BLF SUBMISSIONS ON THE TRANSFORMATION OF THE FINANCIAL SECTOR

INTRODUCTION

Black First Land First (BLF) is a Black Consciousness, Pan Afrikanist movement which embraces a Sankarist leadership ethos. We are also registered with the Independent Electoral Commission as a political party.

Our movement has since its conception in August 2015 been monitoring and engaging in various actions regarding white corruption and other economic crimes with a view to ultimately transforming the financial sector in the context of decolonising the economy and by extension the whole country.  (See our website: blf.org.za for fuller particularity).

This written presentation  will deal with financial sector transformation under the followings subheadings:

1. PRAVIN GORDHAN AS MINISTER OF FINANCE IS CONFLICTED, COMPROMISED AND CAPTURED BY WHITE MONOPOLY CAPITAL

**2. Suspension of loans to major SOEs by Futuregrowth**

**3. SARB IS SERVING WHITE MONOPOLY CAPITAL**

4. AMENDING THE COMPETITION ACT TO INCREASE PENALTIES

**5. THE REVOLUTIONARY RESPONSIBILITIES OF BLACK BUSINESS**

1. PRAVIN GORDHAN AS MINISTER OF FINANCE IS CONFLICTED, COMPROMISED AND CAPTURED BY WHITE MONOPOLY CAPITAL

In April 2016 Oakbay, which is owned by the Gupta family, publicly announced that that the banks had closed its banking accounts. It further announced that KPMG (its auditors) as well as Sasfin (it's sponsor on the Johannesburg Stock Exchange) have terminated their services with Oakbay.

Upon getting no justifiable reason for the closure of its bank accounts from the banks, and despite attempts at obtaining such, Oakbay's response was that the banks had acted irregularly and unjustifiably in closing its accounts.

Oakbay had also made several approaches to the Minister of Finance, Pravin Jamnadas Gordhan, to seek his intervention (on behalf of government) to approach the banks so as to reverse their decision to close its accounts. They had received no positive response from Minister Gordhan who had on 14 October 2016 approached the High Court  (Gauteng Provincial Division, Case Number 80978/16) for an order that he is "not by law empowered or obliged to intervene in the relationship" between the banks and Oakbay regarding the closing of the bank accounts held by Oakbay.  (see Notice of motion together with the founding affidavit of Pravin Jamnadas Gordhan and its annexures, collectively marked Annexures "A")

It is also instructive that when the long term auditors of Oakbay, KPMG, stopped their association with the Gupta family businesses, they made it clear that there was nothing wrong with the books of these businesses, an assertion which was confirmed by the new auditors who undertook their own independent “due diligence” on the state of the finances of the business. Furthermore, even the South African Reserve Bank (SARB) has come out and denied that there is any investigation against the Guptas.

While the reference to Oakbay including the issues raised here relates to a large extent to the case launched by Gordhan  on 14 October 2016 in the Gauteng Provincial Division under case number 80978/16, the result of that case, whatever it may be, will not serve to liquidate the need to address the claim that Gordhan is unable to investigate the conduct of the 4 banks that closed the Oakbay accounts because he has business interests in them

As Gordhan holds shares in the these banks (Absa, First National Bank, Standard Bank and Nedbank)  that have closed the bank accounts of Oakbay he could not                                           consequently be impartial in the work of the cabinet appointed Inter                                  Ministerial Task Team set up to address the problems related to the  closure of the said Oakbay bank accounts. This is further evidence by his conflict of interest situation.

Oakbay is effectively Gordhan's competitor. This further explains why the he has not worked through the Inter Ministerial Task Team that has been set up by cabinet to address the closure of the Oakbay bank accounts. This is further evidence that Gordhan cannot be impartial if he intervenes in the said Oakbay case as he is conflicted and compromised in his capacity as Minister of Finance".

The paragraph herein relating to  "Categories of relationships", indicates the various instances of Gordhan being in a conflict of interest situation. It is necessary to invoke the third  category which is also applicable here.

Black First Land First (BLF) has opened a criminal case with the South African Police Services (SAPS) against a number of white business persons including Johann Rupert for contravening section 4 of the Prevention and Combating of Corrupt Activities, 2004 (Act No. 12 of 2004). This case is essentially one of corruption and is currently being investigated by the HAWKS. (See letter to SAPS dated  31 March 2016 marked Annexure "**B**")

BLF has also lodged a complaint with the Public Protector (PP) of “state capture” by the same white business persons including Johann Rupert. (See letter to PP dated 31 March 2016 marked Annexure "**C**").

BLF has moreover presented the SAPS, HAWKS and the PP with evidence that shows that these bankers and Johann Rupert have illegally interfered with the duties of the President to appoint ministers in terms of the Constitution which they claim to uphold. (See Statement of Andile Mngxitama marked Annexure "**D**")

As elaborated in Annexure "D" Johann Rupert who is also the chairperson of the Swiss luxury goods conglomerate Richemont acted in a corrupt fashion when he summoned ANC leaders, specifically Cyril Ramaphosa and Trevor Manuel, into a meeting and instructed them to ensure the firing of Des van Rooyen as Minister of Finance. To this end, Johann Rupert has interests in the economy, so he wanted a minister who would take care of his interests.

Johann Rupert has denied meeting Ramaphosa and Manuel. Ramaphosa has in turn not denied the actual meeting but has denied that there was any discussion of the hiring and firing of ministers.

Subsequently, as more fully indicated in Annexure "D", on the night of 13 December 2015 the business persons indicated below, some of them belonging to multinational corporations, contravened Section 4 of the Prevention and Combating of Corruption Activities Act, 2004:

a. Barclays Africa Group Chief Executive Officer, Maria Ramos;

b. Goldman Sachs’ South Africa head Colin Coleman;

c. Investec Bank’s global CEO, Stephen Koseff;

d. Imperial Holdings’ CEO, Mark Lamberti;

e.  Sanlam CEO Ian Kirk;

f. Business Leadership South Africa chairperson Bobby Godsell;

g. Toyota Europe CEO Johan van Zyl and

h. First Rand CEO Johan Burger

When BLF opened criminal charges against the above business persons including Johann Rupert we (BLF) didn’t know at the time that the Minister of Finance, Pravin Gordhan, is a shareholder in the above businesses of these individuals.

Minister Gordhan’s business interests includes his shares in the South African banks and other businesses. (See "Register of Members' Interests, 2015" in "Joint Committee on Ethics and Members Interests" marked Annexure "**E**". Also see diagrammatic depiction of all the businesses in which Minister Gordhan has

interests marked Annexure "F")

He stands to benefit from BHP Billion which has consumed 11% of the national energy and which is also increasing the energy burden through its unethical deal that is tantamount to a subsidy from the state.

Furthmore Gordhan has shares in Remgro, a company owned by Johann Rupert who is one of the businessmen being investigated by the HAWKS for state capture in relation to the hiring of the Gordhan as Minister of Finance. Moreover, Rupert is accused of being one of the white business people who stole R26 billion from the South African Reserve Bank (SARB). It is BLF's submission that Minister Gordhan will not investigate a company in which he has shares. Remgro is a direct beneficiary of the theft from SARB which is under the control of Gordhan. Gordhan is in business with Johann Rupert who in turn is accused of stealing from the ministry under Gordhan. This explains why Gordhan shall never persue white capital.

The current battles between Treasury (which is totally captured by white capital through Gordhan whom they have forced the ANC to appoint) and ESKOM, is about safeguarding the interests of white capital. White monopoly capital is angry that under the leadership of the likes of Ngubane and Brian Molefe black business has been transacting more with ESKOM. The target of white capital thus far has been the Gupta family which after buying a subsidiary of the Swiss conglomerate, Optimum Coal, has been able to secure only about 5% coal supply to Eskom. The question not asked is, who supplies the rest of the coal needs of ESKOM? White capital is protecting its hegemony and using Treasury as its army to fight its battles. Gordhan was appointed at the behest of these white capitalists who now are served by Treasury. The current crisis over state owned enterprises (SOEs) are part of the ongoing “state capture” by white capital.

Furthermore, companies like Anglo American and Remgro (in which Minister Gordhan has shares) do business with State Owned Entities such as Eskom. This is like double dipping by Minister Gordhan. He benefits out of businesses that do business with the State. This is why he cannot be impartial.

His refusal or inability to prioritize the recovery of the stolen R26 billion coupled with his refusal to find funds for free education by taxing big business further demonstrates why Gordhan was chosen (as elaborated above) as Minister of Finance.

Minister Gordhan’s application to the High Court on 14 October 2016 (Gauteng Provincial Division, Case Number 80978/16) - for an order that he is "not by law empowered or obliged to intervene in the relationship" between the banks and Oakbay regarding the closing (by the major banks) of the bank accounts held by Oakbay -

is accordingly in service of the banks who lobbied for his appointment. He is therefore using his office as Minister of Finance to serve his business partners.

The fact that Minister Gordhan, in his capacity as Finance Minister, is expected to supervise the financial institutions he has shares in places him in a conflict of interest situation. The Minister of Finance is both compromised and conflicted to the extent that he is reduced to an agent of white monopoly capital.

Minister Gordhan having shares in multiple businesses would not have been a problem if these companies that pay the Minister of Finance a dividend were not the same group of businesses that forced the ANC to hire Gordhan as Minister of Finance. Shareholding is not a problem in itself in a capitalist economy but it becomes a conflict of interest when companies where a minister has shares in demands that their fellow shareholder becomes a Minister in the area these companies have direct interests in.

In these circumstances, Gordhan is in fact materially compromised by his association with the aforesaid business persons who were effectively his business partners and who bullied the ANC leaders into appointing him as Minister of Finance in December 2015.

Gordhan ought to have recused himself from that position as soon at it became public that his business associates had insisted that he be appointed. The fact that he had not done so suggests unethical and criminal conduct, including corruption, on the part of the minister.

It means that Pravin has been employed by these businesses to look after its interests.

Furthermore, Minister Gordhan is priorising the matter regarding the R6.8 billion of allegedly "suspicious"  transactions relating to the Gupta family business accounts but  is silent on the R26 billion which was stolen from the South African Reserve **Bank as well as other money's stolen as indicated below and which is under his ministry. (See CIEX report marked  Annexure "G",  and BLFs "preliminary report on apartheid era corruption and other economic crimes marked Annexure "H".**

Evidently the CEOs of most of the businesses that he has shares in                           and or are responsible for his appointment as Minister of Finance (these are                    all white) are indicated in the list that can be accessed from the aiiached linked. The nature of these relationships has                       already been canvassed above and to this end supports the conclusion that Pravin Gordhan is "compromised and conflicted to the extent that he is                     reduced to an agent of white monopoly capital".See: "Named: The 81 CEOs who pledged support for Gordhan" - link:                                                          <http://www.fin24.com/Budget/named-the-81-ceos-who-pledged-support-for->gordhan-20161024

The CIEX report reveals that apartheid leaders, bankers, and white capitalists who committed crimes of corruption in the decade leading up to 27 April 1994 and beyond were never prosecuted with a view to recovering what was stolen from the black majority of this country - despite overwhelming evidence of wrong doings.

**Ciex report and suggested redress**

The CEIX report came out of an investigation that was commissioned by government - using the nation's money - relating to the theft of public funds during the apartheid era.

The outcome of the investigation contained in the Ciex report points to serious criminal activity on the part of those implicated and it cannot therefore be ignored by government.

These allegations contained in the Ciex report cannot go unchallenged by the Minister of Finance, who by necessity of holding public office ought to be a believer of societal values founded on the principles of fairness, openness and  transparency.

Evidently, as can be gleaned from Annexures "E" and "F", Gordhan has shares in ABSA Bank Limited, First National Bank Limited Standard Bank of South Africa Limited, and Nedbank Limited. ABSA  in which the Gordhan has  shares, was found to have illegally benefitted from certain "lifeboats" as  indicated in CIEX in the amount of R3.2 billion. Three other reports support this finding of Ciex, namely: Heath, Davis and the Public Protector report that was leaked on 13 February 2017.

The Chief Executive Officer (CEO), Maria Ramos, of Barclays Africa Group  Limited is one of the people implicated in "state capture" by white capitalists. Barclays Africa Group Limited was previously constituted as the "ABSA Group Limited" and initially constituted in 1986 as "Amalgamated Banks of South  Africa". It (Barclays Africa Group Limited) is a South African subsidiary of Barclays Bank Plc, which in turn is a British multinational universal bank with headquarters in London. ABSA Bank Limited "is a wholly owned subsidiary of Barclays Africa Group". The ABSA brand is "now subsumed within Barclays Africa". See Barclays Bank PLC website:            <https://www.archive.barclays.com/items/show/5402>

 Gordhan is accordingly doing business with ABSA Bank Ltd who in turn via the CEO of Barclays Africa Group Limited, Maria Ramos, is implicated in a criminal case as well as a complaint lodged with the Office of the Public Protector of "state capture" by white capitalists regarding the firing of Des van Rooyen and the hiring of Pravin Gordhan as Minister of     Finance.

First Rand Limited CEO, Johan Burger, is also implicated in the aforesaid criminal case and complaint of "state capture" by white capitalists. First National Bank Limited is a division of First Rand Limited.

 Gordhan is accordingly doing business with First National Bank Limited who in turn via the CEO of First Rand Limited, Johan Burger, is implicated in the same criminal case as well as a complaint lodged with the Office of the Public Protector of "state capture" by white capitalists.

While the Ciex report is self explanatory, an elaboration thereof will nonetheless be provided.

There is a conflict of interest between Gordhan's official role as Minister of Finance and his role as shareholder of the major entities including the banks. This is clear, inter alia, from the fact of his relationship with those (apartheid era white capitalists and politicians) implicated in the looting of billions of rands from the nation. To this end Ciex reveals those implicated.

In 1997, Ciex a private UK based Investigations Company, was                                 commissioned by the SA government to investigate apartheid era crime and         corruption. The Ciex report submitted to former President Thabo Mbeki (at or        about the end of 1997/beginning of 1998) suggests that billions were stolen by white capital of which R26 billion is recoverable immediately.

**To this end the following extract from the CIEX report is instructive:**

**“Potential profitability of the operation is illustrated by the following amounts which Ciex has to date identified and provided Government with the opportunity to recover:**

**R3.2bn from Absa**

**R3bn to R6bn from Sanlam and Rembrandt**

**Up to R5.5bn from Aerospatiale/Daimler-Chrysler"**

**Furthermore, "Ciex suggests opportunities for huge cash recoveries" in respect of           Armscor's liability of R14.4 billion.**

**Ciex suggests criminal conduct on the part of the under-mentioned persons               and entities and in this regard the possibility of recovering the stolen billions.            Despite this the Public Protector, to whom the matter was reported in August 2011, has done nothing about it and has after previously undertaking to finalize the investigation and report, refused to do so until she vacated her office at the end of her tenure in October 2016. Since 7 September 2015 BLF has been trying to get the Public Protector to finalise her report in this respect. (See letter to Public Protector marked Annexure "A")  To date four reports, Ciex, Heath,       Davis Panel of Experts, and the Public Protector (Advocate Busisiwe                    Mkhwebana) has found that ABSA had illegally benefitted from certain                    lifeboats from SARB.**

**The Heath enquiry demonstrates that Absa benefitted from the illegal                       "lifeboats". To this end Heath found that an amount of R3.2bn is payable by      ABSA.**

**Regarding the liability of Sanlam and Rembrandt, Ciex indicated that: it was            possible to recover 3-6 billion rands from the said institutions; the Heath report finding "on the Absa 'lifeboat's' illegality" presents the "opportunity" for                  Government to proceed against  Sanlam and Rembrandt (principal                         shareholders of Absa) for payment to the extent that their shares had been           enhanced as a result of the "secret" lifeboat;  during 1992 Absa purchased           Bankorp (which was already enhanced by the lifeboat from SARB) from                Sanlam "for Absa shares for a price of l.lbillion Rands"; in November 1999             Judge Heath pointed out that "[t]he value of the 'lifeboat' was taken into                 account in determining the purchase price of the shares in Bankorp"; the             R1.1 billion paid for Bankorp was equal to the amount of the secret 'lifeboat'         from SARB and to this end it was "not Sanlam- who was the effective owner of Bankorp"; " the value of Sanlam's holding in Absa (which) has today nearly          quadrupled to R3.8billion" as well as "a lesser amount ... from Rembrandt and its associates ... could be claimed by Government"; and "[l]egal opinion" to this end could be provided.**

**Absa purchased Bankorp (which had been enhanced by the lifeboat given to ABSA) in 1992 from Sanlam for R1.1 billion (in the form of ABSA shares). To           this end Judge Heath stated in November 1999 that the 'lifeboat' value was           factored in the determination of the purchase price of Bankorp's shares. The        value of Sanlam's steak in Absa via its shares has up until the Ciex' report               increased four times to R3.8billion.**

Nedbank

Gordhan owns shares in Nedbank and to this end does business with it. Nedbank   is implicated in illegally benefitting millions from lifeboats accessed from SARB. The liability of Nedbank is R500 million.

**Ciex suggests a 'lifeboat' in the amount of R100 million was made by SARB to Nedbank in 1986 to cover for the bank's losses from unsecured lending to Louis Luyt. To this end with interest an amount of R500 million is recoverable from the Fifth Respondent which it is well able to pay.**

Trust Bank

All shareholding of the Bankorp Group - this included Senbank, Bankfin and Trust Bank -  was acquired in 1992 by Amalgamated Banks of South Africa Limited (Absa) now Barclays Africa Group Ltd.

 Amalgamated Banks of South Africa Limited changed its name to Absa Group Limited in 1997. The United, Volkskas, Allied and TrustBank brands merged in 1998 into one brand, and Absa thus assumed a corporate identity that was different.

Gordhan is accordingly doing business with ABSA Bank Ltd (into which Trust Bank has been subsumed) who in turn via the CEO of Barclays Africa Group Limited, Maria Ramos, is implicated in a criminal case as well as in a complaint lodged with the Office of the Public Protector of "state capture" by white capitalists regarding the firing of Des van Rooyen and the hiring of Pravin Gordhan as Minister of Finance.

The liability of Trust Bank is between 50-130 million US dollars per annum              from 1986 to 1992 plus the 300 million US dollars per annum exported                  annually to the Cayman Islands.

To this end Ciex indicates that from 1986 to 1992 Trust Bank was secretly authorised by SARB to export funds in the amount of 300 million US dollars per annum to the Cayman Islands so as ‘to facilitate strategic purchases'. The funds, it turns out, were not employed for that purpose. It was instead invested from the Cayman Islands into Eskom            stock. The annual profits thus generated from this process - averaging                  between 50-130 million US dollars per annum - were not repatriated to South Africa.

SARB

Gordhan will not investigate or proceed against the duly authorized agent of SARB being Christian Lodewyk Stals as Govenor of SARB at the relevant time for his involvement in the lifeboats given to the various entities (ABSA, Sanlam, Rembrandt) from SARB because of his relationship with the said entities as already elaborated elsewhere herein.

 Ciex reports that the illegal subventions to ABSA were organised by Christian Lodewyk Stals in collaboration with Marinus Daling, Danie Cronje as well as      with Anton and Johan Rupert. Gordhan here too will not                                 investigate or proceed against Marinus Daling, Danie Cronje as well as with                      Anton and Johan Rupert for their involvement (together with Christian                                 Lodewyk Stals) in the illegal lifeboats given to the various entities (ABSA,                         Sanlam, Rembrandt) from SARB because of his relationship with the said                                 entities as already elaborated elsewhere herein. For the same reasons the                          Gordhan will not cooporate positively (in assisting to bring the                       wrongdoers to book) in the criminal case opened by BLF against the                                   perpetrators involved in the theft of R26 billion from SARB as suggested in                              Ciex and or the Heath. To this end the following is a list of the 17 perpetrators who looted SARB for the said billions:

1. Armscor

2. Sanlam and Rembrandt

3. Aero-spatiale/Daimler-Chrysler

4. ABSA.

5. Minister of Finance, Barend Du Plessis, (Minister of Finance from 1984–1992)

6. Attie Du Plessis.

7. Christian Lodewyk Stals (SARB Governor from 8 August 1989 to 7 August                 1999)

8. Marinus Daling (Deputy Chair of Sanlam Limited from 1993 and Chair of                         Sanlam Limited from 1997)

9. Danie Cronje (Deputy Chief Executive and Group Chief Executive of ABSA                             from 1987 to 1997).

10. Anton Rupert (founder and owner of Rembrandt who passed away on 18                             January 2006. Legal recourse must be sought against his estate, alternatively the                             beneficiaries of his estate)

11. Johan Rupert (Vice Chair of Rembrandt Group from 1989 to 2000).

12. James Havelock Cross (Deputy Governor of SARB from 1997 to 1999 and                      Senior Deputy Governor of SARB since 1999).

13. Thabo Mbeki (Deputy President of RSA from 1994 to 1999, and; President                        from 1999 to 2008.

14. Dullah Omar (Minister of Justice from 10 May 1994 to 14 June 1999. Died on  13 March 2004)

15. Trevor Manuel (Minister of Finance from 4 April 1996 to 10 May 2009)

16 Alexander Erwin (Minister of Trade and Industry from 1996 to 2004)

17. Tito Mboweni (Minister of Labour from 1994 to 1998)

(See letter to SAPS dated 16 November 2016 marked Annexure "B")

In addition to Christian Lodewyk Stal's involvement with the securing of                                lifeboats, Ciex reveals that on 2 December 1993 the Secretary of the SARB                       disclosed (in a "private meeting with senior Bank of England officials") that he had "discovered" that SARB had huge assets, which he (Stals) had been building up over many years and which had not been declared to the Ministry of Finance. This too requires the direct action and corporation of Gordhan to bring the wrongdoer to book and to facilitate recovery of the said assets.

As head of the Ministry of Finance, it is the duty of Gordhan to facilitate recovery of lifeboats illegally obtained from SARB and which were in  turn approved by the Minister of Finance at the relevant time which in turn is under his (First Respondent's) office.

ABSA, Sanlam, Rembrandt as well as Nedbank and Trust Bank (the latter was absorbed into ABSA in 1992) had been enriched via lifeboats from SARB at the expense of the people.

Another important point is that Thabo Mbeki who was Deputy President of RSA from 1994 to 1999 and President from 1999 to 2008, in the first place, simply put the Ciex report under the table.

According to the Ciex report (**Annexure "G")**Ciex, in  August of 1997, approached Government with certain propositions, namely:

"The banking and financial systems were substantially corrupt, were                       effectively under Broederbond control, and were serving the interests of old regime adherents rather than the country as a whole;

The same was true of much of the economy : empowerment was treated                      cynically and dishonestly by the major interests;

Huge sums of public money had been misappropriated : some were                  recoverable : an example was the Absa 'lifeboat', of which Government was then unaware;

Corruption was damagingly presented to the world as a growing and                        uniquely black problem : but under white rule it had been institutionalised;

Foreign governments and banking communities which had profited from                     apartheid were vulnerable : forms of restitution might be sought;

Senior civil servants and advisers who had been part of these systems                     would not help Government to act or give honest advice;

Ciex was equipped to do so. The cost of fuelling the exercise would be                      borne by recoveries."

 Ciex further reports that Government was amenable to the above propositions and to this end "[p]riorities for a project entitled 'Spear' were agreed" and that it "was contracted by Government (Section 2), instructed to work through SASS, and encouraged to concentrate on Absa (potential recovery of R3 billion+)". Furthermore, "[t]he operation was to be self-funding and profitable for Government (Section 3)".

**Ciex performed work in respect of the following**

**As can be gleaned from Annexure "G", Ciex then  proceeded and performed work regarding the following: "Absa"; "Liabilities of                 Sanlam and Rembrandt"; "International restitution"; "Armscor"; "'Gnome'                      relating to "misappropriated funds under control of a former Minister";                                   "Miscellaneous potential recoveries"; "Economic factors supporting conflict in                          the Great Lakes Region"; and "Islamic subversion and PAGAD".**

Furthermore, proposals relating to "[revenue enhancement through improved customs collection" as well as "[m]anagement of the intelligence services" were also offered by Ciex.

Ciex clarifies that although the "formal contract was suspended on 31                                      December 1998, the company was informally tasked (without payment) to                             continue work on Absa, Armscor payments, and Bond issues, with the                                 assurance that the contract be revived after the Election".

The renewal of the contract did not occur. To this end Ciex pointed out that the work already                         executed "at official expense" and continued at its own expense and which "is left hanging in the air", offers the Government "considerable political and                              financial rewards".

**Appendix "B" of Annexure "G" to** the founding affidavit constitutes the                                contract concluded between the State and Ciex. The Addendum in Annexure "B" sets out the 4   "[p]riorities for CIEX attention from commencement of the                               engagement (to be reviewed monthly)", namely:  "BANKORP I ABSA                                 Lifeboat"; "Other illegal subventions"; "Asset recovery"; and                                              "Inter-governmental negotiations, negotiations with individual major foreign banks".

49. It is clear from the content of **Annexure "B" to** the founding affidavit that a                                legal contract was entered into between the RSA and Ciex. To this end all the requirements for a contract to be considered valid and binding in South Africa, have been complied with.

Aspersions cast to undermine the Ciex report serve to deflect attention  away from the legal duty on the part of Gordhan to facilitate action for the recovery of the stolen money against the perpetrators of crimes, many of whom (ABSA, Rembrandt as well as                           Nedbank and Trust Bank (the latter being absorbed into ABSA in 1992)), Gordhan has shares in.

Ciex's finding that ABSA had illegally benefitted from certain "lifeboats" in an                        amount in excess of R3 billion was also supported by the Heath report, Davis Panel of Experts report and earlier in February 2017, by the Preliminary report of the Public Protector. To this end the three latter reports serve to confirm, not reject the finding of Ciex.

What is in disagreement is whether the money that ABSA had illegally benefitted from as a result of certain "lifeboats" from SARB, should be recovered from it. To this end, should ABSA pay back the money?

Both Heath and Davis say that the money should not be recovered from ABSA, while Ciex and the Public Protector, albeit that her report is preliminary and not yet finalized, say that ABSA must pay back the money.

Pravin Gordhan who effectively heads the Ministry of Finance and by                     extension SARB from who the money via lifeboats were looted, has not                               proceeded and has no interest in facilitating the recovery of the said money                      from ABSA because as indicated above, he has business interests in it. Furthermore the ABSA is implicated in  state capture that entails the hiring of the First Respondent as Minister of Finance - hence the Pravin Gordhan will not proceed against or                          investigate ABSA since the latter is responsible with others to get him hired as Minister of Finance.

In view of Pravin Gordhan's suggestion of the proposed course of action by Ciex to get Absa and others to pay back the money as being extra curial  and to this end illegal, it is important to address the material aspects of Ciex's actual suggested plan to Government for recovery.

In its "blue-print for recovery" Ciex indicates inter alia that "Absa is able to pay" and to this end "Heath has ruled that Absa is liable to pay".  It then suggests "a strategy" towards recovering money voluntarily from Absa. The said                               strategy was premised on advice obtained regarding what co,urse of action would be followed by the "US Federal Reserve and the Bank of England"                                   regarding banks within their jurisdiction in circumstances that were similar.                              Should Absa volunteer to pay back the money in terms of a "schedule" of                          payments that the bank is able to honor then "there can be no question of risk to the bank itself and the whole (entirely spurious) idea of systemic risk also      falls away".

The Ciex strategy then suggests that recovery can be realized "without further recourse to law", in the event that Government's decision is that it:

Is in acceptance of Heath's finding "that the 'lifeboat' was an illegal gift and liable to repayment"; and

 "[w]ishes to obtain recovery if this can be managed without endangering                         either the institution, Absa, or the banking system";

The following 2 circumstances, in terms of the strategy, provide the                                     "opportunity" for recovery:

- Since SARB is authorized by statute to "regulate and control" the system                     of banking, it is accordingly duty-bound to make sure that it is only fit and                proper persons that are allowed to manage the banks.

- The Heath report indicates that Absa's managers as well as some of its                     directors, "using their knowledge of the 'lifeboat' secret subvention" have                  personally profited hugely from "insider trading". Consequently they can                  each be prosecuted "for fraud, as well as for breaches of the Companies                 Act” and to this end also be declared "unfit to manage a bank".

It is suggested that those who controlled the bank at the relevant time can be asked to chose between losing "their positions" and being criminally charged                     as well as having a damages claim being instituted against him/her; and                                      voluntarily entering into an arrangement to pay back the money "which will                               enhance their personal prestige and that of the bank".

Once Government's support is obtained, the Governor of SARB could then                          say to the "directors of Absa and the principals of their shareholders, Sanlam                        and Rembrandt" that:

- "he was acting with the Government's full support"; "an immediate resolution of the Absa problem was now required"; SARB and Government support the Heath's findings being "the 'lifeboat' was an unlawful gift liable to repayment"; and SARB was legally obliged to proceed against the wrongdoers."(named)". To this end they face criminal charges relating to "[i]nsider dealing"; "[c]ontraventions of the Companies Act"; "[f]alse accounting"; and "fiduciary  responsibilities of directors".

- "certain directors (named)" have accordingly "failed to meet" the required

standards of SARB to be "directors of a financial institution" and their                                   immediate resignation is therefore required.

- The prosecuting authority would be given all the evidence relating to the                          wrong-doings of the relevant individuals. To this end should the required                      resignations not occur immediately, "the SARB's decision to declare these                        individuals unfit and to encourage prosecution" would be published.

The Ciex strategy offered very potent leverage and in this respect the opinion of Senior Counsel was submitted earlier on in support of the said position. To this end Ciex indicates that "[a]ll directors of Absa who have served in recent years are vulnerable to being declared unfit. All of them have important                                    national and international connections which would be hugely damaged by                       SARB criticism of their personal conduct".

It was further pointed out by Ciex that "[i]n both Britain and the United States. this form of action would be peremptorily pursued and criminal charges would be pressed". In the South African context however, "Absa and its shareholders might be offered the choice: volunteer restitution over a convenient period or                    face personal retribution including personal liability for damages to defrauded            shareholders".

Absa has, according to Ciex, "always threatened to defend itself endlessly,                with litigation funded from the bank, if required to repay the 'lifeboat'". It is                            suggested that this method (suggested by Ciex) “defeats" that possibility.                           SARB has unfettered authority to "declare directors ... unfit to act".

Ciex made an assurance that "[p]rofessional...and financial advice, and                              documentary evidence are available to support this strategy - which could be implemented either before or after the projected SARB enquiry".

The point is that in the context of there being no dispute between the four                               reports regarding the fact that ABSA had benefitted illegally from the "lifeboats" as indicated above, two options exist for the recovery of the monies, namely either ABSA repays it voluntarily or legal proceedings be instituted for the                             recovery thereof. Accordingly, arguing about the legality or otherwise of the                             Ciex suggested strategy for recovery does not change the fact that the                                  amount that ABSA had illegally benefited from must be paid. This applies to                        all the other parties including the other Respondents who are implicated in the looting of monies from the nation during the apartheid era as indicated above.

Pravin Gordhan by suggesting that ABSA and by extension the other banks not be proceeded against, is effectively  saying that the perpetrators, many of whom he has shares in, be allowed to get away for committing crimes against the people of South Africa. Pravin Gordhan condemns Ciex for suggesting "illegal" methods for recovery of                         money looted yet he is promoting a course that is "illegal", being don't recover the money from those who have benefitted illegally from SARB.

Categories of relationships

There are four categories of relationships between Pravin Gordhan and others (including ABSA, FNB, STD Bank, and Nedbank) that makes Pravin Gordhan conflicted, compromised and captured by white monopoly capital, namely:

Category 1: Pravin Gordhan owns shares in the white capitalist business                                     implicated in the theft of monies from the nation during the apartheid era as indicated in Ciex. This includes Pravin Gordhan having shares in                                 businesses implicated in the theft of R26 billion stolen from SARB in                          respect of which a criminal case has been opened with the SAPS against                       the relevant perpetrators and a complaint has been lodged with the Public Protector's office.

The following businesses fall under this category:

- ABSA Bank Ltd (Second Respondent)

- Trust Bank (Trust Bank was part of Bankorp which was acquired by ABSA in 1992

   now Barclays Africa Group Ltd)

- Nedbank Limited (Fifth Respondent)

- Rembrandt (now Remgro)

Since the First Respondent is in business with the above businesses he will                not facilitate recovery of monies that have been acquired illegally.

Category 2. The white capitalist business was responsible for the firing of Minister Des Van Rooyen as Minister of Finance and the hiring of Pravin Gordhan as                       Minister of Finance amounting to white corruption including white state capture.

Here the following businesses alongside the persons representing the said                             businesses are implicated for contravening Section 4 of the Prevention and                        Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004):

- SA Businessman and Chairman of Swiss luxury group Richemont, owner              of Remgro, Johann Rupert

- Barclays Africa Group Chief Executive Officer, Maria Ramos (as indicated above ABSA

   Bank Limited "is a wholly owned                           subsidiary of

   Barclays Africa Group") - catered under ABSA.

- Goldman Sachs’ South Africa head Colin Coleman;

- Investec Bank’s global CEO, Stephen Koseff;

- Imperial Holdings’ CEO, Mark Lamberti;

- Sanlam CEO Ian Kirk;

- Business Leadership South Africa chairperson Bobby Godsell;

- Toyota Europe CEO Johan van Zyl and

- First Rand CEO Johan Burger (as indicated above, First National Bank

   Limited  is a division of First Rand Limited) - catered

   under First National Bank Ltd.

Since Pravin Gordhan was appointed as Minister of Finance through  the illegal actions of the above individuals and businesses he will not do all that is necessary to bring the wrongdoers, who made him Minister of Finance, to book.

Category 3: Pravin Gordhan has shares in the bank(s) that closed the Oakbay bank accounts

The following are the four major banks involved in closing the Oakbay                          bank accounts and the First Respondent has shares in all of them.

- ABSA Bank Limited

- First National Bank Ltd

- Standard Bank of South Africa Ltd

- Nedbank Limited

Since Pravin Gordhan is in business with and accordingly benefits from                     these 4 banks he is unable to facilitate a resolution of the problem which requires a reversal of their (banks) decision        to close the bank accounts of Oakbay. He will not go against those that he                           has business interests in.

Category 4: Oakbay is a primary competitor of the businesses that are implicated in state capture.

Pravin Gordhan has shares in the majority of these businesses. Oakbay is effectively Pravin Gordhan's competitor. This further explains why  Pravin Gordhan has not worked through the Inter Ministerial Task Team that has been set up by cabinet to address the closure of the Oakbay bank                                  accounts. This is further evidence that Pravin Gordhan cannot be                                  impartial if he intervenes in the said Oakbay case as he is conflicted and                               compromised in his capacity as

Minister of Finance.

It also came to the attention of BLF that Pravin Gordhan is benefiting directly through shareholding in British American Tobbaco (BAT). This company is involved in massive criminality. BAT is accused of using SARS and the South African Police to engage in a shocking list of criminal activities against citizens and its perceived competitors. This is over and above making profits from poisoning the lungs of smokers. As if this is not enough BAT has been involved in international criminal activities for profits which goes back to Gordhan as a dividend. As to why Gordhan has maintained a relationship with a rogue business is a mystery to many people who have a sense of justice.

A local publication has reported that, “(t)he allegations of BAT illicit behaviour in South Africa follow claims of bribery that have been passed on to the UK’s Serious Fraud Office by Paul Hopkins, a BAT whistle-blower who worked in Africa for BAT for 13 years. Hopkins, who was responsible for halting the illicit tobacco trade in east and central Africa, admitted he had facilitated payments on BAT’s account to cripple anti-smoking laws in several east African countries, had made payments to officials to undermine efforts by the World Health Organisation to reduce deaths from smoking, ran a corporate spying operation, and had conducted “black ops” to put rivals out of business. In 2014 BAT declared an operating income of £4,546-billion”. This is a company that Pravin Gordhan has shares in and from which he gets paid a dividend. This alone should be reason enough for Gordhan to leave office.

And then there is the SARS rogue unit saga. The media is playing down and misleading the public about the huge body of evidence against Gordhan. Four investigations have found that there was an illegally established spying unit or the so called “rogue unit” at SARS. The media has, instead of informing the public accordingly, actually chosen to attack the investigations. First was the investigation by Advocate Kanyane, followed by an investigation by Advocate Muzi Sikhakhane, then another investigation by the SARS Advisory Board headed by Judge Frank Kroon and lastly there was one by KPMG.

Sikhakhane and Kroon found that the “rogue unit” was unlawfully established. Their findings have been corroborated by the KPMG investigation. This may explain why Pravin Gordhan is running away from the law by hiding behind white monopoly capital which has hired him to look after its interests.

The “Rogue Unit” was used to illegally spy on citizens and state organs fighting crime. The “Rogue unit” was another instrument used by SARS under Gordhan to strengthen the hand of white capital.

BLF calls on the State President to show leadership, to defend our national sovereignty by nationalization of the State Owned Enterprises so that they serve the people. Free electricity and access to telecommunication is not a favour but a right.

BLF notes with grave concern the interference of the US imperialist forces in South Africa. The call by the American Chamber of Commerce to the public and Members of the Parliament to defend Gordhan, is a call for a coup and must be resisted and rejected. If Gordhan was not an agent of imperialism, he would have distanced himself from such blatant imperialist arrogance. BLF says; “Down with American Imperialism”.

BLF is aware that western imperialism has already created both an economic and political crisis in Brazil to remove the pro BRICS democratically elected President Dilma Rousseff. They now want to repeat the same situation in SA.

The BLF "preliminary report on apartheid era corruption and other economic crimes" goes into the extent of apartheid era corruption and white capital's role in it. It further suggests who stole the money and where the money is and indicates a course of action going forward.

In terms of the above BLF report a total of R563 billion was stolen by white capital which is recoverable. It speaks amongst other things of how:

a. apartheid era white capitalist criminals looted from the SARB;

b. in 2007, 20% of the GDP in the amount of R422 billion was stolen through capital flight under the watch of President Thabo Mbeki;

c. 68.6 billion was declared by companies as illegally taken out of the country in 2003 and how in this regard they only paid fines amounting to R2.9 billion;

d. the post-1994 government has on two occasions given amnesty to white capital for theft of billions (in 2003 and in 2010);

e. R50 billion was identified by the Competition Commission to be illegally gained from the world cup deals in respect of which only fines totaling 2.7 billion was paid;

f. R26 billion was stolen from the SARB in respect of which (despite the fact that at least two investigations had indicated wrongdoing and the possibility of recovery of the money) nothing has been done to date, including by the Public Protector (PP) to whom the matter was referred to in 2011.

It must be pointed out that on 19 September 2015, BLF wrote to the National Treasury (see attachment to Annexure "D") and requested the following information regarding the Exchange Control and Tax Amnesty afforded to applicants in terms of its 2003 legislation (being the Exchange Control Amnesty and Amendment of Taxation Laws Act, 2003):

a. A comprehensive list of all applicants who applied for Tax amnesty;

b. Full disclosure of illegally gained "foreign assets" from amnesty applicants;

c. Information relating to declared assets expatriated to SA in total and per applicant, and the associated levy paid;

e. How much of the illegally obtained "foreign assets" continued to be held offshore in total and per applicant and what levies were charged?

f. Full disclosure of what happened to those who did not disclose foreign earned profits and financial assets illegally obtained.

To date, National Treasury, which Minister Gordhan heads has not responded meaningfully.

 Moreover, BLF wrote to the Governor of SARB on 24 September 2015 (See attachment to Annexure "D") and requested the following information regarding the concessions given to applicants in terms of the 2010 Voluntary Disclosure Programme (VDP) - which amounted to a further amnesty to businesses engaged in capital flight and other economic crimes:

a. What estimate did SARB make of how much revenue was going to be generated by the VDP in terms of the new legislation?

b. What proportion of the estimated revenue did it predict as illegal flows?

c. What amount of money has been shifted from the country illegally/undeclared?

d. What mechanisms are in place to enquire into illegal capital flight in relation to which the above legislation applies?

e. How many criminal prosecutions and or other legal proceedings have been instituted against the wrongdoers / defaulters and what was the outcome of each case?

f. What are the consequences for those who did not take advantage of the VDP in terms of the new legislation?

g. How many applications were received in terms of the above legislation?

h. How much was declared as illegal capital flight by each applicant? How much was declared as illegal capital flight in total?

i. How much was collected in terms of the flat charge of 10 per cent of the market value of the assets (for individuals and companies who disclosed their illegal expatriation of capital prior to 28 February 2010).

To date no meaningful response has been received from SARB which falls under the control and management of Minister Gordhan.

The questions arising in this context are the following:

a. Why has Minister Gordhan kept silent about the Oakbay accounts and the so called "suspicious" transactions until there were charges of fraud preffered against him?   Furthermore why did Minister Gordhan wait until the High Court application by Minister Des Van Rooyen (to interdict the former Public Protector from releasing the so called “State Capture” report) was heard on 14 October 2016 before he lodged his application? The timing of the lodgement of the application by Minister Gordhan on 14 October 2016 (Gauteng Provincial Division, Case Number 80978/16) - subsequent to the previous case by Minister Des Van Rooyen - for an order that he is "not by law empowered or obliged to intervene in the relationship" between the banks and Oakbay regarding the closing of the bank accounts held by Oakbay is suspicious and suggests malicious intent on his part, or alternatively suggests that he can be deemed to be acting as if he is part of a **sinister agenda.**

This High Court application (Gauteng Provincial Division, Case Number 80978/16) by Minister Pravin Gordhan raises many questions. It suggests a bid to divert attention from the fact that he is facing fraud charges and must consequently vacate his position as Minister of Finance. Further questions in this respect are:

i.  Why does the Minister choose such an inappropriate time to throw only allegations and no fact in his High Court application in the Gauteng Provincial Division under Case Number 80978/16)? Is it because earlier that same day the outcome of the High Court application by Minister Des Van Rooyen mentioned above resulted in the so called "State Capture" report not being released during the tenure of the previous PP, Advocate, Madonsela?  The timing and lack of facts in respect of the said case proves that the Minister of Finance is pursuing a vendetta.

ii.. Why is Minister Gordhan forcing and instructing the Financial Intelligence Centre (FIC) and the South African Reserve Bank (SARB) to dig up dirt since July 2016 and saying that he will go to court?  This clearly means that  his  actions have been premeditated and that he had no intention to act in good faith

iii. The Business Rescue Practitioners (BRP) clearly requested approval from SARB to transfer funds to the Bank of Baroda under a new account - so where is the so called tax loss and threat?

iv. SARB clearly says that no complains or violations have been received. To this end, what further purpose is Minister Gordhan trying to serve by pressurizing the regulator

v. Why are personal names and private names including those of minors being displayed with meaningless transactions? What's the basis for suggesting that those are invalid transactions? An STR does not mean a wrong transaction. All have reasons. It's like reading a doctor script and guessing the diagnosis.

vi. Why has Minister Gordhan incurred such costs on legal opinions and wasted the public and tax payers money?

vii. Why is Minister Gordhan silent on the R26 billion stolen from the Reserve Bank?

c. Why has Minister Gordhan elected to approach the HIgh Court instead of working through the cabinet established Inter Ministerial Task Team which was set up for the purpose of resolving matters related to the closure of the bank accounts of Oakbay?

d. Why has Minister Gordhan, as a member of the Inter Ministerial Task Team, not participated in the Committee's work towards resolving the crisis created by the controversial closure of the bank accounts of Oakbay?

38. It must be stated that Minister Gordon's lack of meaningful response regarding the following indicates his reluctance to proceed in general against white capital:

a. BLF's above mentioned enquiries to National Treasury on 19 September 2015 regarding the Exchange Control and Tax Amnesty given to applicants in terms of the 2003 legislation (being the Exchange Control Amnesty and Amendment of Taxation Laws Act, 2003); and

b. BLF's enquiries to SARB on 24 September 2015 regarding the concessions given to applicants in terms of the 2010 VDP and which amounts to a further amnesty to businesses engaged in capital flight and other economic crimes.

Minister Gordhan has interests in businesses that were responsible for the firing of Des Van Rooyen and the hiring of himself as Minister of Finance. Moreover the minister has interests in the very same businesses that have captured the state.

Minister Gordhan's lack of interest in the recovery of the stolen R26 billion indicates that he is compromised because of the shares he owns in the businesses of those responsible for stealing the R26 billion and his reluctance to proceed against white capital.

BLF submitted, amongst other things, the questions posed above in a letter to Minister Gordhan and to this end gave him 48 hours notice to indicate why we (BLF) should not approach the court for an order that a conflict of interest situation exists between himself as Minister of Finance and himself as shareholder to the banks and other companies which have since captured the Republic of South Africa (see BLF letter of notice dated 19 October 2016 marked Annexure "J") The minister did not respond to the said letter. BLF subsequently approached the High Court (Gauteng Provincial Division, Case Number 83550/16)  for the said relief

The fact that the Minister has been unable to be impartial in the work of the Inter Ministerial Task Team appointed by cabinet to resolve challenges related to the closure of the Oakbay bank accounts, is further evidence of the prevailing conflict of interest situation. It is for this reason that he has not been able to participate in the work of the said task team. He ought to have disclosed to the task team that he is conflicted since he is a shareholder in the banks which had closed the bank accounts of Oakbay.

In all of the above circumstances it follows that:

a. Pravin Gordhan is compromised as Minister of Finance by virtue of him being in a conflict of interest situation in that he has business interests as a shareholder in the businesses of those responsible for getting him hired as Minister of finance.

b. Pravin Gordhant's conflict of interest situation is impacting adversely in the due performance of his responsibilities amounting to a dereliction of duties on his part to the extent that he has not intervened meaningfully in the case of Oakbay with a view facilitating the reversal of the bank's closure of its accounts.

c. Pravin Gordhan is not a fit and proper person to be holding the position of Minister of Finance and to his end that he must be ordered to step down alternatively that he must be removed by the appropriate authority.

d. True financial sector transformation includes as a crucial step the replacement of Pravin Gordhan as Minister of Finance by a person who will serves the interests of the people and not that of white monopoly capital.

**2. Suspension of loans to major SOEs by Futuregrowth**

South Africa’s inter-governmental wars reached a new plateau with the announcement, during or about September last year, by Futuregrowth that it is suspending “any additional loans” to some of the biggest (state owned enterprises) SOEs. In particular Futuregrowth has identified the following entities as its first targets: Eskom, Transnet, Sanral, Landbank, IDC and DBSA. This move is akin to strangulation of the SOEs because Futuregrowth is regarded as a substantial funder of these South African SOEs.

Futuregrowth said that the decision to take such drastic steps includes “the suspension of new loans, and roll-overs of existing debt.”  Furthermore, Futuregrowth has indicated in a statement that it has “…now suspended negotiations on over R1.8bn of debt finance to three different SOEs”. This decision is by all accounts disastrous to the life of the SOEs. Many sources have raised the question of whether these drastic actions are justifiable.

The reasons provided by Futuregrowth for its actions are not purely economic, it is deeply political as well. It cited, amongst other things, that its decision was motivated by “reports” which “strongly hint of conflict between branches of South Africa’s government, the possible machinations of patronage networks, and a seeming challenge to the independence of the National Treasury.” This is tantamount to acting on speculation and media reports.

The most troubling factor is that the decision by Futuregrowth implicates Treasury.  Links between the decision of Futuregrowth and factional battles inside the ANC cannot be discounted. For instance Trevor Manuel, who is the former Minister of Finance and has come out publicity to support Pravin Gordhan, is also the Chairman of Old Mutual which in turn is a major shareholder in Futuregrowth. Old Mutual sources a lot of funding from within the Treasury system such as via PIC and IDC. This creates a potentially unethical situation where Treasury’s funds are indirectly being used to punish SOEs. Futuregrowth has in its assets, funds sourced from the public through the shareholding of Old Mutual. It’s not a small matter that Trevor Manaual is Chairman of Old Mutual.

A reasonable inference can be made that Futuregrowth’s withdrawal of funds is at the behest of its major shareholding partner Old Mutual. This would mean that Treasury funds are being used to fight factional battle but more importantly to create massive uncertainty in the general economy which can be seen as sabotage. The demise or deepening of the crisis of SOEs as a result of the sudden withdrawal of credit lines would lead to strengthening the calls for privatization, a policy option favored by the pro-business faction. This is tantamount to sabotaging the economy to impose particular policy outcomes.

Futuregrowth’s decision will play a big hand wittingly or not in the battles between the two factions of the ruling party over policy direction. Firstly, the Minister of Finance, Pravin Gordhan who was dramatically appointed under duress last December is seen as a candidate of private capital. Gordhan is seen as a Minister who is to ensure the implementation of neo-liberal policies so as to secure the interests of big business.

The faction pitted against the pro-business faction of the ANC led by Pravin Gordhan is the “pro BRICS” faction led by the State President, Jacob Zuma. The Zuma faction is said to be aggressive in demanding black representation in the strategic sectors of the economy such as mining. This has seen, for instance, a marginal growth of coal supply to ESKOM by the black owned entity called Tegeta which is partly owned by the Gupta family. After buying Optimum Coal from the Swiss conglomerate Glencore, Tegeta was able to provide about 5% of the coal supply of ESKOM – the rest of ESKOM’s coal needs is by and large provided by traditional white owned companies. The public spat between Treasury and ESKOM is about this very development. Eskom is seen to be moving too fast with black empowerment. This has upset the established white monopoly interests.

Anti neo-liberal economists have over the years argued against the “priviatisation” of certain entities including the South African Reserve Bank (SARB), which has itself come into the fray. To this end the Deputy General Secretary of the ANC, Ms Jessie Duarte, has raised concerns about the independence of SARB and its private ownership which was unable to defend the rand. SARB responded swiftly and harshly against the claims of Duarte. It has been shown that the pro-business senior management of SARB (such as the Governor Mr Lesejaand and his deputy Kuben Pillay) had been responsible for the policies seen as pro-business and anti-people. In the current war over policy direction the old pro-business lobby has asserted itself. To this end Lesejaand and Pillay worked in the policy environment, where Trevor Manuel and Pravin Gordhan were ministers who pushed the pro-business austerity macroeconomic policy such as GEAR which in turn has been blamed for “jobless growth” and the initial privatization including allowing capital flight by allowing the big five companies to list in the London Stock Exchange.

The big question now facing South Africa is whether it would be able to withstand the economic sabotage by neo-liberalism alternatively, would it be able to push back the return of aggressive pro-white business policies associated with former Minister Trevor Manuel and the current Minister Pravin Gordhan.

**3. SARB IS SERVING WHITE MONOPOLY CAPITAL**

BLF takes notice of the following:

The mandate of the SARB which is, amongst others to, “… achieve and maintain price stability in the interest of balanced and sustainable economic growth in South Africa. Together with other institutions, it also plays a pivotal role in ensuring financial stability”.

SARB is the central bank of the country tasked to regulate and licence banks in South Africa.

More than R26 billion was stolen from the Reserve Bank by white monopoly capital.

The Reserve Bank has been the stumbling block for blacks to start banks which are black owned.

We conclude that SARB has dismally failed to carry out its mandate and has become the main tool of white monopoly capital to maintain economic racism and colonialism.

We ask SARB the following:

After 23 years of democracy, where is one black owned bank?

Why are they blocking the Habib bank from being licensed after the competition commission has given it the go ahead? Is it because the SARB wants to maintain white monopoly in the banking sector?

Why has the SARB done nothing about the R26 billion stolen from it by white monopoly capital?

Why is the SARB protecting ABSA instead of encouraging it to pay back the money as per the preliminary report of the public protector, Adv Busisiwe Mkhwebane?

BLF further notes the statement of the Governor of Reserve Bank, Leseja Kganyago, protecting ABSA – which is a beneficiary of theft from SARB. The governor is already absolving ABSA. He is reported to have said that he is still studying the report and has already found some errors. This is what he said:

“We’re checking it for factual accuracy, we’ve already spotted a number of errors. We’re going through the report with our lawyers and we’re grateful that the Public Protector has given us an extension.”

This is disturbing. It is clear that the SARB will be sending a response to the Public Protector in defence of ABSA instead of protecting the national assets.

We note the findings of the Competition Commission which further shows that the SARB has failed to protect the economy and the rand but is instead protecting the white owned banks which are a monopoly.

13. We also note that the Minister responsible for Reserve Bank, Pravin Gordhan, has shares in the banks which have stolen from SARB and have been protected.

We further note it’s the same banks which have stolen from the people which demanded Gordhan be appointed as Minister of Finance in 2015. He has been protecting these banks.

We note that in December 2015 white monopoly capital conspired against the decision of President Jacob Zuma to appoint his preferred Minister of Finance. The banks then conspired to attack the rand, which led to the loss of more than R500 billion from the Johannesburg Stock Exchange (JSE), then blamed it on President Zuma. The SARB did nothing!

BLF has concluded thst the South African Reserve Bank leadership is not fit to govern and must go!

The main mandate of the SARB is to protect the rand. It has failed to do so over an extended period of time. This is deliberate incompetency to protect the banks.

Financial sector transformation must entail a response to the following demands

1. Governor of the Reserve Bank, Lesetja Kganyago, together with his deputy, Kuben Naidoo and Mogam Pillay, must show remorse; ask for forgiveness and resign Now! Or rhey must be fired!

2. President Jacob Zuma is called upon  to immediately release Minister Pravin Gordhan from his duties. The minister is compromised and conflicted by having shares in these implicated banks.

3. Minister Gordhan benefits directly from the proceeds of criminal activities of the banks. Pravin must go!

4. BLF calls on government to withdraw its accounts from all the implicated banks, ABSA in particular.

7. BLF calls for SARB to start criminal prosecution of all 17 banks:

The Banks are:
1. ABSA Bank Limited (ABSA)
2. Standard Bank of South Africa Ltd
3. Investec Ltd
4. Barclays Capital Inc,
5.Barclays Bank plc
6. BNP Paribas
7. Standard New York Securities Inc
8. HSBC Bank Plc
9. Standard Chartered Bank
10. Credit Suisse Group
11. Bank of America Merrill Lynch International Limited
12. Commerzbank AG
13. Australia and New Zealand Banking Group Limited
14. Nomura International Plc
15. Macquarie Bank Limited
16. JP Morgan Chase & Co
17. JP Morgan Chase Bank NA

8. BLF furthermore calls for all foreign owned banks found guilty to be prohibited from trading in South Africa after paying the penalty.

9. We call on President Zuma to institute a judicial commission of inquiry on banks without any further delays.

10. We also call for the nationalisation of the South African Reserve Bank now! That’s the only way to ensure the South African economy can be protected.

12. BLF also calls on banks; media and SARB to apologise to President Zuma who has been blamed for currency volatility when in fact these rogue banks have been manipulating the rand for their own gain.

13. BLF demands that SARB stop being the gate keeper of white bank’s and give licences to black bank’s NOW!

14. BLF demands that SARB give quarantee that in its expected response to the preliminary report of the public protector; it will not use its power and influence to try absolve ABSA from paying back the money. SARB must instead demand that ABSA pays back the money stolen from SARB.

Conclusion:

BLF shall monitor the response of the Reserve Bank and shall make sure all attempts to cover up and protect ABSA and others who stole from the bank is exposed.

If SARB goes ahead with its plan to protect ABSA and other white owned banks, BLF shall take action against the SARB!

BLF expects that the Governor and his deputies shall resign out of their own good conscience after failing the country so badly.

If SARB doesn’t open criminal charges against the 17 banks identified by the Competition Commission, BLF shall itself open criminal charges against the rogue banks.

We call on SARB to help us end corruption and help us recover the R26 billion! It’s money for free education and money to create employment for our youth in the townships.

BLF has requested a Judicial Commission of Inquiry on Banks

On or about 11 December 2016 BLF requested President Zuma to establish a Judicial Commission of Inquiry on Banks with the terms of reference including inter alia to probe the alleged collusion of banks in the closure of the Oakbay bank accounts; any corrupt activities as alleged in the media and by political parties around the illicit movement of money by Oakbay; and bank practices around racist differential treatment of clients.The Commission of Inquiry into the conduct of the Banks can no longer wait. Many corrupt people and their organs have hidden behind their lack of action on the allegations around why the banks closed the Oakbay accounts. Was there wrongdoing? If so, by whom and how? Only a Judicial Commission of Inquiry can solve this mystery.

4. AMENDING THE COMPETITION ACT TO INCREASE PENALTIES

We have had sight of the penal provisions (including section 59) of the Competition Act No. 89 of 1998 (as amended),  as well as the "Guidelines for the Determination of Administrative Penalties for Prohibited Practices" which is published on the Competition Commission's website.

We welcome the finding of the Competition Commission, and it's referral of the matter to the Tribunal for prosecution, regarding the unlawful conduct of collusion on the part of "the Bank of America Merrill Lynch International Limited, BNP Paribas, JP Morgan Chase & Co, JP Morgan Chase Bank N.A, Investec Ltd, Standard New York Securities Inc., HSBC Bank Plc, Standard Chartered Bank, Credit Suisse Group; Standard Bank of South Africa Ltd, Commerzbank AG; Australia and New Zealand Banking Group Limited, Nomura International Plc., Macquarie Bank Limited, ABSA Bank Limited (ABSA), Barclays Capital Inc, Barclays Bank plc".

BLF is vindicated yet again! This finding of the Competition Commission confirms BLF’s conclusion that the white owned banks are essentially a criminal gang which is law unto itself and protected by the South African Reserve Bank (SARB) and the Minister of Finance, Pravin Gordhan. We are not surprised at all and believe all the banks operating in South Africa, including South African banks, are common criminal organizations.

We do however believe that the penalty suggested to the Tribunal for the guilty banks is too lenient.

Another case of importance is that of the cartel case of Unilever South Africa (Pty) Ltd (Unilever) and Sime Darby Hudson Knight (Pty) Ltd (Sime Darby)  that was reported by the Commission to the Tribunal for prosecution of the offenders in that they had "divided markets by allocating specific types of products and customers goods in the market for the manufacturing and supply of bakery and cooking products throughout South Africa" and to this end had contravened section 4(1)(b)(ii) of the Competition Act.

BLF welcomes the finding of the Commission and the referral of the case to the Tribunal in this regard. However we believe that the penalty recommendation to the Tribunal in respect of Unilever and the settlement of the penalty with Sime Darby - for the payment of 10% of the annual turnover in each case as penalty - are too lenient. To this end BLFs considerations raised regarding the same penalty in the case of the 17 offending banks mentioned above apply to this case as well.

Our movement has indicated its dissatisfaction regarding, amongst other things, the penalties imposed in the abovementioned cases on the offending entities. To this end we are awaiting a response to our request for a meeting with the Commission.

Notwithstanding the restrictive regulatory framework relating to the penal provisions of the Competition Act, it was pointed out that the penalties imposed were still too lenient in the circumstances. There are further compelling aggravating factors indicating why the suggested penalty, by the Competition Commission to the Tribunal, to be imposed on the offending entities, is too lenient in the circumstances - factors which, if taken into account by the Competition Commission, would have produced  a stiffer penalty.

The referral by the Competition Commission of the Kawasaki Kisen Kaisha (K-Line), being a Japanese owned company which operates in SA,  as well as Mitsui O.S.K Lines (MOL), Nippon Yusen Kabushiki Kaisha (NYK), and Wallenius Wilhelmsen Logistics (WWL)  to the Competition Tribunal to be prosecuted for contravening certain provisions of section 4 of the Competition Act involving the "alleged price fixing, market division and collusive tendering", is applauded.

We however point out that the order sought by the Commission from the Tribunal for K-Line, MOL, NYK and WWL to be declared liable for the payment of 10 % of its annual turnover as an administrative penalty amounts to a slap on the wrist of the offender as the penalty does not fit the crime.

The arguments raised in the other cases mentioned above in respect of the compelling aggravating factors not being appropriately taken into account in the context of the current regulatory framework for penalty provisions apply here as well.

It must be pointed out that in this engagement with the Standing Committee on Finance (SCOF) we ask that the penaty provisions of the Competition Act be increased to
100% of the annual turnover of the offending entity for every year of tge transgression.- instead of the maximum of 10% currently indicated in the said Act. This would serve as a strong deterrent to other would be offenders and to the current rogues, to refrain from criminal activity.

Having had regard to the penal provisions of the Competition Act, more especially "the nature of the penalties imposed by competition authorities in terms of section 59 of the Act" as well as "the scope and nature of the Commission's powers when it comes to investigation and engaging in proceedings itself" BLF is not satisfied that the penal provisions of the Competition Act is in accordance with justice in that they are shockingly lenient.

The  Supreme Court of Appeal (SCA) in  Woodlands Dairy (Pty) Ltd & another v Competition Commission 2010 (6) SA 108 (SCA) (Woodlands) at para 10 correctly held that  "[t]he so-called 'administrative penalties' bear a close resemblance to criminal penalties".

Subsequently the Competition Appeal Court in *Southern Pipeline Contractors & another v Competition Commission*(105/CAC/Dec10, 106/CAC/Dec10) [2011] ZACAC 6.   (Southern Pipeline) held that the line of reasoning followed by the SCA in the "Woodlands" case dictates that administrative penalties be "proportional in severity to the degree of blameworthiness of the offending party, the nature of the offence and its effect on the South African economy in general and consumers in particular."

BLF submits that the pronouncement of the SCA in the Woodlands case followed by its elaboration and support in the "Southern Pipeline" case finds its true consolidation in the amendment proposed by the BLF. The application of the proposed amendment - to raise the administrative penalty to be imposed on the offending entity to 100%" of the annual turnover for each year of the transgression - is intended to ensure that the penalty imposed is in accordance with justice. To this end the penalty will be, as suggested in the the Southern Pipeline case at para 9: "proportional in severity to the degree of blameworthiness of the offending party, the nature of the offence and its effect on the South African economy in general and consumers in particular."

The fact that the 'administrative penalties' in section 59 is equated to criminal fines in the Woodlands case  is suggestive of the fact that the penalty, which is effectively a punishment, should fit the crime. To this end the penalty of 10% is evidently inappropriate in the circumstances of the offence being one of collusion (as indicated in the cases above and in such similar cases).

In all the above circumstances BLF is asking that Section 59 of the Competition Act to be accordingly amended to provide for 100% of the annual turnover regarding each year of transgression.

BLF further asks the Competition Commission to recommend to the Tribunal that 50% of the penalties received from the guilty entities, be allocated for free quality decolonised education and for creating employment for the black youth.

**5. THE REVOLUTIONARY RESPONSIBILITIES OF BLACK BUSINESS**

We are black before we are business men and women. This means our first responsibility is towards race and then to business. Business schools teach that profit is everything in business. This is true only if you speak from a white perspective. The responsibility of an oppressed people is different from that of a liberated people.

If your premise is that black people are free, if you accept 1994 as the point of liberation, then of course you can attempt to free yourself from the burden of race, the burden of blackness. From this perspective, you can link up with white business and mess up black people - under the fiction of competition or meritocracy - because you are color blind and move from the premise that we are all equal and that the historical accounts have been settled.

Many black people who have tried to delink themselves from the race question by virtue of imagined or real individual brilliance etc, are confronted sooner or later with the reality of whiteness which rudely reminds them of the fact of their blackness. There are too many examples throughout history of this phenomenon. We must not be too harsh on our brothers and sisters who believe they have made it in life by abandoning their blackness. Its hard being black! When they are disappointed by whiteness, we must welcome them back home with open arms. There must be no permanent grudges amongst blacks.

People like sister Lindiwe Mazibuko, are our people. The good brothers and sisters who will soon be following her, are our siblings. Those brothers and sisters who think its strategic to give political power to whites in their fight against other blacks, they too,  when the time comes lets open our arms and welcome them back home into the black block.

There can be no sustainable black business in the condition of oppression. As long as black people are oppressed, it’s impossible for black business to thrive. An oppressed people is in no position to do business. Business is essentially about equals entering into exchange governed by shared rules. When the unequal do business it must correctly be called robbery.

Saying that “an oppressed people is in no position to do business”, does not mean that there can be no pockets of success. Often these pockets of success are permitted by white business. They let you thrive up to a certain point so long as you don’t threaten them economically or symbolically. If they feel threatened in anyway, they then cut you down.

Andile Mngxitama tells us this story of his father to drive this point home:

"My father was a successful breeder of pedigree white pigs. He was a farm worker under apartheid. His animals were better than that of most white piggery farmers. Whites used to come to our home to buy young male pigs. But my father was an oppressed person. He had no land or rights. The number of pigs he could keep was determined by what the white farmer, for whom he worked, permitted.

My father could not present his animals at the monthly auction in town. He had to be represented by a white farmer who pretended that the animals were his. Often they would collude - yes, collude is the right word - to rob my father through crooked bidding. A proud black man, my father would refuse to accept the prices and tell his proxy not to sell. His pigs would come back home. Yet we needed the money. The point I’m making is that an oppressed person is already constrained from trading freely.
Im sure many of you can already relate this to your own business environment and either confirm or refute my thesis and empirical evidence. You are not trading in pre 1994. This is a central question. You shouldnt be having the same business experiences as my father who did business under apartheid".

This then presents the question - did 1994 bring liberation? If it didn’t, what then did it bring? How do we characterize the post 1994 moment? What are the opportunities and constraints presented by the post 1994 moment?

The underlying proposition of this argument is that 1994 didn’t signify liberation. What it did do at best, was to create new conditions to escalate the battle. The “sellout” vs “revolutionary change” options are too simplistic. We can say that 1994 was a tactical retreat. It was about regroupment, not about the arrival. There was a stalemate, we couldn’t march to Pretoria carrying the AK47. The regime of PW Botha up to that of FW de Klerk couldn’t rule freely. Blacks were in the same position as the Afrikaner in 1994. The calculation of the ruling class was to give us an empty shell - political power without power - that’s why they even changed the political system of South Africa (SA) from a “parliamentary sovereignty” to a “constitutional supremacy”. This means that your majority means nothing if it doesn’t conform to the dictates of the constitution which in turn ensures white privileges.

This proposition "1994 changed fokol" is borne out by facts. Twenty three years after democracy, lets take a sample:

1. 35 000 white families own 80% of the land. It will take us 100 years to redistribute only about 30% of the land through the current policies.
2. Only about 8% of the land has been bought since 1994. We spent more than R50 billion buying stolen land!
3. Blacks own only about 3% of the Johannesburg Stock Exchange (JSE).
4. A study released two days ago showed that blacks control only 5% of the Asset Management Industry. I will return to this for illustration.
5. Of the top 50 mining companies, only 4% is black owned.

The tragedy is that there are some within the ruling party who have turned the tactical retreat of 1994 into a strategic vision - the arrival. These are the people who never tire to tell us about what the constitution says: the people who are protectors of the constitution and the so called corruption busters. Let us for a moment suspend the fact that these are the defenders of real corruption in SA, who are only now beginning to understand how white monopoly capital has not stopped looting.

People like Jackson Mthembu and Derek Hanekom have serious amnesia about the fact that in SA there is no bigger sin than land theft that black people have suffered! So the 1994 historic compromise was not the arrival but a tactical retreat for regroupment. Today, the army is black, the police service is black, the secret service is black. This is a real achievement but we still do not have real power. The ruling class is still in power and in control of the state. The ruling class is not a politician. Such a suggestion amounts to bad social theory. The ruling class constitutes those who own the means of production and consequently controls the superstructure (politics, culture, media, knowledge production, law). The state was captured in 1652 and this capture was entrenched in 1948! 1994 didn’t mean the end of the hold of the ruling class on the state.

What is the state? The Marxist view of the state that it “is the executive committee for the managing of the common affairs of the bourgeoisie”, is the most accurate. Who is the bourgeoisie/ruling class in SA? It remains the same - it is white settler monopoly capital which controls society. Let's be specific, white monopoly capital (WMC) is white people! It's not an abstract system. it's real people and families - people like Johann Rupert, Nicky Oppenheimer, Christo Wiese and their trusts. This is the ruling class. They decide if you can have a bank account or not, if you going to jail or not? They even decide who must be Minister of Finance. They are the ruling class, not the politicians.

Karl Marx somewhere makes an important point that is worth repeating. He said that
“[t]he dominant ideas in any society are the ideas of the ruling class”.  Who is corrupt? What is corruption? State capture. These are the discourses generated by the ruling class so as to entrench itself and to remove the focus on its looting. BLFs focus is on white capital so as to expose its real nature. The campaign of "ABSA must pay back the money" is an example of BLFs focus on white capitalist corruption.

Twenty three year later and the 1994 deal can no longer stick. The black majority wants real change. The ruling class wants another detour. They have tested the system. The political arrangement of Jo'burg, Tshwane and Nelson Mandela Bay Metropolitan Municipalities is the political future of the nation. There is a push back by white capital through its agents outside and inside the ruling party. The figure of President Zuma is seen as problematic. They want a more pliant replacement and they want it now - just like in Brazil.

Lets reiterate. Whites own South Africa and the state. This essentially means that they own the economy. Let's go to President Zuma’s State of the Nation Address (SONA) to show you who actually benefits from the state. President Jacob Zuma revealed a commitment by government to use a combination of instruments so as to contribute to economic liberation. In particular, the President pointed out that the government would “utilise to the maximum, the strategic levers that are available to the state”. To this end the President named amongst others the utilization of “legislation, regulations, licencing, budget and procurement as well as Broad Based Economic Empowerment charters.” These instruments aim to “influence” the conduct of “the private sector and drive transformation”.

The most important details revealed by the SONA, which the media downplayed completely in the quest to divert attention away from the political direction given by President Zuma, is the fact that the South African government spends a whopping R500 billion a year on procurement of services. Check that again – R500 billion! This figure excludes the R900 billion spent on infrastructure.

All this money is spent on white companies!  Take the South African Airways (SAA) - it spends R24 billion annually on procurement, 98% of which goes to white business! Black owned companies only get 2% of the procurement budget spent! This is reflective of the true pattern across all State Owned Entities (SOEs). Similarly, Eskom is fighting to bring in black business into the supply of coal but this has been resisted by white monopoly capital which has the support of the Minister of Finance, PravinGordhan and the former Public Protector Thuli Madonsela.

The big stick in the hands of the state within current constitutional means, is to use its own buying power to drive economic transformation. The regulations which were gazetted on 20 January 2017 “making it compulsory for big contractors to subcontract 30 percent of business to black owned enterprises” is too timid, too little, too late! Why is the state not making the direct black stake in all big contracts to be 50%  Broad-Based Economic Empowerment (BBEE)? Why are blacks put in a position of subcontracting from white monopoly capital? What about a target regarding direct procurement by black owned entities?

Let us take the situation of Asset Management as a further point of departure. The attached slides from the recent Black Economic Empowerment (BEE) Economics Survey for 2016, is instructive.

Here are the highlights of the 2016 survey (as at 30 June 2016) on the black asset management industry:

1. Black asset management universe is made up of 41 black AMs

2. The 41 AMs have a collective AUM (asset under management) of R400 billion out of an industry asset base of R8.9 trillion, which means all 41 black AMs collectively manage 4.6% while the other 95.4% is managed by white AMs.

Note: most of these black AMs are not wholly black-owned, black ownership is 50% in most cases, so there's double dipping from whites.

3. There's more of a growing concentration of black AMs in Gauteng than in Cape Town, but Cape Town has a higher AUM base than Gauteng. Asset management is split between these 2 cities: JHB and CPT

4. Of the 41 Black AMs, 21 are said to be profitable under the period of review.

5. There are 68 black portfolio managers with more than 5 years experience. Portfolio Mangers are people who actually manage the money and decide which financial instruments to buy.

6. The top 5 black AMs (by AUM) are: Taquanta, Aluwani Capital (a very new entrant), Kagiso, Mazi Capital, and Argon. These 5 black AMs manage 70% of that 5% slice.

7. The overall size of the savings and investment industry is R8.9 trillion, apportioned as follows:

- 2.6T on Long Term Insurance
- 4.4T on Retirement Funds
- 1.9T on Collective Investment Schemes

So this means that most money is tied up in Retirement funds. And take note that PIC (public investment corporation) manages 40% of that 4.4T through the GEPF (government employee pension fund).

GEPF is the largest fund in SA with an asset base of 1.8T, and is managed by PIC which is run by Daniel Matjila and chaired by the Deputy Finance Minister. Interestingly, the PIC gives a lot of its mandates to the very white AMs. So they have less confidence in black AMs. A report on the actual numbers would be interesting.

8. The black AM industry gets 80% of its AUM from institutional investors (retirement or pension funds mostly). The retail sector is still highly dominated by white firms.

9. Coronation (a white AM) manages R600 billion alone (which is more than what black AMs manage collectively) - we have not factored other big players like: Investec, Old Mutual, Sanlam, Prudential, Momentum, Stanlib, ABSA, Nedgroup, RMB's Ashburton, Foord. Collectively, the white AMs manage a whooping R8.5 trillion, that's 95% of total industry size.

The question is how do we correct this grotesque image. How do we turn this around? First thing is to remember that we cannot do business whilst in bondage. This means that a black business person is a revolutionary first! You have to seek systematic change in the broader political and economic system in order to be sustainable. All efforts must be directed towards this outcome. Your business ethos must be black first and revolutionary. Every transaction must be guided by the principle of whether this decision contributes to the liberation of black people or not - does it empower black people or not?

In this quest for business excellence, we have to have our prioritise right. Buying black within an economy which is white owned, makes us mere salesmen and women of white owned goods. There was recently a good initiative by blacks in the book publishing industry. They set up a real big Book Fair in Soweto. The originators of the event wanted to “decolonize” literature. The authors invited were all black, but their books were published by white companies. And so we end up fronting for white business because we are not free.

The story of Onginga Odinga, as told in his memoirs "NOT YET UHURU", is instructive. Odinga was a teacher in colonial Kenya who thought he could bring dignity and a sense of pride to his people through growing their own businesses. He started from scratch - getting people involved in building warehouses and in other such amazing business ventures. The peasants saved money to invest in these business ventures. The colonialists didn’t like this. They simply destroyed these businesses and buildings built from sweat and blood. Odinga had to take the AK47 and join the Mau Mau rebels.

Another story that we need to repeat is that of the "Black Wall Street". Blacks had built themselves the most affluent community which was self-sufficient in Oklahoma, USA. Schools, hospitals, golf courses were built. Then in June 1921 whites erased this grand achievement with bombs and fire. They erased the “Black Wall Street" and murdered over 300 black people! If you are not free, your economic success can lead to your murder!

This realization makes the black business person necessarily a revolutionary who wants total change, not just for themselves but for the entire black population. That is why we need to understand the full on attack on patriotic black managers like Hlaudi Motsoeneng, Brian Molefe and Dudu Myeni. Whites want them silenced! They want them punished as an example to all of us, as to what will happen to any black person who speaks up. They will erase your reputation, use their media and render you corrupt and captured. This is terrorism to silence us. But if we understand that this is war - its us against them - then we shall understand the need for “peace amongst blacks”. We must unite completely like a people in war do. Our collective survival depends on it!

The battle that shall end all our suffering is the land battle.There is nothing as fundamental as the return of the land. To defeat the ruling class which controls our lives, we have to return the land. President Zuma has given a clear direction on the land question. His call of land expropriation without compensation must be made a reality. It is the most important call today for all of us. The President has done something even more important than anything done by the any other President since 1994. Presisent Zuma has called on all black political parties to suspend their differences and unite to return the land. This call must be given the fullest support we can afford. We must not allow this call to fizzle out. We must take it everywhere and push for it, highlight it!

Black First Land First (BLF) is in support of the call made by the KZN ANC Chairperson, Sihle Zikalala, for a Referendum to return land without paying for it. BLF is also calling for a multi-party National Land Imbizo in May this year. This is in support of the return of the land as pronounced by the President. We call on all to support this call and to isolate the reactionaries, such as Derek Hanekom, who are telling us to buy back our land. The land belongs to us. The National Land Imbizo must send a clear message to the ANC policy conference that its land or nothing!

A black business must operate like a liberated territory in the middle of an armed struggle. Black business must give oxygen and sanctuary to the revolutionary process. It must foster black unity. Black business must be brave. It must be aggressive. It must not be afraid. It must sacrifice. But most importantly, black business must love black people.

This is not charity. Our collective survival depends on it! The Afrikaner did it for their people. Within 40 years they exterminated poverty in the white community. Furthermore, they built Afrikaner businesses and cultural empires! We are half way through the 40 years mark and we haven’t started because we have no BLACK AGENDA!

We need to start building a real Black Agenda. We have to be unapologetically black.  You have to be clear and calm. Ask our brothers and sisters of “Indian” descent, are they with us or are they with the whites? Are they with us or are their souls in India? If they are not with us, then we shall have nothing to do with them. But if they are with us - if they remember our collective oppression and exclusion - then they would show it by deed, and we can together march to a new dispensation where freedom shall be real!

We must endeavour to build a solid black business community which shall put black liberation before profits!

10 March 2017

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ANDILE MNGXITAMA

BLF NATIONAL CONVENER

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