

Speech by Minister Ronald Lamola (MP) in Parliament Cape Town: Restoring our democracy and the capability of our institutions in advancing the fight against corruption as societal responsibility on 17 Feb 2021

President Cyril Ramaphosa,
Deputy President David Mabuza;
Honourable Speaker and Honourable Members;

The future of our country is directly linked to our actions or inaction against corruption. The world over is littered with failed democracies which were once a beacon of hope to their nationals but corruption has crippled in these societies and they have descended into an abyss. It is with this lessons that our Constitution was drafted.

Honourable Members as a point of departure I wish to thank Honourable Manamela for sweeping clean yesterday. Thanks to his sterling work yesterday, I now speak on a clean floor.

The rule of law has always been the language of resistance of the African National Congress.

As far back as 1923, Alfred Mangena, Pixely ka Isaka Seme and George Montsioa, the founders of the South National Native Congress, advocated for ANC policy which demanded an unbiased judicial system and equal application of the laws of the country, without race or creed.

In 1941, the now referred to as the African National Congress developed the African Bill of Rights to what was then called the African Claims' document with the assistance of Professor Z.K Matthews.

These very same notions evolved further into the Freedom Charter and Ready To Govern. Therefore it is no surprise that when the ANC sets guidelines for what should find expression in our democratic constitution, those guidelines were largely influenced by these documents.

This year marks a significant milestone for our Constitutional Democracy in particular. On 10 December 1996, President Nelson Mandela signed this Constitution into law, this was 25 Years ago. On the occasion, President Cyril Ramaphosa said the following, "May this moment be remembered as a milestone, as a struggle for a just and free South Africa.

Standing on the same podium, President Mandela said, "As we close this chapter of exclusion and heroic struggle, we reaffirm our determination, to build a society of which each of us can be proud as South Africans, as Africans and as citizens of the world."

"This is our national soul, our compact with one another as citizens, underpinned by our highest aspirations and our deepest apprehensions," continued President Mandela.

From that moment, our country was firmly on an irreversible path to a society deeply rooted in a constitutional democracy in which the constitution is the supreme law of the land.

The Constitution and the rule of law are sacrosanct components of our democracy and people in the country must respect these principles. To allow anything else will lead to anarchy and open the floodgates easily to a counter revolution.

House Chair, in the constitution, we proclaim that all individuals, all organisations within South Africa whether public or private, are bound by and are entitled to the benefit of laws that are prospectively promulgated and publicly administered in a court of law.

Honourable Members, crime and corruption has permeated every sphere of our society.

Citizens are tired of paying bribes for government services like a driver's licence, or to be put in front of the line.

We all want to walk freely in communities without any fear of falling victim to criminality.

On the other hand, stories of corporate South Africa scamming or enriching themselves off complicated schemes at the expense of the poor are becoming more prevalent.

There is no doubt in our mind that confidence in the criminal justice system will be restored when corruption in the private sector is pursued with the same zeal as it is done in the public sector, hence were doing our best to capacitate law enforcement agencies to be able to do their job without any fear or favour, no matter who is the culprit. The collective compass of our nation can defeat crime and corruption, the same way we defeated apartheid.

Whilst we learn to co-exist and diminish the destructiveness of COVID-19, there is no question that we cannot co-exist with corruption in our communities and the state as a whole. Acts in realm of bribery, embezzlement, nepotism and the abuse of public power for principally private material or political gain detract from the society we seek to construct.

The Zondo commission shows us that a democracy is ultimately held together by citizens and civil servants alike who commit to the rule of law in their daily lives. There are some in our ranks who refuse to let anarchy and the flood-gates of counter- revolution prevail.

We applaud all South Africans who have thus far cooperated with the work of the Commission. The Commission is very important for our Constitutional democracy, it will help us renew our nation, find the moral compass and build a society free of corruption.

Justice must prevail no matter who is involved. We are a democratic country and we will not compromise the gains thus far. The first black USA President Barack Obama was correct when he said: one of the challenges of a democratic government is making sure that even in the midst of emergencies and passions, we make sure that rule of law and the basic prescripts of justice and liberty prevail.

Honourable Members one of the issues President Cyril Ramaphosa's State Nation of Address tackles is how we are developing our state institutions. Strong institutions are critical for economic, social and political development.

As such, a capable and ethical state is at the centre of improving human welfare and addressing the social problems engineered by the past. This State of the Nation Address calls for us to renew and introduce institutions that will harness and incentivize the objectives to advance and sustain a national democratic society.

It should therefore be no surprise that an anti-corruption strategy is at the core of our developmental trajectory.

Firstly, law enforcement agencies, particularly the National Prosecuting Authority and the Hawks, both financially and from a Human Resource perspective, are being capacitated to ensure that they are more effective.

Secondly, the establishment of the Special Tribunal has enhanced the Special Investigating Unit's ability to recoup embezzled funds from the state.

We applaud the SIU for their biggest recovery to date against ABB South Africa amounting to 1,5 Billion Rands.

Thirdly, The Auditor General's reports have been given teeth to bite, they are investigative in nature. We have given the auditor general mechanisms to refer their findings to law enforcement.

Fourthly, civil Service reforms are under way, the professionalization of the public service framework has been published for public comment. We hope that everyone will make their inputs to ensure that we have a framework that enables and entrenches a meritocratic civil service.

Fifthly, the implementation of our National Anti-corruption Strategy will bring together civil society, private sector and the government to monitor implementation. The National Advisory Council on Anti-corruption will be operational for two years and ensure that all the components of the multi-disciplinary agency are put together whilst reporting to parliament on its progress.

Our immediate focus is on public procurement issues related to COVID-19, the security sector/criminal justice system and a clean-up campaign at SOEs to root out corruption. To support this, law enforcement agencies coordinate their work through what is now known as the Fusion centre.

Since its inception, the Fusion Centre has handled 231 cases or incidents related to COVID-19 ;

- 30 cases were closed after investigation & 31 accused persons are appearing in 14 criminal cases in courts across the country; lies of those who are saying there are no arrests are exposed by these cases,
- one hundred forty five point six million rands in 72 bank accounts have been blocked by the Financial Intelligence Centre;
- one hundred and nineteen million rands has been preserved by the Asset Forfeiture Unit through the Prevention of Organisation Crime Act;
- The Special Investigative Unit has to date enrolled cases in the Special Tribunal to the value of three hundred sixty five million rands and has to date saved one hundred twenty four million rands involving supply chain irregularities;
- The South African Revenue Services recovered one hundred sixty five million rands in taxes using the Revenue Services empowering legislation; and
- More than 12 referrals were sent to various departments for disciplinary actions for employees involved in irregularities.

In total, seven hundred eighteen point six million rands has been recovered by the Fusion Centre back into the fiscus.

Honourable Members,

An independent judiciary is a cornerstone of our Constitutional democracy. Attacks, allegations and conspiracies against the judiciary can erode the confidence of society in the Judiciary if not followed up with facts and conclusive investigations. We must remind the Confessor in Chief that public institutions do not fall flat because of conspiracy theories hatched in the forest.

The Democratic Alliance has no moral standing on corruption, in Tshwane the Public Protector has found that people with no required qualifications have been placed in positions of immense responsibility. In the City of Johannesburg, the DA will never recover from the chaos which was visited upon it by the DA led administration under Herman Mashaba. In George, the former mayor faces corruption charges.

While it is tempting for the opposition to play to the gallery and opportunistically turn a blind eye on the gains that the sixth administration has recorded, reality is that under President Ramaphosa, government continues to triumph over adversity. No more is impunity allowed to reign.

President Ramaphosa tabled a State of the Nation Address clearly outlining government's economic turnaround strategies which this administration internalized to tackle the harmful effects brought about by Covid-19. Government is ceased with creating opportunities for our people, we have delved into these plans and the process of economic reforms is progressing. Nothing shall distract us.

I thank you!