

PREVENTING THE TRUTH

While the buildings at Nkandla cry out for an explanation, government seems content to gloss over the evidence

Nkandla is carving its place in our history as a major test of a people's character. Few things in recent times will test the capacity of the people of South Africa to honour the truth. Public and private institutions all face the test. The highest tree of the land, the president of the republic and head of state, is at the centre of it all. Will he, his government and the Parliament his party numerically dominates give the truth a place of honour? Or will they honour the lie?

Truth, honesty and trust have become the most radical values in South Africa; lying, dishonesty and distrust, their reactionary opposites.

It is the size of it all: the quantum of public money spent on an individual; the buildings and facilities constructed with public money on his private residence or adjacent to it. They all cry out: "Look at me!" They follow with a plea: "Explain me!"

It is what we can see, this brazen display of excess, that the president, his Cabinet and his party majority in Parliament are working hard for us not to see. It is such public truths that governments, throughout history, who allowed themselves to be pulled into the narcotic world of the privileges of power, have sought to conceal.

Remember the group of boys under a shady tree trading stories of resourceful lying? They sit back now to see how yet another story of self-extrication from a tight spot will pan out. Its narrative frame is simple. Something was done by some people, who ought not to have done it. What will they do to get out of their mess? The president of the republic, his Cabinet, Parliament and the citizens of South Africa are the dramatis personae in this story.

If the characters in this story resort to the lie, who will they be intending to fool? What do they really think of those they intend to fool?

And those intended to be fooled, will they be fooled? What do they think of those who are working to fool them? How will they react to it all?

Will they be astounded or even outraged when they discover the foolery of dissimulation and subterfuge? Or will they opt to be convinced by what they know to be unconvincing? Will they accept as the truth what they know is not?

Thus, will they agree to replay a new version of the game in which those who fool and those who are fooled play the game of mutual dissimulation, a game begun and perfected in a painful past now replayed and owned by those who fought to end it.

Or will those caught in a tight spot surprise the boys on the lawn and escape from the trap with truth? If so, with whom will they be seeking to form a new bond of trust? And then, what are the chances that the boys on the street lawn might grow up to be new men, thrilled and fascinated by the constitutive yet difficult power of the truth?

After the South African people witnessed Minister Nxesi sharing the outcomes of a government investigation into the Nkandla public spending debacle, there seems little indication that the boys on the lawn will be surprised and uplifted in a new direction by unexpected, rigorous and honest resourcefulness. Just how much can the energies of a state be consumed by the imperatives of rationalisation, distortion,

concealment and the compulsive ability of the force of such imperative to claim the attention of good men and women whose goodness is, at that precise moment of demand, compromised and tainted? From the complex manner in which such imperatives can command the attention and workings of the state, they have the capability to shape the very character of government.

The appearance of these men, Cabinet ministers, before the people of South Africa, and the messages their appearance send, command attention. The minister of public works is rendered as the functionary and implementing agent of a project given authority and protection, and the collective weight of legitimacy conveyed by the system of state policing, national security, and justice, which give combined significance to the moment.

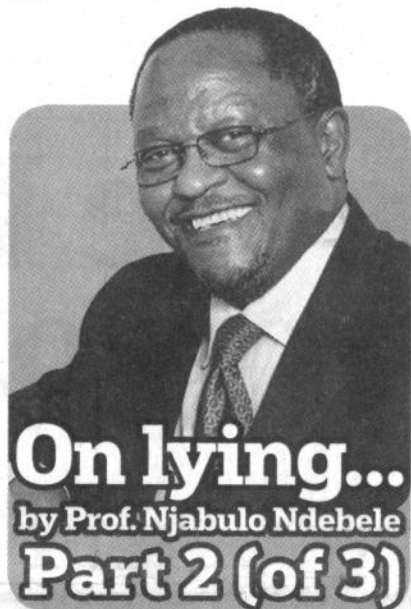
Thus, whatever it is that Nxesi was about to say was immediately rendered suspect by the appearance that it cannot stand alone; that it is authorised by the resonant symbols of protection, security and justice conveyed by the presence around him of his fellow Cabinet members.

It is this that immediately turns a potentially serious moment of communication with a nation into an intimidating spectacle of power. The total effect is that the potential power of logic and truth to convince on their own is transferred to legitimising symbols outside of their communicative space. These symbols then convey not truth, but the power of intimidation.

Here we have Minister Nxesi, flanked by the minister of police, the minister of state security and the minister of justice. I think of his promising statements when he became minister of public works.

It is in the midst of his promises that something happened that has got us to take a look at what could possibly be happening inside the beating heart of a person caught in a series of events that make him feel either worthy or demeaned, even in his own eyes. How does he respond to the cries from the buildings of Nkandla: "Look at me!" and "Explain me!"

He can respond personally to the demands of his own integrity as a person, or hand over that integrity to a regime of power



On lying...
by Prof. Njabulo Ndebele
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that demands from him not rationality and principle, but compliant loyalty. Such a regime assaults the personhood of those that serve it. This assault creates conditions similar to those in which people were once called upon to lie to stay alive. The difference is that today, it is a black government that makes such demands of citizens.

To people caught in Nxesi's dilemma - some in government, others outside of it - Nkandla presents a decisive moment. Do they want to be symbols of a public life of truth, or of the lack of it? The choice is as stark as that. A person chooses to respond to the assault on his or her own person, or chooses not to. In the situation that has presented South Africans with Nkandla, the implications of a choice

are enormous. You either affirm with truth what South Africans have struggled for 100 years, or you deny it with untruths.

I wish to invoke two stories of moral confusion that frightened me. They indicate the cumulative nature of a regime of power that is at first insensitive to moral nuance and then ultimately sets morality aside. It then becomes shameless.

I will never forget the day a Speaker of Parliament, with a group of party supporters, some very prominent, accompanied to jail in glory a convicted senior member of her party. I have never been able to grasp the point that was being made in which right became wrong and wrong right without an explanatory argument such as the public deserved.

And here is the pain of it. Could this celebration of a conviction be a version of how car hijackers celebrate the life of one of them at his funeral in a convoy of spinning cars, screeching tires smoking and guns fired into the air, the celebrants' upper bodies sticking out from open windows?

What moral difference could there be between these car thieves and senior members of government who have a constitutional responsibility to ensure law and order in society? How do members of a government in power celebrate lawlessness? How do they then defend such celebration?

I have been disturbed by the appearance of moral equivalence between the power of criminality and the power of constituted government, each in these examples displaying a comparable inclination and capacity to undermine public order. The major difference is that government is called upon to maintain it, while it is the purpose of criminality to undermine it.

Here lies the more chilling meaning of Nkandla: a prospect for the syndication of government.

This recognition brings us closer to characterising this regime. It represents a state of affairs in which neither guilt nor innocence is established regarding events that require legal or moral resolution. In this situation, neither the truth nor the lie is allowed clear definition. It is an environment of moral anguish.

The regime deploys enormous amounts of state energy to construct

interpretations of laws that depend on the search for loopholes intended to give the semblance of probity and legality to morally unjustifiable decisions and actions that stem from them. When did we give up the compelling vision that drove the struggle for liberation as the foundation for explaining and accounting for our public actions?

Next, consider the following. There are currently at least two major commissions of inquiry under way: one on the "arms deal" and another on the Marikana shootings. Then there was the inquiry just ended and whose "report" Minister Nxesi spoke to last Sunday. There is yet another investigation under way by the Public Protector on Nkandla.

What these three processes have in common is that they deal with events that occurred before the recent ANC's 53rd National Conference in Mangaung, but that their outcomes would be available after the conference when they would have had no bearing on the discussions and decisions that the conference would take.

So the ANC would re-elect its leader in the technical knowledge that there was no finding against him on a number of matters that appear to implicate him unfavourably. He is regarded as "innocent" rather than "deemed innocent" until proven guilty.

But then outcomes of investigations and commissions of inquiry may not be as significant as a trial in a court of law, which could result in imprisonment. This should explain why serious charges of fraud and corruption against a citizen poised to become president of a country were mysteriously withdrawn.

A court injunction that tapes allegedly critical to the decision to drop the charges be released has yet to be honoured. Matters that appear to involve the head of state are thus conducted in a manner that gives the appearance of flouting the intentions of the law. The entire episode drags, unresolved.

What emerges before us is intriguing: the mechanisms of the current regime of rule do not involve lying. It skirts around it. Its story is more fundamentally about the prevention of truth.

This may give us a deeper understanding of why we, the South African public, have had to endure what has come to be known as the Secrecy Bill. This bill and the enfolding story within which it appears presents the South African public, which includes members of the ANC, with a critical question.

Do they accept that the public reality to which they are being habituated, and which calls for their compliance, in which the truth is suppressed, or prevented from emerging, in which government increasingly seems to be less about meeting the objectives of the Constitution, that is it about an ever-increasing preoccupation with means to conceal. Is this the social reality they fought and died for, for close to a hundred years of struggle?

Nkandla manifests an advanced stage in the systemic nature of corruption in South Africa that has been growing over an 18-year period and gathered momentum in the past five years. It presents all South Africans with a slippery slope they can descend in anguish, or climb with hope.

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