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9 Reactions

In many ways South Africans have seen all sides of the brutal face of State Capture. Years of investigative reports and leaks revealing the appropriation of state funds preceded the Zondo Commission; now the commission confirms much of the details. So, why are testimonies of the handful of witnesses in the first two weeks of evidence so revealing, but so elusive?

The early deliveries from the Zondo Commission pull together, via the voices of the few who have been courageous enough to step forward and corroborate preceding revelations, graphic details of State Capture. They do this in an authoritative setting, subject to public scrutiny and forthcoming cross-examination. So far, they build a damning picture.

Many more words on the theme of capture will still be spoken, yet a picture is taking shape of the *exact execution* of capture in South Africa. It leaves glaring gaps, nevertheless. Most of all, the riddle of the exact role of former President Jacob Zuma hovers. It is clouded in (manufactured?) obfuscation.

The evidence to date confirms former president Zuma as the kingpin, captured and compromised to the point of a being a pathetic minion,

clay in the hands of the puppet masters of Saxonwold. He was the president at the time, in charge, by virtue of his position, of all of the state entities concerned. Yet, this week we heard that Zuma does not believe there is reason for him to cross-examine any of the Zondo Commission witnesses who had referred to his central role in the capture project. Zuma's attorney said that the statements that had unfolded on the Zondo Commission stage had not contained evidence that he violated the law... 1

This is perfectly Zuma. The former president had stated previously that he had no recollection of events on the capture front. This is the former president who had dodged, to date, multiple court appearances, who has yet to speak out from any witness box on the practices that are accumulating faster than ever around his "presidential" persona. 3

This is the former president who is now on the Zondo Commission record for having ducked the issue, in the case of Vytjie Mentor. When confronted about the ministerial job offer she had just received, at the Gupta compound, Zuma "did not address the issues that I was raising. I felt that he was finding issue with my agitation and with my anger".

In another case Zuma, when confronted with Gupta capture questions, ducked and indulged in talk about the Guptas being the ones who helped his Duduzane-Duduzile twins.

It is this former president who, by all Zondo Commission witness accounts, ceded substantial executive power to the grim Gupta brothers, to the point of the brothers claiming:

"You must understand that we are in control of everything — the National Prosecuting Authority, the Hawks, the National Intelligence Agency and the old man will do anything we tell him to do."

Rather than taking this at face value, this analysis wonders whether the Guptas were and are, by virtue of these much-quoted words (at the time of the threats and now), aiding the former president in coming across as a gullible puppet, not fully accountable — just a "simple" man, as he likes to present himself.

Zuma and his "talent scouts", before and throughout his presidential days, were always on the lookout for those with crass ambition, with skeletons in their closets — they would make ideal deployees: the president and his lieutenant would be able to recruit and manipulate them, and have a hold on them.

The focus was on those in the strategic parts of the state, those who could influence specifically the procurement-friendly state-owned enterprises and strategic departments concerned with, for example, public works, mining and minerals, energy and nuclear energy. Communication and the media had to deliver the defence of the captors and legitimisation of the capture project.

Of course, the Guptas had the power to threaten consequences for non-compliance with their capture directives. In former public protector Thuli Madonsela's report, Themba Maseko referred to Ajay Gupta as having threatened to have him "sorted out" if he did not co-operate. It was only Zuma, however, who could give this effect and little in Zuma's make-up suggests that he was without agency.

By all indications it is only those on whom the capture quest had failed who are now in the Zondo Commission stands. And on the witness statements that we have heard, specific and legally incriminating words on the Zuma factor are hard to come by. The former president used minimal words in his (limited) interactions with the witnesses, always mindful to avoid incriminating himself. Maseko testified that Zuma, in a brief exchange, asked him simply to "help" the Gupta family. 1

Project State Capture ensured that the compromised, compliant ministers would execute the dirty work; no need for Zuma to be caught red-handed. The state-institutional implosion to aid capture and siphoning off of state funds into private purses was conducted by many, but only a few names, like that of former minister Faith Muthambi, are now in the public domain.

For the captors the damage to the state, and the ANC that had deployed these "cadres", seemed not even worth a mention. In her Zondo Commission evidence, Phumla Williams said (regarding Muthambi's actions):

"I had to accept this was not a minister, this was the enemy. She was not interested in serving the people of South Africa." She was "working against the state". State institutions were hollowed out, rendered dysfunctional — not just as a consequence of capture, but as a deliberate strategy to enable capture. Zuma, in all probability, was smiling from the wings.

For those who did not comply there were consequences — ask Mcebisi Jonas, Vytjie Mentor, Themba Maseko and Williams. Through their experiences we have graphic details of the execution of capture:

- Take over procurement and finance, with specific attention to opportunities of the supply chain, at all costs. Thus, create the conditions in which procurement processes could be flouted.
- Push out reluctant employees — fire them, or push them into retirement if necessary, demote them and render positions redundant. Parachute in already co-opted, compromised employees.
- Gain control over the media. *The New Age* breakfasts scored double points in the capture stakes: hundreds of millions of rands were funnelled into the Gupta purse, while the Zuma-legitimising narrative of “radical economic transformation a-la Gupta” was disseminated. (The kingpin of capture was to be made untouchable.)

All indications are that Zuma executed the strategies, which belonged to him and the Guptas simultaneously — and it is only with a president in control that the Guptas could have had that power. 2

These are early days. The infamous Gedleyihlekisa factor is still in play. Zuma is still avoiding the dock and slipping responsibility. Only a deluge of further — and definitive — evidence to the Zondo Commission can tilt the balance towards accountability. Will it come from the directors-general of the May 2016 memorandum? Will it be those at Luthuli House who have been cited in the first two weeks of the Zondo Commission era? Will it be ministers appointed as part of the 2010 and all subsequent Cabinet reshuffles? We are watching the portals of Parktown. **DM**



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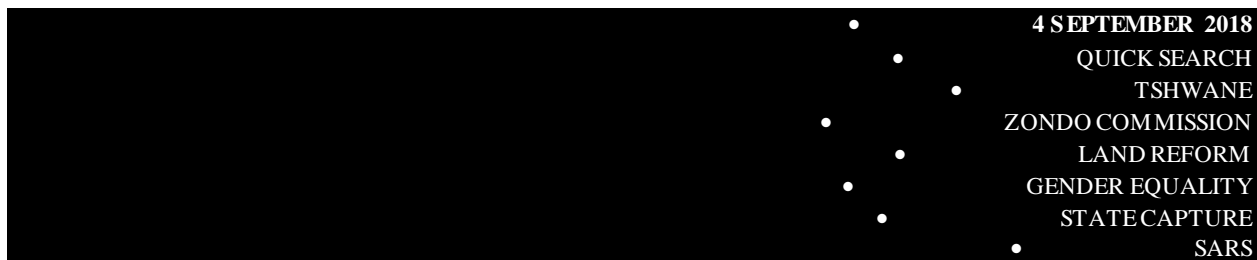
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