Excellent marketing and networking skills, as well as excellent written and verbal communications skills • Relationship building: Building and actively maintaining working relationships and/or networks of contacts to further the University's goals • Strategic focus: Developing and inspiring commitment to a vision of success; supporting, promoting and ensuring alignment with the University's vision and values.

**Requirements:** • A Doctorate in a relevant field, along with a demonstrated understanding of an academic environment • At least eight (8) to ten (10) years' senior management experience of which five (5) years would have been in the area of higher education internationalisation, or a similar environment • Familiarity with South African immigration and other national regulatory frameworks and policies related to international students in higher education • Significant experience working with international students at different academic levels.

**All shortlisted candidates will be required to undergo psychometric assessments. Furthermore, it is expected that all shortlisted candidates will:** • Give permission to undergo verifications of qualifications, publications, credit records and criminal records as well as any other verification deemed appropriate by the University • Deliver a 15-minute presentation, the topic of which will be communicated timeously • Provide details of at least three individuals who are capable of providing professional references.

**Screening questions:** • Do you have a Doctoral degree in Education, or related humanities field? • Do you have five (5) years' experience, in senior academic leadership? • Do you have experience in managing and leading academic teaching, research and engagement?

**Applications must be accompanied by a recent and comprehensive Curriculum Vitae and a covering letter stating how applicants satisfy the requirements in respect of each of the key performance areas and core competencies and the official Nelson Mandela University job application form.** An application which does not comply with the advert's requirements will be regarded as incomplete.

Direct all telephonic enquiries to Lungisani Ntiyantiya at 041 504 1213 or via e-mail to: lungisani.ntiyantiya@mandela.ac.za

To apply, please visit <https://vacancies.mandela.ac.za/>

**Terms of Appointment:** This is a five-year fixed-term contract, renewable based on performance and operational requirements.

**Closing date for all applications: 8 September 2023**

Nelson Mandela University reserves the right to not make an appointment.

In considering candidates for appointment into advertised posts, preference will be in accordance with the approved Nelson Mandela University's Employment Equity Plan.

# Academic Jobs



UNIZULU is a comprehensive University offering approximately 252 accredited degree, diploma and certificate courses across its Faculties of Arts; Education; Science and Agriculture; and Commerce, Administration and Law at the KwaDlangezwa and Richards Bay campuses. The University believes in promoting a culture of learning in an environment that is conducive to personal growth and academic development.

The University of Zululand subscribes to the principles embedded in the Employment Equity Act:

## DEAN: FACULTY OF HUMANITIES AND SOCIAL SCIENCES

Five-year fixed term performance-based contract | Reference Number: 2023/09/FA01 | Grade 4

The Dean will take the leadership role in charting the future strategic direction of the Faculty's within the context of the University's strategic plan. The Dean reports to the Deputy Vice-Chancellor: Teaching and Learning and is expected to: advance the mission of the University and enhance the quality of existing academic programmes through innovative educational leadership; demonstrate the value of a culturally diverse faculty; foster a work environment conducive to cultural and linguistic diversity and mutual development; utilise a working knowledge of legal, legislative, and academic policy issues as they apply to the University; plan, develop and manage budgets and seek alternative sources of funding and effective partnerships with businesses, educational institutions, governmental institutions, governmental agencies or community organisations; and plan, develop, direct and evaluate higher education programmes. The Dean will be involved in a variety of institutional committees, including the University's Extended Management Committee and Senate.

### Functions and Responsibilities:

It is the responsibility of the Dean to guide the Faculty in achieving excellence in Teaching and Learning, Research and Innovation, Community Engagement and Academic Administration. More specifically, the Dean will be required to: •Determine, articulate, implement and lead a faculty-based strategic initiatives in accordance with the University's strategic thrust to enhance the Faculty's operational viability and achievement of performance targets •Promote excellence in teaching and learning, research and innovation, community engagement •Oversee staff development and management •Oversee student development and support, including student experience •Ensure high-quality Faculty governance, administration, including the academic life-cycle management of the students •Oversee an effective and competitive programme qualification mix •Ensure effective and efficient management of Faculty resources •Strengthen relationships with stakeholders and academic partners •Employ effective risk management strategies •Oversee implementation of the quality enhancement and assurance plans at Faculty level •Implement university policies, processes and systems to ensure quality, efficiency and sustainability in relation to all portfolios with the Faculty.

**Minimum Requirements: The candidate:** •Should possess a Doctoral degree (PhD) and be a Full Professor in one of the disciplines offered in the Faculty as well as have evidence of publications and an in-depth understanding of Higher Education Policies •Must demonstrate an in-depth understanding of National and International developments of Research, Teaching and Learning as they relate to education as well as a grasp of the key issues facing the higher education sector •Must have a strong track record of professional accomplishment in his/her academic discipline and will have shown evidence of outstanding management and leadership abilities •Should possess qualities of strategic and innovative thinking and have extensive experience of academic and financial management •Have the ability to foster and extend national and international linkages and alliances is crucial.

To apply for this position, please email the application form and all required documentation to Ms N.N. Mdletshe, MdletsheNN@unizulu.ac.za OR log on to PNET ([www.pnet.co.za](http://www.pnet.co.za)) to submit your application by no later than 12h00 on the closing date stated below.

### PHYSICAL PLANNING AND OPERATIONS

## EXECUTIVE DIRECTOR: PHYSICAL PLANNING AND OPERATIONS

Five-year fixed term performance-based contract | Reference Number: 2023/09/VC18

The University of Zululand invites applications for the position of Executive Director: Physical Planning and Operations (Infrastructure). The Executive Director reports to the Vice Chancellor and contributes to organizational effectiveness and efficiency by providing strategic direction, leadership and oversight of effective utilization of physical infrastructure and maintenance of facilities to contribute to the creation of an effective learning and working environment. The Executive Director is the strategic driver of physical development and maintenance of infrastructural requirements in a manner that facilitates and sustains the success of the University vision.

The success of this position will be measured on the proven record and ability to deliver on highly efficient asset, budget, resources and services management in complex environments. This will have included responsibility for physical planning, estate, operational, contract and financial management, along with relationship establishment.

### MINIMUM REQUIREMENTS

**Qualifications:** •A Master's degree in a Property/Built Environment (Civil, Electrical, Architecture, Building, Engineering or Quantity Surveying) •An Accredited qualification in Project Management •Registration as a professional Engineer in any of the above would be an advantage.

**Experience:** •A minimum of ten (10) years management experience in the built-environment, facilities management or engineering preferably in a higher education or tertiary environment •Proven safety record in a construction environment •Experience in the Higher Education Sector will be an advantage.

**SKILLS AND COMPETENCIES:** •Strategic Planning •Project Management •Research and Development •Financial management •Property Management •Procurement Management •Construction Safety Management •Excellent written and oral communication skills inclusive of technical and mathematical nature.

To apply for this position, please email the application form and all required documentation to Ms P.C. Nhlengethwa, NhlengethwaP@unizulu.ac.za OR log on to PNET ([www.pnet.co.za](http://www.pnet.co.za)) to submit your application by no later than 12h00 on the closing date stated below.

Applications must include the following which are critical in evaluating each application received:

- A Self - Evaluation report by the applicant of his/her suitability for appointment to this position;
- A completed UNIZULU application form;
- A detailed Curriculum Vitae;
- Certified copies of all academic qualifications, ID; and
- Names and contact details of at least three contactable work-related referees (one must be a current or recent superior).

**CLOSING DATE: 10 SEPTEMBER 2023**



**Mail & Guardian**

**CONTACT:**

**Ilizma Willemsse 063 026 7450**  
**Vanessa Diedrich 083 458 8155**  
**Elsie Mashanzhe 076 556 8777**

## Jobs, Tenders &amp; Notices



### Technical Advisor: Environment and Sustainability

**H2.SA** is a project of the **German Development Cooperation** with South Africa. It is commissioned by the **German Federal Ministry for Economic Cooperation and Development (BMZ)** and implemented by the **Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH** in close cooperation with The Presidency. H2.SA's main objective is to promote a South African green and sustainable hydrogen economy. Working closely with its partners from Government, private sector, and civil society, H2.SA provides expertise, resources, and builds capacity for a secure and sustainable energy future that holds opportunities for all South Africans.

GIZ is looking to appoint a **Technical Advisor for Environment and Sustainability** to strengthen the team of the H2.SA Programme. The position of the Technical Advisor will be in Component 4 of the programme, namely, sustainability and just transition. The incumbent will specifically support the following programme activities:

- Support implementation of ongoing activities on environment including entire work packages in existing and planned service contracts.
- Develop and implement new activities to strengthen environmental aspects of the project for a sustainable South African Green Hydrogen/Power to X economy.
- Closely oversee implementation and management of contract activities by service providers undertaking environment related activities.
- Take responsibility for entire work packages on environment within the component from start to finish.

Candidates with a master's degree in environmental sciences, environmental engineering, public health engineering, natural sciences, political sciences, or geography or similar field with at least 5 years of relevant work experience in the fields of environmental analyses, renewable energy project development, socioeconomic development or related field are invited to apply.

The position will be based at the GIZ offices in **Hatfield, Pretoria**. Positions are dependent on the lifespan of the programme in which they are located. The H2.SA programme phase is until **31 December 2025** with a possibility of extension.

Download full Job Description below position:  
**Technical Advisor: Environment and Sustainability.**  
Link:

#### APPLICATION PROCESS

GIZ will only assess applications which meet the following criteria:

Suitable candidates should apply by submitting a

Cover Letter (concisely 2 page) clearly stating your motivation for applying for the position and as well as salary range expectation.

A detailed CV.

Proof of eligibility to work in South Africa (copy of SA ID).

The application should be submitted to: [recruit-pretoria@giz.de](mailto:recruit-pretoria@giz.de), with the following email subject line "Technical Advisor: Environment and Sustainability" for the attention of Head of Human Resource.

Closing date for applications: 01st of September 2023.

Only applicants shortlisted for interview will be contacted.  
Applications without a Cover letter will not be considered!

14173M&amp;G



### Technical Advisor: Participation and Just Transition

**H2.SA** is a project of the **German Development Cooperation** with South Africa. It is commissioned by the **German Federal Ministry for Economic Cooperation and Development (BMZ)** and implemented by the **Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH** in close cooperation with The Presidency. H2.SA's main objective is to promote a South African green and sustainable hydrogen economy. Working closely with its partners from Government, private sector, and civil society, H2.SA provides expertise, resources, and builds capacity for a secure and sustainable energy future that holds opportunities for all South Africans.

GIZ is looking to appoint a **Technical Advisor for Participation and Just Transition** to strengthen the team of the H2.SA Programme. The position of the Technical Advisor will be in Component 4 of the programme, namely, sustainability and just transition. The incumbent will specifically support the following programme activities:

- Support implementation of ongoing and planned activities ensuring effective participation and representation of affected groups
- Develop and implement additional activities to promote representation of affected groups.
- Build on and strengthen channels of collaboration by forging effective working relationships with relevant GH2/PtX stakeholders, ensuring representation of affected groups.
- Provide support to green hydrogen activities and pilot projects, with a focus on ensuring representation of affected groups in conceptualisation and implementation.

Candidates with a master's degree in political sciences, social sciences, economics, sociology, law or related subjects with at least 5 years of relevant work experience in the fields of renewable energy, and/or mining sector, and/or labour market policy and/or spatial planning, and/or energy policy or related field are invited to apply.

The position will be based at the GIZ offices in **Hatfield, Pretoria**. Positions are dependent on the lifespan of the programme in which they are located. The H2.SA programme phase is until **31 December 2025** with a possibility of extension.

Download full Job Description below position:  
**Technical Advisor: Participation and Just Transition**  
Link:

#### APPLICATION PROCESS

GIZ will only assess applications which meet the following criteria:

Suitable candidates should apply by submitting a

Cover Letter (concisely 2 page) clearly stating your motivation for applying for the position and as well as salary range expectation.

A detailed CV.

Proof of eligibility to work in South Africa (copy of SA ID).

The application should be submitted to: [recruit-pretoria@giz.de](mailto:recruit-pretoria@giz.de), with the following email subject line "Technical Advisor: Participation and Just Transition" for the attention of Head of Human Resource.

Closing date for applications: 01st of September 2023.

Only applicants shortlisted for interview will be contacted.  
Applications without a Cover letter will not be considered!

14174M&amp;G



Western Cape  
Government

FOR YOU

Health

# VACANCY BULLETIN

**EXCITING OPPORTUNITIES FOR PEOPLE WHO WANT TO MAKE A DIFFERENCE**

**DEPARTMENT OF HEALTH**

**OVERBERG DISTRICT (STATIONED IN CALEDON)**

**DIRECTOR: DISTRICT HEALTH SERVICES (RURAL HEALTH SERVICES)**

Remuneration package: R1 162 200 per annum  
(A portion of the package may be structured according to the individual's personal needs.)

**GROOTE SCHUUR HOSPITAL, OBSERVATORY**

**ASSISTANT MANAGER: MEDICAL PHYSICS**

Remuneration package: R1 018 047 per annum  
(A portion of the package may be structured according to the individual's personal needs.)

To view the advertisement content and how to apply, please visit [www.westerncape.gov.za/jobs](http://www.westerncape.gov.za/jobs)



The WCG is guided by the principles of Employment Equity. Disabled candidates are encouraged to apply and an indication in this regard would be appreciated.

Closing date: 15 September 2023

148968 M&G [www.ayandambanga.co.za](http://www.ayandambanga.co.za)



PARLIAMENT  
OF THE REPUBLIC OF SOUTH AFRICA

## INVITATION TO BID

| Bid Number | Description  | Compulsory Briefing Session Date/Time/Venue          | Closing Date              |
|------------|--|--|---------------------------|
| P1/2023    | Provision for the review of the funding model of Parliament of RSA | 1 September 2023 at 11h00 on Microsoft Teams Meeting | 8 September 2023 at 12:00 |

Service providers are hereby invited for the provision of the above mentioned service.

Terms of References are available on Parliament's website at [www.parliament.gov.za](http://www.parliament.gov.za) Please note that the briefing session is NOT COMPULSORY. You are required to send us an email to [tenders@parliament.gov.za](mailto:tenders@parliament.gov.za) on 31 August 2023 at 13:00 to enable us to invite you to the virtual non-compulsory briefing session. Proposals must be put in a zipped folder and emailed to [tenders@parliament.gov.za](mailto:tenders@parliament.gov.za) by no later than the closing date and time as stipulated above. Late submissions will not be considered.

The 80/20 Preferential Point System is applicable to this RFP.

The Secretary to Parliament is under no obligation to accept the lowest or any Proposal.

For further enquiries regarding the service, please contact Mr. N Ntanjana at [tenders@parliament.gov.za](mailto:tenders@parliament.gov.za)

Parliament urges everyone to please report all fraud related activities to 080 011 1008

Parliament – Following up on our commitments to the People  
– Making your future work better

148973 [www.ayandambanga.co.za](http://www.ayandambanga.co.za)

### VACANCY ANNOUNCEMENT

Benguela Current Convention (BCC) invites suitably qualified and experienced candidates to apply for the position of Manager: Ecosystem Advisory Services.

Detailed terms of reference and application process for the position are available at the BCC website at: <http://www.benguelacc.org>

Applications must be e-mailed to: [meas@benguelacc.org](mailto:meas@benguelacc.org)

The closing date for applications is 15 September 2023.

Only short-listed candidates will be contacted.

14155M&amp;G



**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING  
NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT, 2003 (ACT 57 OF 2003)  
NOTICE OF INTENTION TO DECLARE SILFLAY RENOSTERVELD  
NATURE RESERVE**

The Provincial Minister of Local Government, Environmental Affairs and Development Planning in the Western Cape—

- (a) in terms of section 33(1)(a) of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) (the Act), gives notice of his intention—
- (i) to declare, under section 23(1)(a)(i) of the Act, the following area as a nature reserve (the intended nature reserve):
    1. Remainder Farm Hope at Jan Kamma No. 53, situated in the Swellendam Municipality, Division of Swellendam, Western Cape Province; In extent: 835, 2997 (Eight Hundred and Thirty-Five comma Two Nine Nine Seven) hectares; Held by Deed of Transfer No. T7905/2019; and
    2. Farm No. 629, situated in the Swellendam Municipality, Division of Swellendam, Western Cape Province; In extent: 445, 3132 (Four Hundred and Forty-Five comma Three One Three Two) hectares; Held by Deed of Transfer No. T7905/2019, the boundaries of which are reflected on Surveyor-General diagrams B2576/1861 and 48/2000 set out in Part A of the Schedule; and
  - (ii) to assign, under section 23(1)(b) of the Act, the name "Silflay Renosterveld Nature Reserve" to the intended nature reserve;
- (b) notifies that the intended nature reserve is situated 7 km off the R62 Road, 20 km west of Barrydale and borders the Sanbona Nature Reserve as indicated on the map in Part B of the Schedule;
- (c) notifies that CapeNature assessed the intended nature reserve, and it is apparent from this assessment that the intended nature reserve contains a number of features that make it eligible for declaration as a nature reserve;
- (d) notifies that the intended action referred to in paragraph (a)(i) meets the requirements of section 23(2)(b)(i) and (iii) of the Act as it is aimed at protecting the intended nature reserve, which has significant natural features or biodiversity and needs long-term protection for the maintenance of its biodiversity or for the provision of environmental goods and services;
- (e) notifies that the contents of the Schedule and details of the assessment referred to in paragraph (c) may be viewed at <https://www.capenature.co.za/care-for-nature/stewardship/>;
- (f) notifies that the Provincial Minister is not, at this stage, aware of any potential rights or interests of

- the local community, or stakeholders other than the owner of the intended nature reserve, that may be affected by the intended actions referred to in paragraph (a);
- (g) invites members of the public to submit to the Provincial Minister written representations on or objections to the intended action contemplated in paragraph (a) within 60 days from the date of publication of this notice in the Provincial Gazette by—
- (i) posting the representations or objections to:
 

Dr Razeena Omar  
The Chief Executive Officer  
Attention: Ms. Monique Owies  
CapeNature  
Private Bag X29  
Gatesville 7766;
  - (ii) delivering the representations or objections to:
 

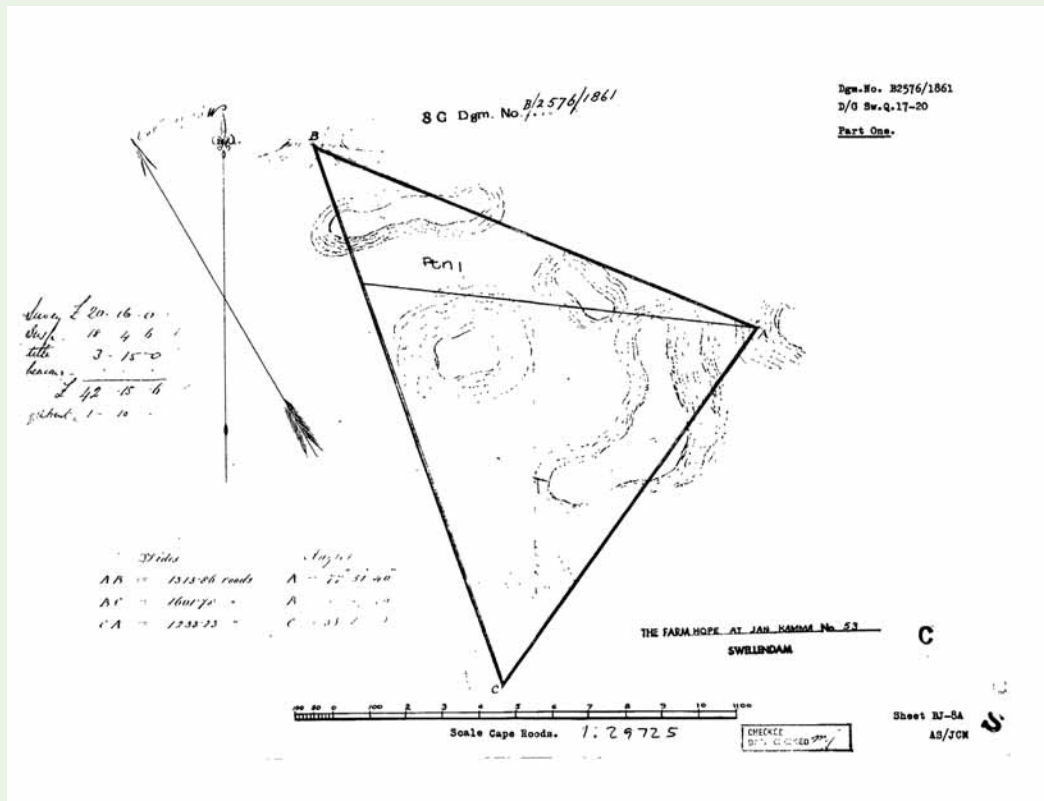
Ms. Monique Owies  
Legal Adviser  
CapeNature  
Cnr Bosduif and Volstruis Streets  
Bridgetown  
Athlone 7764; or
  - (iii) e-mailing the representations or objections to:
 

mowies@capenature.co.za; and
- (h) invites interested or affected persons to, in appropriate circumstances, present oral representations or objections to the Provincial Minister, or to a person designated by the Provincial Minister, within the period contemplated in paragraph (g).

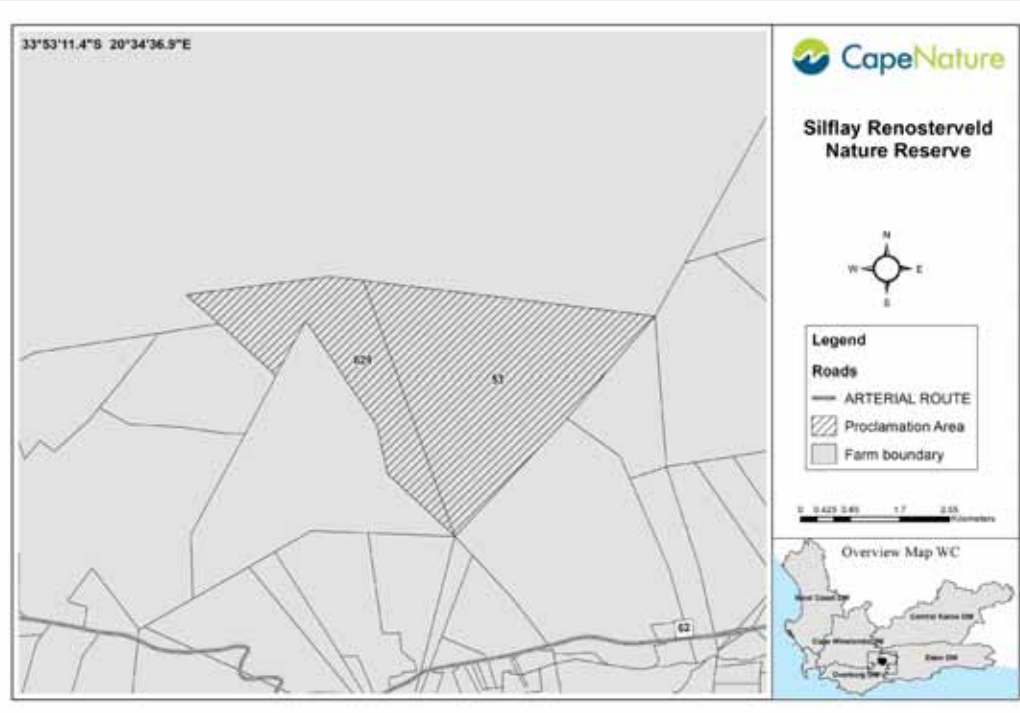
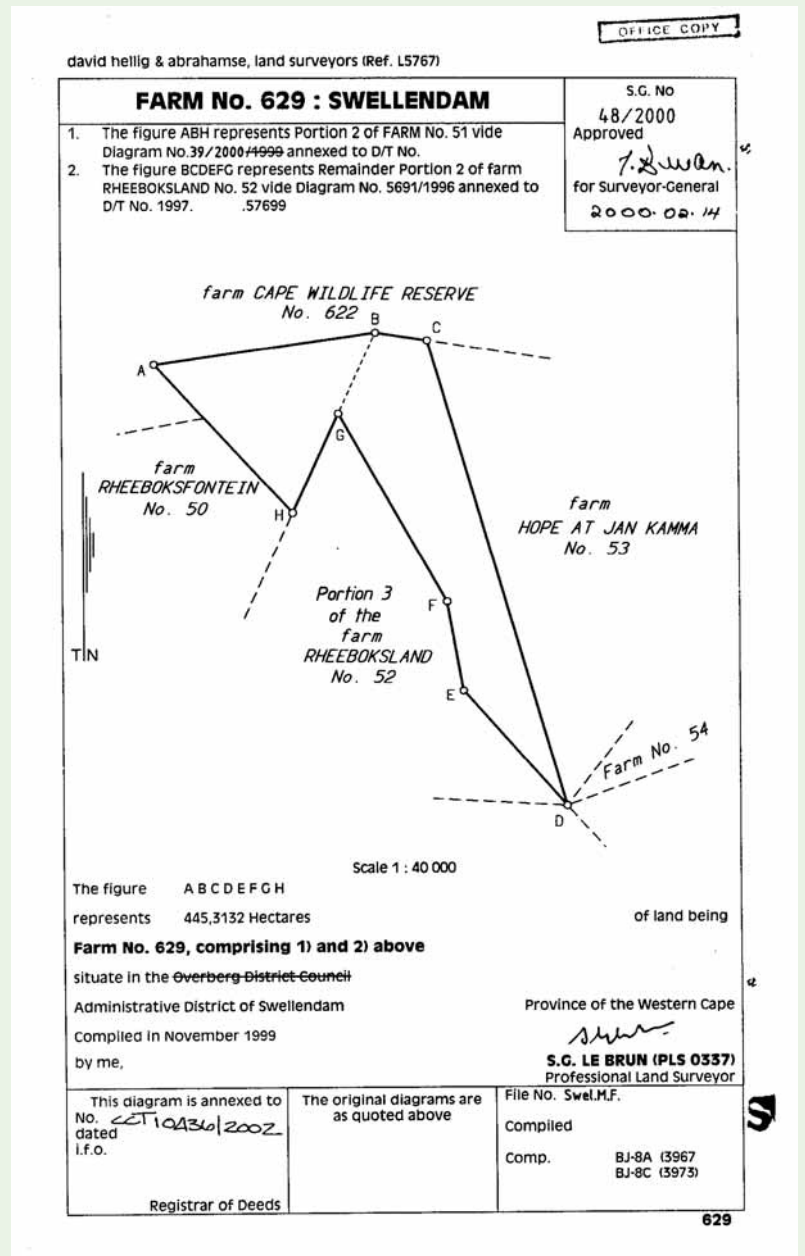
Written representations or objections received, or oral representations or objections presented after the closing date may be disregarded.

For enquiries, contact Ms. Monique Owies at 087 087 4102.

**SCHEDULE  
PART A  
SURVEYOR-GENERAL DIAGRAMS B2576/1861 AND 48/2000  
(Paragraph (a))**



**PART B  
(Paragraph (b))**



# Tenders, Notices & Classified



## Call for Proposals:

Department of Higher Education and Training support to Centres of Specialisation

### OCCUPATIONAL TEAM CONVENERS PROGRAMME

Cluster 2: Fitter and Turner, Mechanical Fitter, Pipe Fitter, Electrician and Millwright

The Career Path Development for Employment (CPD4E) is implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ) co-financed by the Swiss State Secretariat for Economic Affairs (SECO). We would like to appoint a competent contractor to provide support to the Department of Higher Education and Training Centre of Specialisation programme.

Occupational Team Conveners (OTC's) will be appointed to support:

- Learners with workplace readiness,
- Employability support to graduates, and
- Capacity development of TVET college Staff

GIZ invites eligible and professional companies with a local presence in South Africa to participate in this tender. Tender documents are available to download under the following link <https://www.giz.de/en/worldwide/129610.html>

Completed forms must be submitted to [ZA\\_Quotation@giz.de](mailto:ZA_Quotation@giz.de) by 15.09.2023.  
Please quote reference 83445635 when submitting the documentation.  
Late submissions will not be accepted.

14175M&amp;G

## RE-ADVERTISEMENT - REQUEST FOR PROPOSAL PLEASE NOTE: THIS REPLACES THE PREVIOUS ADVERT UNDER BID NUMBER MRLGDV/2023

Nestled deep within the heart of Madikwe Game Reserve in the North West Province, in the most secluded Riverine Forest alongside the borders of Botswana lies the Madikwe River Lodge; which invites all bidders to submit proposals under Bid number MRLGDV/2023/01

| BID NUMBER:     | DESCRIPTION   | TENDER DOCUMENT OBTAINABLE FROM  | CLOSING DATE AND TIME FOR SUBMISSIONS   | ENQUIRIES / TERMS OF REFERENCE   |
|-----------------|---|--|---|--|
| MRLG-DV/2023/01 | Provision of<br>4 X Game Drive Vehicles<br><br>*LEASE OPTION* | Manyane Resort Pilanesberg<br><br>From 25th August 2023 till 11th September 2023 | 11th September 2023<br><br>Time : 14H00 | Susan Motlhasedi:<br>Supply Chain Management<br>procure@golden-leopardresorts.co.za<br>066 481 0604<br><br>Cynthia Tshambo:<br>gm@madikweriver-lodge.com<br>066 484 7561 |

EVALUATION CRITERIA: 80/20

**PLEASE NOTE:** Bidders are request to submit their proposals in a sealed envelope marked [MRLGDV/2023/1 Lease Option] which will be dropped into the tender box availed at Manyane Reception Pilanesberg by no later than the specified date & time. No late submissions will be accepted.

14171M&amp;G



## Request For Proposals (RFP), Re-advertisement

Appointment of a Service Provider/ Person to provide Technical Assistance (TA) on the Preparation and Review of Financial Statements, Reconciliation of the Progress Update and Disbursement Request (PUDR), and monthly Triangulations.

BID NUMBER: ISI-2023-TA-AFS

Isibani Development Partners is a South African-registered NGO, launched in 2011 to become a leading local technical assistance provider, systems strengthening, and grants manager for health and social services in Southern Africa. Our programs focus on HIV, TB, Non-Communicable diseases, and Capacity development for community-based organizations and government departments.

Isibani Development Partners is one of the four Sub-Recipients (SRs) of the National Department of Health (NDOH) appointed to implement Global Fund TB/HIV program, from 01 April 2022 to 31 March 2025.

Isibani Development Partners, therefore, seeks to appoint a service provider to provide Technical Assistance on the Preparation and Review of Financial Statements, Reconciliation of the progress Update and Disbursement Request (PUDR), and monthly Triangulations.

The full tender document can be downloaded from the link: <https://tenderbulletins.co.za/custom-tender/request-for-proposals-rfp-re-advertisement-appointment-of-a-service-provider-person-to-provide-technical-assistance-ta-on-the-preparation-and-review-of-financial-statements-reconciliation-of-th/>

Closing Date for submission

All proposals accompanied by all documents that qualify the applicant as an authorized entity to do business with Isibani and NDOH, should be physically submitted to Isibani Development Partners, between 09:00 and 16:00 on weekdays. The closing date for the submission of the bids is 18 September 2023 at 16:00hrs South African Standard Time. Please ensure the bid cover/envelope states the Bid Number ISI-2023 - TA - AFS

For any inquiries, please email [enquiries@isibani.org.za](mailto:enquiries@isibani.org.za) from 25 August 2023 to 07 September 2023, 16H00 South African Standard Time, Address: Kutlwano Democracy Centre, 357 Visagie Street, Pretoria, 0001

NB: Please note that there will be a compulsory tender briefing for this bid, refer to the link for more details.

14178M&amp;G



## REQUEST FOR PROPOSALS (CONSULTING SERVICES) TO REVIEW THE ESTUARINE MANAGEMENT PLAN (EMP) FOR THE ORANGE – SENQU RIVER MOUTH ESTUARY

### Support to the Orange-Senqu River Strategic Action Programme Implementation

1. The Orange-Senqu River Commission (ORASECOM) secured funding from the Global Environment Fund (GEF) through the United Nations Development Programme (UNDP) to implement a project which seeks to strengthen joint management capacity for the basin-wide Integrated Water Resources Management (IWRM) implementation and demonstrating environmental and socio-economic benefits of an ecosystem-based approach to water resources management through the implementation of Strategic Action Programme (SAP) priority actions in the Orange-Senqu River.
2. ORASECOM SAP project is supporting the Orange – Senqu River Basin member states through ensuring that critical ecosystem of the transboundary Orange-Senqu River Mouth is rehabilitated and sustainably managed, by improving the condition of the River Mouth salt marshes, enhancing the estuary nursery function (stock status of collapsed/over-exploited fish species) and by improving the water quality of the river.
3. ORASECOM seeks to recruit a consulting team to undertake the following:
  - a) Review the Estuary Management Plan (EMP) for the Orange River Mouth
4. The Terms of References (ToRs) for the above consultancy can be downloaded from the ORASECOM Website ([www.orasecom.org](http://www.orasecom.org)). Queries relating to the ToRs may be addressed through writing to Mr. Michael Ramaano, [mike.ramaano@orasecom.org](mailto:mike.ramaano@orasecom.org) with a copy to [rupillay@dfre.gov.za](mailto:rupillay@dfre.gov.za) and [mike.ramaano@gmail.com](mailto:mike.ramaano@gmail.com) no later than **1600hrs on 15 September 2023**.
5. Proposals and/or Expression of Interest must be received by emails: [mike.ramaano@orasecom.org](mailto:mike.ramaano@orasecom.org) with a copy to [lusia.kalipi@orasecom.org](mailto:lusia.kalipi@orasecom.org) and [mike.ramaano@gmail.com](mailto:mike.ramaano@gmail.com) not later than **27 September 2023 before 16:00 hours, Pretoria Local Time**.
6. The submission must specifically mention the title of the consultancy being applied for.

14177M&amp;G

### Legal Notice

#### DEPARTMENT VAN ENERIE

Kennisgewing ten opsigte van 'n lisensie aansoek ingevolge die Wet op Petroleumprodukte, 1977 (Wet nr. 120 van 1977) Hierdie kennisgewing dien om partye wat belangstel / geaffekteer word in te lig dat **IKAMVA GLOBAL REFINERIES (EDMS) BPK** hierna genome die aansoeker, 'n aansoek ingedien het vir 'n GROOTHANDEL lisensie met aansoek nommer **D/2023/08/17/0001**.

**Lenasia road ext 1, 2339, GAUTENG**

Die doel van hierdie aansoek is dat 'n lisensie aan die aansoeker toegeken word petroleum groothandel aktiwiteite te onderneem soos uiteengesit in die

aansoek. Reëlings kan getref word om die aansoek dokumentasie te besigtig deur die Kontroleur van Petroleum produkte te skakel by:

**\*Tel: (012) 406 7631;  
\* Faks: (012) 323 5840;  
\* E-pos: Avishkar.Nandkishore@dmre.gov.za**

Enige beswaar teen die uitreik van 'n lisensie ten opsigte van hierdie aansoek, wat duidelik die aansoek nommer hierbo moet aanhaal, moet ingedien word by die Kontroleur van Petroleumprodukte binne 'n tydperk van twintig (20) werksdae by die ondergenoemde fisiese posadres

**Fisiese adres:**  
Die Kontroleur van Petroleumprodukte  
Departement van Energie

192 Visagie Street,  
Pretoria

**Posadres:**  
Die Kontroleur van, Petroleumprodukte, Departement van Energie, Private Bag X 96, Pretoria, 0001

### Legal Notice

**IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF GAUTENG  
HELD IN PRETORIA  
CASE NUMBER: GP/PTA/RC2530/2022**

In the matter between:

**NOKUBONGA MAGODLA  
APPLICANT**

IN RE:  
**NOKUBONGA MAGODLA  
PLAINTIFF  
ID NO: 7901010850081**

And  
**MBONIMPHA REUBEN  
RUHONGOLE  
DEFENDANT**

**DRAFT ODER  
HAVING** read the papers filed of record, and having heard the submissions made on behalf of the applicants, the following order is made:

The Respondent is served with the combine summons by way of substituted service, in the national newspaper wherein the Applicant resides.

The Respondent be granted **10 (ten) days** within which to enter an appearance to oppose the main application. Cost of this application be reserved.

**DATED AT PRETORIA ON THIS 21 DAY OF JULY 2023**

## CLASSIFIED

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[elsiem@mg.co.za](mailto:elsiem@mg.co.za)  
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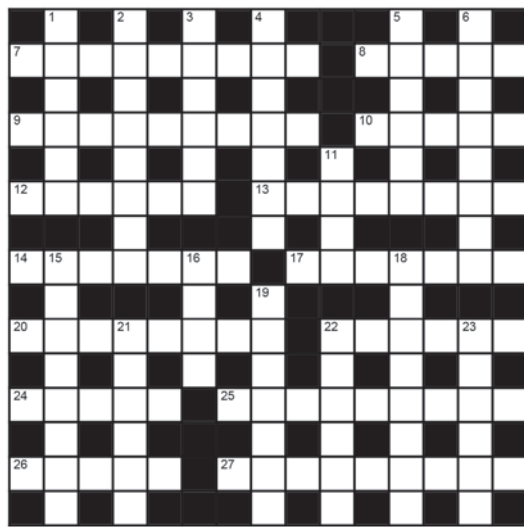
# Puzzles

## THE ORIGINAL SOUTH AFRICAN CRYPTIC CROSSWORD

JDE 393  
by George Euvrard

- World class — and from our perspective, not that of the UK or USA
- Multilingual — every crossword has one Afrikaans (marked a) and one isiXhosa (marked x) word
- Fresh & unique — compiled the previous week especially for the *Mail & Guardian*

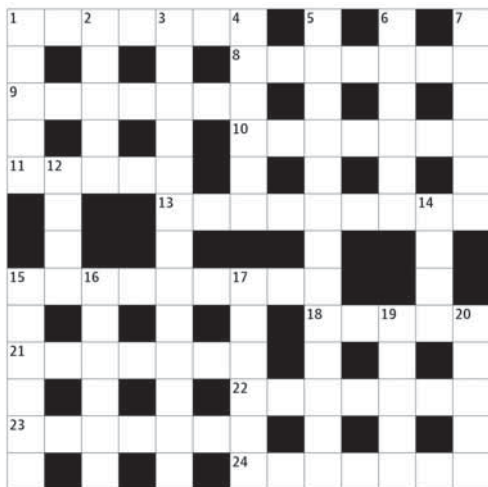
- Across**
- 7 Uncomfortable, but I will go along with a taunt (3,2,4)
- 8 No backing drum available (2,3)
- 9 Speech about soil to look and question unknown (9)
- 10 Verbose woman, old and terribly dry (5)
- 12 Awards last gold in food offerings (6)
- 13 Simmering rage about crazy year where nothing's definite (4,4)
- 14 Shut out flair — nothing even up to this point (4,3)
- 17 Sailor somehow sold by an officer (3,4)
- 20 Way grains produce cancer (4,4)
- 22 Three times their original cost unfortunately (6)
- 24 Timekeeper ignores top welterweight and gets left hook (5)
- 25 I join VAT fad if modified by written declaration (9)
- 26 Place not about profit (5)
- 27 Helps mine about to shine amazingly (7,2)
- Down**
- 1 Nook is cold but has a warmth about it (6)
- 2 Cape Town struggles tire one with affluent residents sabotaging leaders (4,4)
- 3a Without you, melting morgues will be a mess (6)
- 4 Relieve "fool with sickly ague" (7)
- 5x Snake in your kale? Only half! (6)
- 6 Difficult to convince others about a shell road (4,4)



- 11 Some have alligator meat (4)
- 15 Troublesome two reined in by one who dislikes trouble (3,5)
- 16 Mad about prima donna (4)
- 18 Small mistake at the end finally with teeth (8)
- 19 Die when sun explodes, very loudly in the beginning (5,2)
- 21 Arrive with Meg? (4,2)
- 22 Odd tic in heart of catty old hag (6)
- 23 Almost snap about popular Medical Centre (6)

## QUICK CROSSWORD

- Across**
- 1 After 1918 or 1945? (4-3)
- 8 Fly people or goods to places not otherwise accessible (7)
- 9 Coach — item of footwear (7)
- 10 All together (2,5)
- 11 African wallower (abbr) (5)
- 13 Line showing maximum flood level (9)
- 15 Hurtful (9)
- 18 Punctuation mark (5)
- 21 Anticipate (7)
- 22 Gun (7)
- 23 Serving no purpose (7)
- 24 Hinged part of a plane's wing (7)
- Down**
- 1 Tone — football field (5)
- 2 Keen — exactly (5)
- 3 Shop front display organiser (6-7)
- 4 Most infrequent (6)
- 5 Post-infancy educational establishment (7,6)
- 6 Catnap (6)
- 7 Smear — run naked (6)
- 12 Fe — golf club (4)
- 14 Space (4)
- 15 Inundation (6)
- 16 Top — cow (6)
- 17 Black Sea port (6)
- 19 Car (5)
- 20 Pinny — part of the fairway leading up to the green (5)



14 877

## LAST WEEK'S SOLUTIONS

Quick Crossword 14 876

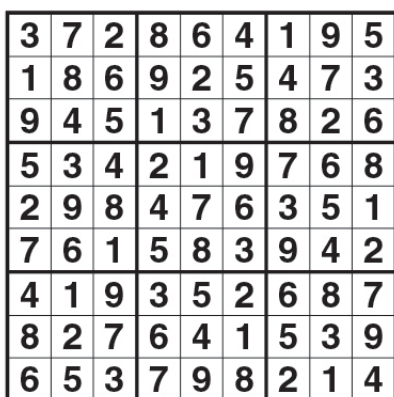


Cryptic Crossword 392

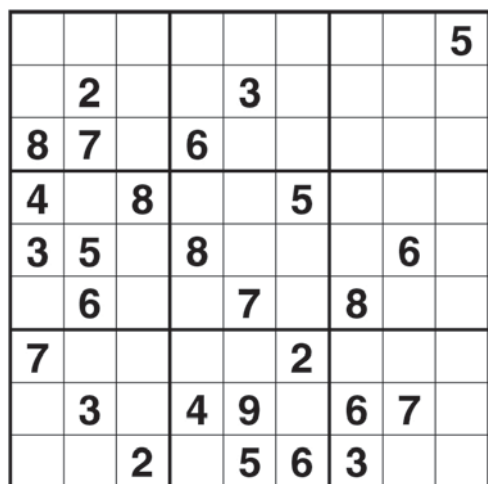


**How to play Sudoku:** Place a number from 1 to 9 in each empty cell so that each row, each column and each 3x3 block contains all the numbers from 1 to 9.

## LAST WEEK'S SOLUTION



## SUDOKU



# Books

# A novel of identity and history

Set in the Mother City in pre-colonial times, it explores a young man's journey to self-knowledge

Hussain Savant

This is the first novel of a writer based in Cape Town. It therefore comes as no surprise that the cover picture is one of a male figure in front of the majestic Table Mountain.

*In Search of Who We Are*, by Muhammed Yousuf Minty, is set in Cape Town before the arrival of the white people and their colonial enterprise, it tells the story of a young man Kanu, of the Ofuru tribe, who leaves his newly pregnant wife Afua, his hut and his tribe and goes into the mountain in search of his identity and to listen to the vibrations in the ether to determine a name for his soon-to-be-born son.

Based on the Socratic premise that the "unexamined life is not worth living", Kanu sets out to discover his identity.

In order to know who he is, he must not only know where he comes from, but also where he is going. This will reveal his true destiny and it will also lead him to understand the meaning of his life, as well as the history of his people.

Like Telemachus who went out in search of his father Ulysses, he is searching for his father, Jaamir, who was compelled to leave the tribe when Kanu was very little.

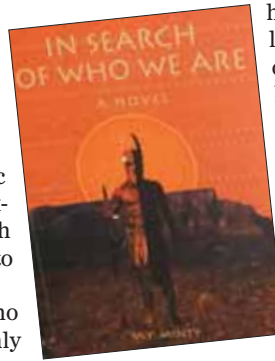
The quote from Alex Haley's *Roots* after the title page of Minty's book leaves no room for doubt about the author's intentions; that the griots played an important part in the lives of a people or tribe as they were the

carriers or repositories of its history.

As there was no written script in those times in those localities, oral traditions played a crucial role in spelling out the identities of a people. The author is also saying in order to know your true identity, you must be conversant with your history.

The book serves as an allegory for modern times and represents an attempt to achieve a coalescence of myth and reality.

Passages such as the following are unmistakable: Kanu says, "To lead you is not my purpose. Many have ruled over us, some good, others not as good, and many mistakes have been made. There are lessons to be learned and only time will tell if our leaders have learned well. If they fail, then know it is you who have the power to make a change. No leader will do it for you."

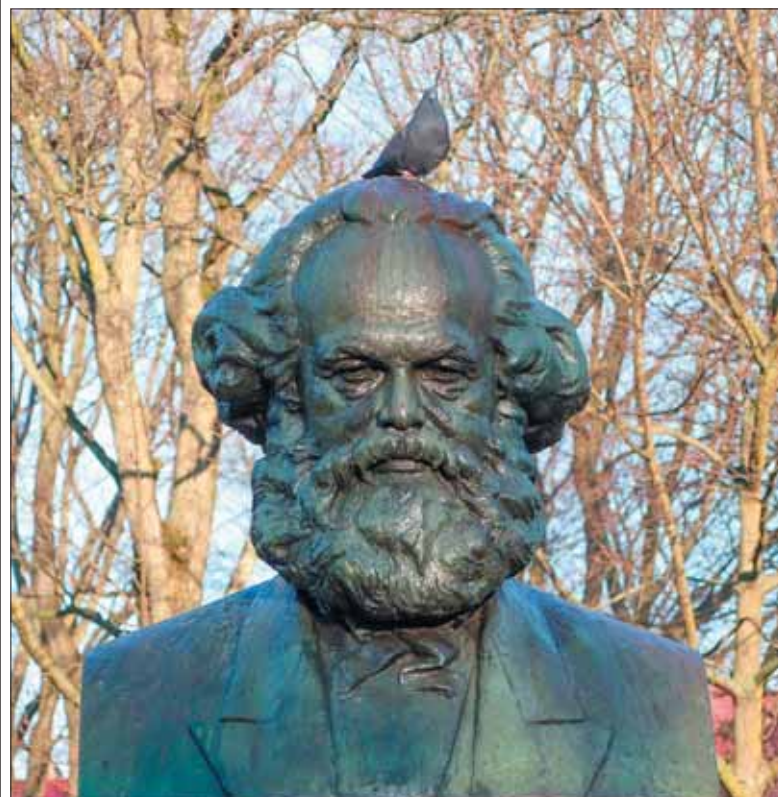


"... Honour the humanity of all and you shall remain human."

The text, therefore, operates on two levels: on the level of myth and on that of contemporary political reality.

It demonstrates how the dominant narrative is unscrupulously crafted and manipulated by unconscionable leaders, thereby clearly echoing Marx's famous dictum that the dominant power will always create and promulgate an ideology that will be akin and favourable to itself, and that will promote its interests, irrespective of what the truth really is and dictates.

*In Search of Who We Are* is published by The Project Justice Trust and Awqaf.



Echoes: The novel carries undercurrents of Karl Marx's views on leadership. Photo: Getty Images

# Woman of family, community

An edited extract from 'An Ode to My Mother-In-Law' by **Gloria Serobe**

**M**ama was born into a South Africa stratified according to race, class and gender. As a woman, the odds were already stacked against her, because women were generally considered to be inferior to men, in all respects.

Yet, despite this, she defied all the odds and became a leader, a mentor, a pillar of her family, and her community. Her children and family have, without exception, wondered what path she may have been able to follow had she not been born in the South Africa she encountered pre-1994.

Yet, this was not the question she would ask, nor indeed dwell on. She was stoic and pragmatic in her approach to life. Rather than dwell on the what-ifs, she focused on what was and chose her path and actions from this point.

I have said elsewhere in this book that we may not find the name of Winnie Serobe in any of the country's annals of history. But you will find her name on the lips of her children, for whom she sacrificed everything to ensure they were taken care of, nurtured and educated.

You will find her name on the hearts of the young women she encouraged to make different choices that changed the trajectory of their lives forever. You will find her memory in the community of Diepkloof and others, where she worked so tirelessly to make a difference to the lives of ordinary, vulnerable, and sometimes "unseen" people.

When I remember Mama, I remember her as a mother, a healthcare worker, an educator and a community activist.

Mama became a mother at the age of 22. In her lifetime, she would be the biological mother to City, Mingy, Gaur, Lazy and Mpho, who unfortunately, passed away very early in life.

Mama's friend of at least 40 years, Mam Mpini Ndobe, who also worked with her in the Ikageng Trust in Diepkloof, tells a powerful story of how Mama felt about her children.

She remembers Mama describing her five children like the fingers of a hand. She would clench her fist when speaking about them saying they had to be strong like a clenched fist — together they could be powerful, although each had to stand on their own. That is how she saw family and this is how she raised them.

Morakane Ngubeni, the daughter of one of Mama's friends, recalls how she also assisted in taking care of her brother's children when his wife passed away suddenly following a train accident. She would also be a mother to countless others through her community activism.

All her children remember her being very



**Inspirational: Gloria Serobe (above) who wrote 'An Ode to My Mother-In-Law', pays homage to Winnie Serobe (right).** Photo (right): Robbie Tshabalala/Gallo Images



open-minded and approachable. They recall being able to talk to her about almost anything. My husband Gaur speaks specifically of being able to talk to Mama about topics such as gender diversity, marriage and others that remain contentious even today.

Gaur also recalls his time with his mother — which often happened in the early hours of the morning. When he realised that Mama would get up around 02h00 to prepare the water for his father to take a bath and to prepare the meal for the family, he too started getting up early to be with her. It became their time together, just the two of them.

Mingy remembers being her mother's confidante — something she attributes to being the only girl in the house, and also the Deputy Mother when Mama was at work.

However, her children also speak about her strictness, particularly when it applied to the values and principles she held dear. Gaur speaks about how, even as a young man, he was not allowed to sleep out until he was married.

At the same time, he reminded me of a time before we were formally married, when the lobola negotiations were already underway.

I had come from Pretoria, where I was working, to visit him in Diepkloof and when I was about to return to Pretoria, Mama suggested he ask me to stay over. He says he was so surprised, because no girlfriend was ever allowed to spend the night before marriage.

Her children recall her approach to the household chores and their responsibilities.

Despite the prevalent patriarchy of the time, Mama expected all her children to do what needed to be done in the home. For instance, Gaur says he is able to cook because his mother had taught him.

At the same time, Uncle Zulu, Mama's brother-in-law on my father-in-law's side, speaks about how he was also expected to do chores when Mama married Andrew in 1955 and when he went to live with his brother and Mama, and even helped out with his niece and nephews.

Mingy takes a forlorn tone when she says she always thought her mother was stricter with her than her other siblings, only to later realise that this came from a place of deep love since Mama did not want her to make choices that could impact negatively on her life going forward.

This is something Mama also did for other girl children, irrespective of whether they were

family or not. Morakane recalls Mama advising her on how to relate to boys when she reached puberty. She was consistent in how she treated young girls; it was not just about Mingy's future and choices. She saw all young girls as her daughters.

Mama was very progressive, says Mingy. When mental or emotional health was not something generally considered important, Mama took Mingy for counselling to give her some additional support and resources to deal with issues that were troubling her.

Mama was also clear that all her daughters-in-law must live separately once they got married. She wanted the Serobe makotis to begin to stamp their own way of doing things in their homes and did not want to constrain them in any way.

According to Lazy, Mama was irrepensible. He attributes this quality to her being able to overcome the many challenges in life. Her spirit was never extinguished and her generosity never waned.

Despite being very busy, Mama also made time for her children and they never recall feeling neglected. Mama was what Gaur has described as reliable, which meant she was consistent and truthful at all times, with all people, and in all situations — she could be counted on and she would keep her word.

Mama was also a very good wife. The children remember her approach towards her marriage and my father-in-law. As I have spoken about earlier on, when I met my new family, they did not always have fond recollections of my father-in-law. My brother-in-law Lazy refers to him as a difficult person. Incidentally, Uncle Zulu held the same view.

Yet the children also recall how Mama treated him. Lazy says she never responded to him aggressively, or provoked a confrontation. Rather, she found the path of least resistance to get to the desired outcome. Gaur speaks about how she respected his father.

Uncle Zulu also recollects the irrepensible Winnie, saying she had a lot of energy and was able to transfer the energy she had at home to her work in the community. She was always busy, the phone was always busy. Mam Mpini refers to Mama as a busy bee.

Mama was also very particular about family events and she kept a meticulous record of all family contributions to weddings, celebrations and funerals. Uncle Zulu still has one of her diaries. She would also follow up on contributions to ensure there were sufficient funds to do what was needed to be done as a family.

She was unfailingly fair.

*An Ode to My Mother-In-Law, Winnie Serobe: A Mentorship of Love and Honour will be available from 1 August at bookstores nationwide. It will also be available online at Exclusive Books, Takealot, Loot and Our Book Direct. It is published by TMP Publishers.*

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## Music

## I wonder: Saluting Sugar Man

Mysterious musician who wowed South Africa has left behind a complex story

Vus'umuzi Phakathi  
& Dshamilja Roshani

**Definition: Legend**, noun (story). 1. Historical accounts of the works of saints. 2. Non-historical or mythical tale.

**O**n the same note as the world's greatest legends plays the rhythmic tale of Sugar Man. The lyrical genius who died many deaths before being found in his humble home in Detroit, US, alive, breathing, unbeknown to his own myth.

The legend of the Sugar Man is that of a Mexican-American singer and songwriter, known by various names, from Rod Riguez to Jesus Rodriguez.

After signing with Sussex Records, an offshoot of Buddah Records in 1970, two albums were recorded: *Cold Fact* (1970) and *Coming From Reality* (1971). They sold a semiquaver of copies, and two weeks before Christmas of 1971, Sugar Man was dropped from the label. Shortly afterwards, he quit his music career — and thus died his first death.

The other deaths include a drug overdose, shooting himself in the head after an unsatisfactory performance and setting himself alight on stage. There are perhaps many other unrecorded near-deaths, many other rumours to explain his evanescence.

As the legend goes, it all began when a young American woman visited South Africa with a copy of *Cold Fact*. The songs from this album not only carved out a cult movement but also were a form of anti-apartheid protest by white, non-conservative youths, who became conservers of a looming legend.

To these South Africans, Sugar Man was one of the biggest artists in the world, one of the most airplayed and he was believed to have sold more records than Elvis Presley himself. This was in the 1970s to 1990s.

Rodriguez was a venerated artist who had died in the early years of his career, it was thought.

It was not until 1997 that fate struck a chord that would play out a sequence of events that led to the discovery of Rodriguez's whereabouts, followed by him learning of his musical success across the sea and a subsequent sold-out South Africa tour.

Fifteen years later, fate played another note when Swedish filmmaker Malik Bendjelloul contacted Rodriguez and produced the documentary *Searching for Sugar Man*, which would win an Oscar and reintroduce its protagonist to the world.

"I was kind of reluctant about getting involved with it [*Searching for Sugar Man*] but [Malik] convinced me that he's going to do his best there. Well, he has, because he's won so many awards with his film," Rodriguez recalls.

And his own contribution? "I'm in the film for eight minutes."

Like any good legend, Rodriguez's story has been interpreted in a myriad ways. Whether rags to riches or tragic hero, it seems there is space for every facet of fate the world has decided to place on his name.

Yet, at the core of all these tales, lies a single, simple truth — to tell a



**Sweet sounds:** Sixto Diaz Rodriguez performs in Glasgow, Scotland, (above). Rodriguez and his daughter Regan speak at The Cutting Room in New York in 2013. (left). Rodriguez in South Africa (below). Photos: Roberto Ricciuti/Getty Images, Ebet Roberts/Redferns and Gallo Images

story holds the power to change the story itself, sometimes drastically. This story is best told by the man himself, by his words, his poetry.

**Definition: Legend**, noun (person). 1. A famous or important person who is known for doing something extremely well. 2. Sixto Diaz Rodriguez.

**B**orn Sixto Diaz Rodriguez on 10 July 1942, into a working-class family in Detroit, Michigan, in the US, music was his family language.

From the age of 16, he chased a dream, one he shared with many a musician — to be signed by a label and record his albums; to play big rooms and tour the world. To sing of change in the hope of seeing it. A staccato of a dream that would end in a resounding crescendo.

"The guitar has been the centre of my music ensemble for the last 50 years. I appreciate what comes out of it, and it's all in there; the different styles of it. I love music," he said in a *Hollywood Reporter* interview.

It was in the smoky bars of Detroit, where the downside of industrialisation burdened the air, that Rodriguez started to tell stories — his own often tuned into those he that observed around him.

He could frequently be found in his neighbourhood, a silhouette, little more than a shadow, strumming a guitar destined to play for whoever



dared to listen. And only a few cared to listen.

His first single, *I'll Slip Away* (1967) has lyrics that are equal part prophecy and protest.

"You can keep your symbols of success/ Then I'll pursue my own happiness/ And you can keep your clocks

**'I appreciate what comes out of [my guitar], and it's all in there; the different styles of it. I love music'**

and routines/ Then I'll go mend all my shattered dreams."

Prophecy that seemed to notate the unfolding of his musical career, and protest against what could be regarded as worldly riches, a protest that appeared to set the tone of his relationship with his music.

His two albums are still considered masterpieces of poetic composition; his timeless song-writing prowess equal to that of Bob Dylan.

*Cold Fact*, according to its producers, who had worked with the likes of Marvin Gaye and Stevie Wonder, was the best album they had ever put together. And yet, the record remained "secrets, shiny and new" in the US for most of this life.

But did the failure of his carefully mended dream not deter him?

"I was too disappointed to be disappointed," he recalls. "[I] lost [my] job two weeks before Christmas" — and then simply carried on with his life.

Meanwhile, South Africans in the 1970s and 1980s could not resist the resonance of his anti-establishment lyrics. "Just climb up on this music/ And my songs will set you free/ Just climb up on my music/ And from there jump off with me" — and a whole generation did.

In a "hostile country where only the stones survive" — a country he had never set foot in — his music asked all the right questions. "I wonder, will this hatred ever end/ I wonder and worry my friend/ I wonder, I wonder, wonder don't you?"

Rodriguez, an ocean and half a world away, was living a life that could be deemed a different kind of struggle, yet he has proclaimed his unwavering contentment many times in his songs and interviews.

"So don't tell me about your success/ Nor your recipes for my happiness."

After successful tours in Australia in 1979 and South Africa in 1998, he went back to working in construction. "Back to your chamber/ your eyes upon the wall?"

"Well, I have a worker's mentality," he said, entirely pragmatic. "If it's broken, fix it." He continued this work until the success of *Searching for Sugar Man* prompted successive sold-out tours around the world, including performances at Coachella in the US and Glastonbury in the UK.

The much-deserved flourishing career was not the only success in his incredible story. When he was unaware of his status as a legend on the other side of the world, he never knew that his songs were earning him a sizeable amount of money.

His songs were, however, asking, critiquing, prophesying. "Was it a huntsman or a player/ That made you pay the cost/ That now assumes relaxed positions/ And prostitutes your loss?"

Despite American record companies gaining "another pound" — and another and another, making millions off the royalties that never reached him — Rodriguez knew "only time will bring some people around/ idols and flags are slowly melting."

Last year, he won the battle over his royalties and, just before his 80th birthday, was paid what he was owed. Kept in the dark by his record company for decades, the fruits of his labour finally ripened. "Moonshine pours through my window/ The night puts its laughter away/ Clouds that pierce the illusion/ That tomorrow will be as yesterday."

Rodriguez's two albums have been a major success around the world in the four decades since their original release. Turning blind as he grew older, he continued to live a modest life in his Detroit home, giving most of his earnings to family and friends. He died on 8 August at the age of 81.

To the legendary Sixto Diaz Rodriguez, we say: "But oh, if you could see/ The change you've made in me/ That the angels in the skies/ Were envious and surprised/ That anyone as nice as you/ Would chance with me."

Would chance with us, would chance with the world. May your soul rest in peace.

The article was written with extracts from the lyrics of Sixto Diaz Rodriguez.

## Music

# Mpotoze launches an album

Young maskandi musician's work explores themes such as love and the hardship of Jozi life

Oupa Nkosi

**T**he love of music started long ago," says Ndumiso Khumalo, who is popularly known in maskandi music circles as Mpotoze, a name he got for his ability to charm the ladies back home in Madazane village, KwaZulu-Natal.

"I used to cry for a guitar, not a ball, when I was with my mother at the shops," says the humble 29-year-old, fondly recalling how it all began.

His mother, unfortunately, could not afford to buy him one but his luck came in when the family next door gave him a guitar that belonged to their late grandfather.

It's a lovely sunny Saturday afternoon in late July but Khumalo is a bit agitated, constantly leaving the room to speak on the phone to the singers who will be sharing the stage with him during the launch of his first CD album *Love Bite* at the Diepkloof hostel in Soweto.

The 10-song album touches on a number of issues, including love, betrayal and the hardships of living in Johannesburg.

His ability to change his amazing, tantalising voice while singing into the microphone is phenomenal and his mastery of the guitar is something to be proud of.

In addition to the title track *Love Bite*, *Sibuy'emnambithi*, *Sidalelwene*, *Inkunzi Yenyathi*, *Emcitsheni* and *Ngiyajabulo* are some of the songs on the album that will keep maskandi lovers entertained.

A bright yellow Inkatha Freedom Party poster, emblazoned with the face of its founder and former leader, Mangosuthu Buthelezi, hangs on a wall in the open-plan kitchen, beyond which five dancers

are rehearsing their moves. The coal stove in the middle of the room does not seem to deter them.

"Come on guys, we have to get this right!" an irritated Chazubuhle Dladla shouts at the dancers. They acquiesce to his demands and repeat the moves several times until they dance in unison.

Khumalo learnt to play the guitar under the guidance of Celumuzi Makhanyile at the hostel. He drew inspiration from Amashayina Amahle, Abafana Benkululeko and Mqumeni. He was recruited to join maskandi group Phathaphatha, before going solo in 2020.

To succeed in the competitive music industry, "good marketing is very important and the burning of impepho/ incense back at home, asking ancestors for guidance, protection and success", says one of the artists at the launch, Njabulo "Ichwane LikaStezie" Zulu.

He adds, "If your parents never got married, ask your uncles to speak to your ancestors for you when impepho is burning — and that the pen that you use to write songs should be placed at your grandmother's home."

Khumalo jumps in and says, "For me, it is important that when I call or praise my ancestors for the talent that they gave me, I call both my parents' surnames because they never got married, even though my father paid lobola."

## Backstage at maskandi

Last year, legendary maskandi music godfather and multiple award winner Bheki "Ihhashi Elimhlophe" Ngcobo made history by becoming the first maskandi artist to record a live DVD at the Soweto Theatre.

Two of the most popular young artists in KwaZulu-Natal, Khuzani Mpungose and Mthandeni Manqe,



**Kicking off:** Mpotoze and his dancers (above) perform for the crowd during the launch of his album 'Love Bite' at the Diepkloof hostel in Soweto on 29 July. Mpotoze (left) during a rehearsal ahead of the album launch. Photos: Oupa Nkosi

were embroiled in a fierce fight that resulted in the death of a person in 2017. The two have had off-the-stage run-ins for sometime, after Manqe and some other artists accused Mpungose of stealing their material.

The war-torn province feared the tension might lead to more bloodshed, if not resolved, forcing the Tribal Authority to intervene.

In 2016, Sibusiso Gcabashe was sentenced for 28 years in prison for impersonating award-winning musician Khulekani "Mqumeni" Khumalo, who died in 2009.

Thousands of fans flocked to his KwaZulu-Natal home in 2012, believing he had been resurrected. Three years after his death, Gcabashe returned to the singer's hometown,

claiming he had been kidnapped by a witchdoctor who cast a spell on him and held him in a cave with zombies.

Gcabashe was found guilty of rape, assault, kidnapping, attempted escape from lawful custody as well as impersonating Khumalo.

## The CD launch event

For many upcoming artists their performances are curated on a makeshift stage for the convenience of the audiences who are mostly from hostels or informal settlements.

A small crowd has already gathered outside the main hall, where the launch event was held, and are being entertained by MC Ngubane.

To lure the crowd from their rooms, besides playing popular mas-

kandi music, he plays interesting games with the audience. For example, he gives a monetary reward to a willing participant for holding a full two-litre bottle in one hand, with arms outstretched, until a song that runs for several minutes ends.

As soon as Mpotoze and his dancers come on stage for a brief performance, the crowds come from their rooms, rushing to see them perform and to sing along to popular tracks.

Ichwane LikaStezie performs one of his songs on the roof of a car, which surprises many and the audience goes berserk when Dalac Wodumo throws sweets in the air.

When the main act performs again, it is at sunset and many people have gathered, already having fun.



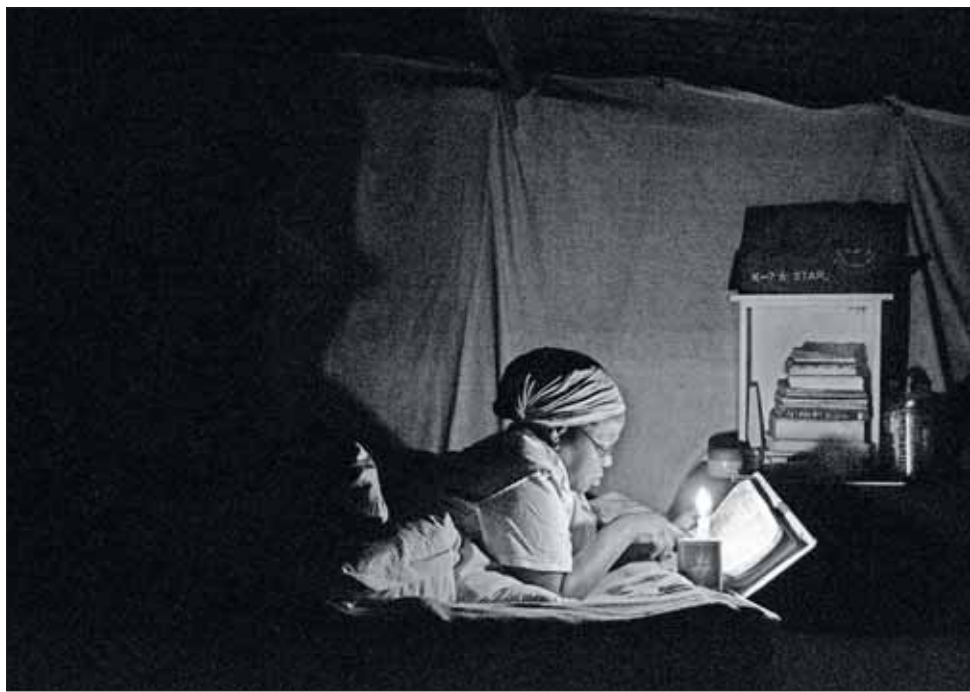
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## Photography



Gritty reality: Photographs from Lindokuhle Sobekwa's 'I Carry Her Photo With Me' series, which was later made into a book with handwritten notes.

# Snapping the underbelly

Lensman goes where others fear to tread to document the reality of life in the townships

Lesego Chopape

**P**hotographer Lindokuhle Sobekwa has been awarded the 2023 FNB Art Prize. He is the first documentary photographer in the history of the competition to win it.

"Sobekwa's work is soaked in materialism and subtly resolving geographical and temporal distances. In his hand the camera invites absent presences, that were there when his images were made, into the present," says a statement by FNB.

Previous winners include Dada Khanyisa, Wycliffe Mundopa, Lady Skollie, Bronwyn Katz, Haroon Gunn-Salie, Peju Alatise, Nolan Oswald Dennis, Turiya Magadlela, Portia Zvavahera, Mlisa Xaba, Mokoena J van Veuren and Kudzanai Chiurai.

The jury consisted of Abigail Rands, marketing manager of Krone; Dr Joy Simmons, who is a collector, philanthropist and radiologist; and Kim Kandan, FNB Art Joburg's representative.

"Creating compelling documentary photography, Lindokuhle Sobekwa's work represents an explicitly South African narrative.

"He brings into focus a poignant reality in which both strife and soft moments exist — exposing, questioning and reflecting on current times and experiences," the jury said.

Faye Mfikwe, FNB chief marketing officer, said: "We congratulate Lindokuhle on winning the coveted FNB Art Prize.

"The FNB Art Prize was created to recognise talent and innovation in the arts. As a result, we are delighted to see artists pushing the boundaries of conventional thinking through creative expression."

In my chat with Sobekwa, we spoke about his 2014 photo essay *Nyaope*, which was published in the *Mail & Guardian* and other publications, and we found out we had something in common — the pain of seeing your peers deteriorating right in front of your eyes.

"There is a part of my hood where I was warned not to pass because amagita [the guys] mug people. I took my camera and went there and took pictures.

"When I showed the guys the pictures I took of them, they got emotional, one even saying: 'I never look like this,'" Sobekwa says.

When he got home, he was affected by that experience of seeing amagita he grew up with in that situation and he knew that he had to tell their story. "I remember thinking that this could have been me," he says.

He went back and asked for their permission and they agreed. They seemed to know that the project was bigger than them and had a much broader purpose, he said.

Sobekwa is more noble than most. Most of us would just walk past people like that and pre-



Dark horse: Winner of this year's FNB Art Prize Lindokuhle Sobekwa's 'Ezilalini (The Country)'; above, and a photo from his series which was shot during lockdown (below).



tend we never played house with them when we were kids. We see thugs and fear them. As a result, no one takes the time to ask them what led to them being in this situation and whether they need help.

This body of work is brave but it is also a reflection of who Sobekwa is — a documentarian unafraid to probe his surroundings and give "misfits" a platform to tell their stories.

In 2015, Sobekwa got a scholarship to study at the Market Photo Workshop, where he refined his approach to the camera in both concept and technique. Since then, his successes have included being selected by the Magnum Foundation for Photography and Social Justice in New York to develop his project, *I Carry Her Photo of Me*. Two years later, the handmade photo book was included in the *African Cosmologies* exhibition at the FotoFest Biennial in Houston, Texas.

Last year, Sobekwa made his museum show debut at Huis Marseille in Amsterdam in the Netherlands before becoming a member of Magnum Photos and receiving the inaugural John Kobal Foundation Fellowship.

He is due to hold a solo exhibition at the Johannesburg Art Gallery.

## Reviews

# New album set to stand out

Prepare to dance, to fall in love and even to weep to the second record from Azana out soon

Lesego Chepape

**A**zana, real name Makhosazana Masango, is exactly what the South African music industry needs. She has a wide, rich voice, like nothing we've heard before, and her lyrical content has a universal flavour that will give it longevity.

The five-time South African Music Awards-nominated singer is due to release a new body of work in October titled *Igagu*, a Zulu word that refers to a group of people singing or dancing, where there is often an individual who stands out. This individual exudes confidence, passion and leads the crowd.

"Because of the love I have for music and the arts, I have always stood out in a group of singers and creatives. I participated in music my whole school career, and as I grew older, I gained the confidence to direct musically and lead in the choirs I was in and became igagu!" Azana says.

*Igagu* comes after her 2020 project *Ingoma*, which featured the hit single *Your Love*. The song quickly became the TikTok sound for those celebrating their love and even those who were manifesting the love Azana talks about in the song.

Azana tells the *Mail & Guardian* *Igagu* is a continuation of her first album because the stories connect.

"For example, in the first album, I was talking about how I wanted to be in Johannesburg to find my space in the music industry and, in the second album, there is a song called *Egoli*, where I speak about being here and the challenges I am facing."

The songstress says the album will make listeners dance, fall in love — and possibly cry.

"I have worked with different people for this album to support the different elements of my experiences.

"I will definitely be giving people something fresh but they will easily tell that it is from Azana," she says.

*Zalabantu* and *Shona Malanga* (featuring Amahle Gasa), the two singles off of *Igagu* which have been



Fresh: Azana is due to put out another album in October.

released, are definitely the fresh sound Azana is talking about. You can almost hear her smile on them.

The visuals for *Shona Malanga* validate the sheer feeling of joy we feel when we listen to an Azana song. It's colourful and fun — you want to watch it over and over again.

"We don't have to go to a fancy mansion to make a music video feel and look well made. My team and I make sure that we make people happy by just looking at the video and hearing the music instead of looking at material stuff," she says.

Azana says a common thread in the music is to evoke emotion without being unrelatable.

The two singles from *Igagu* are a foretaste of the kind of music we can expect from Azana this summer. It is the kind that reminds us to live colourful and free lives and, most of all, to celebrate love, whatever that looks like to each of us.

"I hope people who listened to the first one and appreciated it are still around to hear the second one.

"I hope it touches them where it is supposed to.

"I hope people can use whatever I have gone through and expressed in my music to heal," she says.

## Movie is a laugh, a cry and a scream

Ipeleng Derby-Molefe

What if we're all non-player characters (NPCs) in an elaborate game, with no control or free will?

*Free Guy* presents the question, "What if NPCs became conscious of their existence?" In the movie, the distinction between player characters (PCs) and NPCs is that PCs wear glasses, usually sunglasses.

Ryan Reynolds's character, Guy, is an NPC bank teller. He spends his days getting coffee, working, and being involved in bank heists with his best friend, Buddy, played by Lil Rel Howery.

When Guy steals the sunglasses off a PC, he gains a new perspective on the world he thought he knew, making him the first sentient AI creation.

Our hero is an unsuspecting individual with a regular lifestyle, fighting a villain who is more powerful and has more influence than him.

The villain is the game developer and owner of the company Antwan, played by Taika Waititi.

Antwan wants to create a sequel to the game *Free City*, however, to do this, he must destroy the original. Guy isn't Antwan's only problem — the creators are after him for stealing the original game concept.

On the technical front, the VFX was well done. The team created a game world and, at times, had to animate actors such as Reynolds and Channing Tatum. This is a city with constant violence, explosions and game-play screens that can only be seen by PCs with glasses. I can only



No free lunch: Ryan Reynolds plays the hero, Guy, in 'Free Guy'.

imagine how much organisation went into VFX alone.

The action comedy is a rollercoaster of emotions. You'll laugh, cry and scream at the screen.

My favourite thing about it is how

it immerses you in the *Free City* universe.

The star-studded cast never misses an opportunity to throw in a joke. Reynolds, Howery and Waititi are great comedic actors and *Free Guy*

highlights their strengths and talents.

*Free Guy* should be on your movie-night list. I recommend either watching it first, after a horror movie, or last. It has the right amount of action, humour and commentary.



**MASABANE CECILIA RANGWANASHA**  
SOPRANO SOLOIST



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**Sugar Man: The lyrical genius who died many deaths**



PHOTO: ROBERTO SERRA / GETTY IMAGES

# ESTATE PLANNING

Advertising supplement to the **Mail & Guardian**  
August 25 to 31 2023

## Unlock your financial legacy

### Navigating estate planning: From pitfalls to peace of mind

**Sandra Roberts**

**E**state planning is critical to safeguard accumulated wealth for the future of our loved ones. National Wills Month, observed in September each year, is about much more than just drafting a last will and testament — it's about orchestrating a seamless transfer of financial legacies in accordance with your wishes to ensure peace of mind and financial security for those left behind in the event of your death. No longer confined to the affluent elite, it has emerged as a pressing concern for individuals from all walks of life, to ensure generational financial harmony.

In the absence of proper estate planning you risk family disputes or having assets being bequeathed to the state instead of selected beneficiaries; dependents can lose financial security and face excessive estate taxes. Without proper documentation, administrative difficulties can result in delayed payouts.

According to Chief Executive of the Fiduciary Institute of Southern Africa (FISA) Louis van Vuren, drafting a legally valid will is the end result of your estate plan, not the beginning. "It is about planning and arrangement of your assets and liabilities to get the most out of them during your lifetime — and for your next of kin after death," he explains.

#### Identify your beneficiaries

The first step is to identify your spouse

— or spouses — because the Customary Marriage Act makes provision for polygamy, and each spouse has an automatic claim on the estate under South African law. The exact nature of this claim depends on the marital property regime. If you are married in community of property, spouses are co-owners of marital assets. With accrual marriages, the accrual amount must settle. "That, to a large extent, determines what you can and cannot do," he says.

While South African law allows freedom of testation (asset distribution), in practice spousal rights limit this. The Maintenance of Surviving Spouses Act grants claims against an estate if the survivor would be left without sufficient means, and due to an obscure provision in the Wills Act, someone is still legally considered a spouse for three months following the finalisation of a divorce. To change this, an updated will is needed.

Another thing to consider is any minor children, and the resources necessary to care for them until they reach the age of majority. Leaving everything directly to the surviving spouse may seem like the easiest option, but can disinherit non-mutual children, so it is best to ensure specific provisions for children or other direct dependents.

#### A stocktake of assets

It is important to understand what comprises the total estate in question. This includes property, investments,



Chief Executive of the Fiduciary Institute of Southern Africa, Louis van Vuren.

insurance, retirement funds and other assets. One should then review whose interests should be provided for through estate distribution. Here, documentation is key — every account and every investment at every institution — and updated on a regular basis.

Some assets, such as retirement annuities and living annuities, may fall outside the estate, but should still be considered when drafting a plan. Your will covers general assets, but you should specifically name beneficiaries for pensions, insurance policies, investments and more.

#### Drafting a will and selecting an executor

Van Vuren suggests using a lawyer to ensure your will is legally valid, and to review it every two years or after major life events to ensure it remains current. "Estate planning is an ongoing process," he says. While an attorney or bank can keep a copy of the will, it is prudent to also keep a separate copy in a safe place and inform family members and the executors of how to access it. This can be accompanied by a

file with documents listing pertinent assets for the executor.

The executor of an estate should be someone who is not just trustworthy, but also has the necessary expertise — including patience, time and the mental and physical bandwidth — to wind up and settle the estate. An immediate family member might not have the emotional resources in the aftermath of losing a loved one. Fortunately, there are professionals at hand to assist. Van Vuren says FISA awards the designation Fiduciary Practitioner of South Africa (FPSA) to members who have successfully completed the Advanced Diploma in Estate and Trust Administration at the University of the Free State.

#### Hidden costs, common pitfalls and other considerations

Thorough estate planning should also consider South Africa's legal requirements around inheritance and taxes. The country does not have "forced heirship", meaning even close relatives can be disinherited, with the exception of spouses. Taxation, in turn, is dependent on the heir's relation to the deceased. Consultation with an expert on these matters is the best way to ensure that the estate is structured in the best interest of those left behind.

Wrapping up an estate is not an overnight process — it can take months or even years to be finalised. For this reason, Van Vuren recommends having an emergency fund to cover three to six months of income for both spouses, should one pass away. He says there are investments specifically designed for this purpose.

#### Leaving a lasting legacy

Estate planning takes time and effort. Van Vuren warns not to leave this important process for your final days. Crafting a thoughtful approach aligned with your wishes and family's needs offers peace of mind — both while you are present and for your loved ones after you are gone. With proper diligence and advice from professionals, you can gain confidence that your legacy is secure.

## Your will and guardianship

**M**ost people think death only comes when you are much older. But more often than we care to acknowledge, it comes like a thief in the night and not when you are ready.

If you die without a will, you leave behind chaos, uncertainty and potential drama.

If you have any assets such as a house, furniture, car, savings or investments, the responsible thing to do is to ensure you have a will in place. If you're a parent, however, it should be a non-negotiable!

As a parent, we don't want to think about the prospect of leaving our children behind, but a sobering statistic from 2020 revealed there are nearly three million orphans in South Africa — so it's best to be prepared.

#### Guardians for your children

If you and your spouse pass away without a will, you leave no direction for a preferred guardian for your minor children, so the state will appoint guardians of its choice.

Another risk of not having a will is that after winding up your estate, what is left of your assets will go to the state's Guardian's Fund. Your children's state-appointed guardians will have to claim against the fund to cover your kids' expenses. This is not ideal as claims against the Guardian's Fund can be laborious, plus it has been plagued by fraudulent cases over the last few years. Having a will would allow you to provide for a testamentary trust to take care of your children's inheritance as you intended.

If you have children, passing away without a last will and testament should not be an option for you, and you should think clearly about who you'd want to care for your children in your absence. The High Court isn't legally bound by your will to appoint your preferred guardians, but as you will see in the following example,

your nomination has a great influence on the final decision of the courts.

#### The High Court and guardians

In a recent case in the Cape High Court, the guardianship of two young, orphaned brothers was finally awarded to their parent's preferred guardians after the courts had initially appointed the maternal uncle and aunt as their guardians — which was not the wish of their parents.

The boys' father and mother had passed away in 2018 and 2022 respectively.

In the mother's will, she had nominated close friends to be the boys' guardians.

The social worker assigned to oversee the boys' wellbeing had no sight of the will and recommended to the Children's

Court that the boys should be temporarily placed with safety parents, namely their maternal uncle and aunt, much to the distress of the family friends, who fully expected to care for them.

The maternal uncle and aunt were not in a strong financial position to care for the children, and after one of the boys was injured playing rugby and had subsequent medical aid issues, the parents' friends approached the High Court asking for a ruling appointing them as the legal guardians and citing the mother's wishes in her will.

The court ruled in their favour and the boys were finally united with their close family friends, fulfilling their mother's last wishes.

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# DRAMA.

## CAPITAL LEGACY

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#### Wills Month - no time like the present

The second week of September is National Wills Week, but Capital Legacy promotes will drafting every week and labels September as Wills Month. So, if you don't have a will in place, don't wait for death to sneak up on you unprepared; there's no better time than now to get your will in order.

Save your loved ones from the drama and heartache of passing away without a will. Contact Capital Legacy at [www.capitallegacy.co.za](http://www.capitallegacy.co.za) to draft your last will and testament, or speak to your financial advisor today.

# What happens to your digital legacy when you're gone?

From Facebook to Bitcoin to AI replicas, make sure you leave your loved ones with the information they need

## Sandra Roberts

**T**he world we live in is increasingly digital, and more personal and financial information exists exclusively online than ever before. This presents new challenges when it comes to modern estate planning. According to digital rights advisor and Director of OpenUp Gabriella Razzano, your digital legacy is an important but often overlooked part of the legacy that you leave behind in death: "Remember that in today's world, your digital identity is as much a part of your identity as anything else."

Most people do not really consider what would happen to their Facebook profile or Apple ID when they die. They also don't consider how to ensure that loved ones can access important documents that may be stored in the cloud.

And while there are no clear-cut answers to what should be done, Razzano says these questions are worth discussing with loved ones while one is still alive: "You've got such powerful rights in terms of your will. And so, just in practice, I know a lot of people use it as an opportunity to dictate their wishes about their social media platforms, for instance. But they haven't really thought too much about how their digital identity intersects with personal information."

While enacting a digital estate plan rests significantly on online platforms and financial institutions, there are steps that can be taken to preserve (or erase) your digital history and decide on the online legacy you leave. A will and the instructions left behind for loved ones may be your last chance to influence the world you no longer inhabit.

## The digital footprint you leave behind

Your digital legacy encompasses your broader online presence and identity, including social media profiles. According to a 2019 study from the University of Oxford Internet Institute, the dead will outnumber the living on Facebook within 50 years! To avoid these "zombie accounts" that can haunt loved ones, Facebook allows for the complete deletion of accounts, and also for the memorialisation of profiles of people who have died.

According to Facebook, memorialised profiles can act as a place for friends and family to gather and share memories after a person has passed away. Memorialised profiles differ from regular profiles in a number of ways. The word "remembering" will be shown alongside the person's name on their profile, and depending on the privacy settings of the profile, friends can still share memories on the memorialised timeline. Content the person shared in life, such as photos or posts, remain visible to the audience it was shared with. To avoid undue distress to those left behind, memorialised profiles don't appear in suggestions for "people you may know" or birthday reminders. Nobody can log into the account of a memorialised profile.

For a memorialised profile to be changed or updated in any way, a legacy contact should be appointed while the person is still alive. The Facebook Resource Centre explains that a legacy contact is a person chosen by the account holder to look after the profile if it is memorialised. A legacy contact can accept friend requests on behalf of a memorialised profile, change the profile picture and cover photo.

Avani Singh is a media law and information rights lawyer. She says maintaining agency over your legacy is possible, but stresses that a conversation with those closest to you will be helpful. "Your continued online presence may be distressing, and your family may wish to



Media Law and Information Rights Lawyer Avani Singh.



Director of OpenUp Gabriella Razzano.

have your social media accounts removed completely, should the circumstances of the death prove difficult to handle," she explains. "This agency is not just meaningful to individuals, but also for family members."

In addition to nominating a legacy contact where available, Singh also encourages people to consider appointing someone with the authority to close accounts, or leave a record of passwords that can be accessed after death.

"Remember that digital platforms like social media accounts contain extensive personal information about who we are, our preferences and interests, the people we engaged with and the places we've been," she cautions, adding that this information can be used for fraudulent purposes in the event that a person dies. "A common example of this is identity theft. A person's identity can be made use of to commit nefarious acts unbeknown to the family and under false pretences."

## The right to die or digital immortality

Your online presence is something that remains after you are gone, and red tape coupled with a lack of planning can remove the agency of the deceased and their loved ones. Razzano says with rapid technological advancements, the full implications of losing control of your online presence may not be evident yet. "Having your information publicly available can have a lot of weird long-term impacts that you never foresee and don't have control over," she warns.

Advances in Artificial Intelligence are raising new questions about digital immortality and the "right to die". Some companies now offer services that use recordings and writings of a deceased loved one to create a digital "replica" that mimics their personality and speech patterns. Services already exist that use

people's images to create realistic videos, and "deep fake" video technologies are becoming more sophisticated. Going forward, it may be possible to use AI to create the likeness of people, alive or dead, but again, these may be used for commercial or fraudulent purposes.

## Your digital assets

Managing digital financial and legal records is also crucial for estate planning. Digital assets include online financial accounts, documents stored in the cloud, and virtual property such as cryptocurrency or NFTs. The institutions that hold these assets may be based both within the country and abroad.

From online banking to tax documents stored in the cloud, digital-only assets can be difficult for executors or next of kin to access. Razzano recommends being proactive with sharing logins and passwords for important accounts through a will or estate attorney.

Cryptocurrencies and non-fungible tokens (NFTs) add further complexity. Extra care should be taken to ensure details about any NFTs are documented, since they can be lost forever if information like wallet passwords is not passed on.

A lot of information that may be needed on your death is only in digital format, available from institutions. Your banking records, insurance policies, tax information, more and more exists only in digital form. Getting this information may prove problematic for loved ones and executors. While the Master's Office at the Department of Justice and Constitutional Development can grant the executor permission to access financial records, that executor still needs to know where to look for those records.

Ensuring that you have been diligent about recording institutional and account information helps executors access

and manage all digital assets. Razzano advises the use of a password manager or password keeper, a technological tool that helps internet users create, save, manage and use passwords across different online sites and accounts: "One of the biggest security risks is using the same password for multiple sites, because if that one is leaked it can easily be used to breach all your other accounts. And when it comes to passwords, more complex is better. So a password keeper is good cyber practice, even in life."

The password to this tool can then be shared as an appendix to your will, although Razzano says it is important to remember to keep the password current! Singh says that while many platforms do have processes in place to access or remove accounts after death and may be helpful in doing so, the process can also be complex to manoeuvre and information may be difficult to find. It's important to recognise executors and loved ones may still encounter roadblocks.

## Into the future

Managing digital legacies remains a complex frontier in estate planning. Being proactive is key for financial accounts and records. Share login information securely, provide password lists, and give written instructions addressing digital assets. Because laws and policies often lag behind technological advances, individuals must be deliberate in protecting digital assets and shaping their legacy.

A document with clear instructions for handling social media, financial records, and other digital accounts after death can be added to an existing will and updated as needed. It is also wise to anticipate the longer-term implications of an online presence in all its facets. A person's digital identity can have a profound impact on their legacy — both in life and beyond.

# Preserving luxury legacies

Careful planning and estate management are necessary to safeguard your high-value assets for your heirs

## Wessel Krige

The process of estate planning is a multi-faceted journey steeped in personal reflection and filled with legal intricacies. The planning, which includes identifying heirs, listing assets and reviewing accounts, as well as considerations of estate taxes and debts, is critical; even more so for individuals who hold high-value assets. High-end collections such as art, antiques, jewellery, classic cars and wine can carry enormous value but can be tricky to appraise and even more tricky to divide up. Estate plans often use trusts or limited liability companies to properly manage coveted collections.

According to Alfred Bester, Director and Fiduciary Specialist at Legacy Fiduciary Services, individuals with high-value assets face additional complexities when ensuring that their assets will be rightfully distributed after their death: "Estate planning is a wide, expansive exercise in arranging your affairs relating to the assets and liabilities of your estate during your lifetime. This is especially pertinent to high-net-worth individuals who may have privately-owned enterprises or family businesses, and may invariably also own high-value assets like art, collections or other luxury assets."

Succession planning and buy-sell agreements are important for passing down business ownership smoothly. Experts caution that a lack of succession planning causes many family businesses to fail after inheritance disputes.

According to Bester, the process of estate planning typically involves setting up an appropriate structure to safeguard assets, and in this context may include the formation of trusts and companies, with the latter specifically designed to isolate and contain risk.

## Clearing the confusion to avoid pitfalls

Estate planning is often misunderstood, Bester explains, especially when dealing with high-value assets. For affluent individuals, the process extends far beyond merely drafting a will; it involves an intricate assessment of various asset classes and intense strategizing on how best to manage and protect those assets.

It requires considering not only what an individual owns, but also how to incorporate those possessions into an overarching plan that aligns with a person's goals and wishes, while taking legal considerations into account. "The most common mistake when attending to estate planning is not to consider each asset, or class of asset, and how best to deal with it as part of your overall estate planning," says Bester.

Especially in the case of high-net-worth individuals, merely drafting a will is not adequate estate planning. "The estate planning process as explained here is ultimately tied together at the end of the process with a suitable will which is in synchrony with the estate plan."

Experts agree that another important aspect of managing valuable assets for your estate is tracking. Personal property items are easily "lost". They may be stowed away in a storage locker, forgotten in the attic of a house that is sold to strangers, appropriated by a greedy relative or misplaced in a number of other ways. This tracking also touches on issues of security and insurance of the assets in question, and proper security measures should also form a part of estate planning. These could include safes, safety deposit boxes, alarms or other security measures, depending on the assets in question.

Transportable valuables also present greater risks, both in terms of theft and of loss during a disaster or a fire. It is also important to regularly update loved ones and the legal team overseeing the estate to ensure that the assignment and transfer of high-value assets go smoothly.



Alfred Bester, Director and Fiduciary Specialist at Legacy Fiduciary Services.

## Death, taxes and the law

In South Africa, various ways to deal with high-value assets during estate planning exist. Bester cautions that each method, however, comes with its own legal considerations: "There are many technical aspects that one must be aware of when planning an estate with high-value assets in South Africa. The legislation that comes into play is invariably the Income Tax Act and the Estate Duty Act, among others, which can result in transactional costs when an estate plan is implemented."

Bester says proper estate planning aims to reduce or postpone these costs, which is also important when considering the legal status of intended beneficiaries, such as minor children or persons with disabilities. It also ensures that assets are shielded for beneficiaries in cases of divorce, relationship breakdowns or failed business ventures.

Tax considerations should also form a vital aspect of estate planning. While some valuable possessions might offer tax benefits, different asset types may instead present as tax liabilities.

Understanding these differences is crucial, Bester explains: "One of the benefits of holding art and objects of art, including antiques and other collectables, is that such assets are not subject to Capital Gains Tax upon your death as these are deemed to be 'personal use' assets. There is also a possibility of avoiding estate duty on the value of your art collection in the event of your death, provided that such assets have been lent under a Notarial Deed to an institution, board or body which is exempt from income tax in terms of the provisions of the Income Tax Act for a period of not less than 30 years, and the deceased died during such a period.

"In South Africa, estate duty is a tax levied on the net value of a deceased person's estate. High-value assets such as art collections, antiques and luxury real estate are subject to this tax. According to the South African Revenue Service (SARS), the current rate is 20% for estates

valued up to R30 million and 25% for those above R30 million, with the first R3.5 million exempt.

**Safeguard your wealth and your memory** Estate planning is a dynamic and complex process; an ongoing strategy that must adapt to changes in both personal circumstances and the legal landscape. Bester says navigating the nuances of laws related to trusts, taxation and other financial matters necessitates the guidance of an experienced planner.

"At Legacy Fiduciary Services we are well versed with the law and the ever-evolving changes, especially the recent changes to the Income Tax Act and Trust Property Control Act relating to trust."

Though sentimental value matters when planning estates, the focus lies more on the financial value of assets. Proper distribution of high-value assets takes time and expertise. Working with estate planning attorneys and financial advisors helps ensure that your loved ones are taken care of, as this is a process that requires attention to detail, a personalised plan and a nuanced approach.

By attending to each aspect with care, individuals can ensure they leave a legacy that not only safeguards their wealth and the financial security of their loved ones but also provides an ongoing, meaningful connection for generations to come.



more than just **CAPITAL.**

At Legacy Fiduciary Services, we understand that Estate Planning is more than just a Will. Estate Planning involves correct **Planning**, a dedication to compiling the correct **Information**, a consistent flow of **Communication** between stakeholders, **Knowledge** of the estate process and a strong **Support** base.

At Legacy Fiduciary Services, Estate Planning is our primary focus.

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## Estate Planning

# What about the children?

Include guardianship provisions in your estate planning, and clearly define them in your last will and testament

**Sandra Roberts**

**P**roud parents, surrounded by loved ones celebrating the birth of a child, often appoint an honoured family member or close friend as a godparent — a cherished role model to support and guide the child and act as a secondary parental figure. The common assumption is also that this godparent will assume parental duties in the event that the parents die. Without proper guardianship provisions, however, this lofty title remains just that.

Including guardianship provisions in estate planning and having this clearly defined in the last will and testament is crucial to protect minor children if you pass away before they reach adulthood. Naming a guardian provides legal authority to care for your children and make important decisions on their behalf. There are a few considerations when planning guardianship.

**Parental rights and nominated guardians**

It's important to remember that surviving parents automatically assume responsibility for children in the event of the other parent's death. Should both parents pass away at the same time, however, or the surviving parent is not in a position to care for the child, having an appointed guardian is essential. Guardianship and financial provision in blended families and with polygamous households can be particularly complex, and it is essential to consider how circumstances may change should parents and stepparents remarry or circumstances change.

When selecting a guardian, Family Law Attorney Naseema Hassan has the following advice: "Look at what good examples they are as human beings, and also take their parenting skills into consideration."

Family and friends should be evaluated to see who shares the priorities and values of the parents, and to see who has an existing meaningful relationship

**Family Law Attorney Naseema Hassan.**


with the children. Good guardians should share the same religious, spiritual and cultural values as the family, as well as their preferred schooling approach and financial discipline.

Where they live and their ability to provide stability should also be at the forefront of decision making; ideally, losing parents should not uproot children from their siblings, remaining family, friends or schools. Financial stability, good health, patience and integrity are also important characteristics to look for in potential guardians. "You want the guardians to be able to treat your children with kindness and empathy."

Guardianship should always be discussed with candidates before they are nominated. It is important to confirm that

they fully grasp the seriousness of the decision and be completely sure that this is a duty they are willing to fulfil.

Hassan advises discussing values and guidelines for childcare with the nominated guardian before you pass away, but also cautions that parents must remember that it is impossible to control the decisions of others from beyond the grave. While not legally binding, these instructions can, however, provide guidance aligned with parental values.

Hassan recalls one case she worked on, where the mother had died in a car crash. "The wife's new husband, his child and her two children had become a family." The children's father was homeless and struggled with substance abuse. In that case, the step-father was awarded

guardianship because that was in the best interests of the children, and provided an easier alternative to adoption, which would have caused additional trauma after the loss of their mother.

**Always have a backup plan!**

In the event that the first nominated guardian cannot serve, it is good to name at least one alternative. "Consider a co-guardian, or a second or even third person in the event that the primary guardian's circumstances change," Hassan says. And remember to also inform alternates of your intentions! Share your priorities to aid their preparation if needed.

Should no guardian be specified or guardians fall away, the executor may identify guardians for the interim, or the family will care for children. Any plans should always consider the stability and emotional security of the children. It is best to plan for all circumstances so that they are looked after.

**Financial provision for children**

Establish a testamentary trust in your will to structure finances. With a trust, you can decide at what age your child or children can access the funds. It also provides for your children's needs: housing, food, clothing, medical costs, education and extracurricular activities. Sufficiently fund the trust to fully provide through to adulthood and define parameters for trustees on accessing funds.

The guardian can serve as trustee, or the parent may select someone else completely. "People often appoint friends, an accountant or an attorney," Hassan explains. "I am often appointed as trustee to testamentary trusts of colleagues or friends."

Odd numbers like three trustees facilitate decision-making. Many trustees can slow decision making. Outline trustee powers and trust purposes clearly, to minimise potential guardian-trustee conflicts over money management.

# Make a difference where it matters

Charitable wills ensure assets have impact when you are gone

**Wessel Krige**

**I**n a world often driven by material pursuits, the act of giving to others offers a profound sense of fulfilment and purpose. The choice to contribute to a charitable cause through a will is not just a financial decision, but a deeply personal one. It's a sentiment that extends beyond tax benefits or legal considerations and taps into the very core of personal values and human connections.

Head of Financial Planning, Advice and Product Development at Absa Private Wealth Banking, Navin Ramparsad, says this decision often reflects an individual's passion for community and their desire to leave a lasting legacy. "Charitable donations allow people to make a difference by contributing and giving back to society," he explains. "Donating like this not only makes the donor feel good but also strengthens and builds communities."

Ramparsad says there are a few considerations for those interested in including their favourite charities or charitable causes in their estate planning, and various methods exist to do so — including an outright bequest, a direct donation or setting up a trust.

He says that this generosity often starts in life and extends after people die: "During a person's lifetime, they can donate directly to an individual, a trust, a company or a charitable institution, or they can set up a public benefit organisation (PBO) for a specific charity or cause."

The South African Revenue Service


**Charitable wills: a profound way to leave a legacy that last beyond your lifetime.**

(SARS) defines PBOs as entities that conduct activities for the greater good of the public. These activities encompass areas such as healthcare, education, environmental conservation, animal welfare, the promotion of arts and culture and the advocacy for human rights.

**The laws that govern giving**

South Africa's legal frameworks around charitable giving can be complex, but Ramparsad says they are designed to encourage and facilitate generosity: "A donation is a gratuitous disposal of property or any gratuitous waiver of a right. The Income Tax Act (ITA) and the Estate Duty Act are key pieces

of legislation that inform charitable donations. Non-profit organisations and trusts that want to be registered as PBOs must do so in terms of Section 30 of the ITA, and donations to registered PBOs are not subject to donations tax or estate duty."

But, he cautions, this may be subject to certain conditions. Charitable giving through wills is not without its challenges, but with thoughtful planning, Ramparsad says these are not insurmountable: "It is important to remember that there may be certain costs associated with giving effect to the bequest which the estate may have to pay for. Some of the more common challenges revolve around deciding which

organisation to benefit, and once decided, how to assist the organisation. Ensuring that the PBO meets the ITA criteria is also an important aspect of the due diligence in choosing a charity."

Selecting the right charitable organisation is not merely about aligning with a cause but also involves understanding the integrity and effectiveness of the organisation in question. "A person needs to reflect on what is important to him or her and decide what charitable cause to support, of course, but also take the reputation, operational ability and processes of the charitable organisation into consideration," Ramparsad advises.

He adds that trust is paramount in charitable giving, and it's vital to have mechanisms to ensure transparency: "It is also important to ensure that the chosen charitable organisation is correctly identified and described in the will to ensure enforceability. Regular reviews of the will are very important. Upon death, an executor assumes responsibility for the administration of the estate and is responsible for ensuring that the bequests of the testator are given effect to, and these need to be clearly defined."

In an age where personal connection and compassion are more vital than ever, charitable giving through wills offers a profound way to leave a legacy that echoes beyond a lifetime. It's not just a matter of wealth but a manifestation of values, a testament to what an individual holds dear, and a tangible way to foster positive change in the world.