



Kgalema Motlanthe

**in conversation with
Ann Bernstein**

To mark 25 years since its establishment, in November 2020 CDE initiated a series of discussions with global experts and prominent individuals in South Africa to discuss important questions on democracy, business, markets, and development. The series was relaunched in 2022 as CDE Conversations. This was the second event in the new series.

Ann Bernstein: It's my privilege to welcome former President Kgalema Motlanthe to CDE virtual.

A prisoner on Robben Island for a decade, general secretary of the National Union of Mineworkers in the 1990s, ANC secretary general for 10 years after that, and elected deputy president of the ANC in 2007. He became a member of the cabinet in 2008 and a few months later was elected President of the Republic – a position he held for nearly eight months, until the general elections of 2009, when he became Deputy President of South Africa until 2014. Since that time, he has continued to hold many positions – in civil society, establishing and leading his own foundation, and chairman of a number of important committees in the ANC.

I first met the president when he was chairman of a parliamentary panel that was charged with looking at all the laws that had been passed since 1994, to help improve South Africa and to deal with poverty and unemployment. This resulted in an important report submitted to parliament. We decided at CDE to summarise this report, so that more people would have access to it. We did this quite ruthlessly and then delivered copies of our published summary to the President's foundation. I take it as a positive sign that he is still talking to me.

In a 2017 BBC interview, you said "The ANC is so bad it should lose the next election in order to have a chance at renewal and rebuilding itself." What did you mean? Do you still believe this should happen?

Kgalema Motlanthe: My sense at the time was that the ANC was not getting the message that the electorate and the general population was increasingly losing confidence in it. I thought losing the election would ensure that they get the message loud and clear. Then those who saw the ANC as nothing but a channel to looting would leave, and the rest of us could then embark on a process of rebuilding the party, and of restoring its morals and values. Now, of course, the leadership of the ANC accepts that unless they do something about the current trajectory, there is no doubt that they will lose the elections, and eventually become irrelevant in South African politics.

Ann Bernstein: In 2007, when you were secretary general of the ANC you knew that it was being overwhelmed by corruption. When you think back on that time, was there more you could have done to prevent the ANC from going down this path? What did you do at the time? Was there nothing more that could have been done by other senior ANC leaders?

Kgalema Motlanthe: As the key administrator of the ANC, I was responsible for ensuring that structures and membership function according to the constitution of the ANC. While doing this, it became clear to me that the ANC was beginning to be corrupted, financially and ethically. This bothered not only me, but also other senior ANC leaders and many of the elders. At that time, we still had the older, Mandela-era ANC generation alive and active. Many expressed concern that the ANC was not actually prepared for the challenges of operating as a governing party.

As far back as 1992, we had already discussed the difficulties linked to taking power, and that gifts would be the harbinger of corruption. In one commission we discussed the importance of training ANC members on how to

deal with people who offer gifts and at first ask no favours in return, only to return a few months later to make demands. People who feel indebted will feel an obligation to help those making demands, and that is how honest people get sucked into corrupt relationships. More broadly and more concerning was the growing tendency amongst members to manipulate processes of internal democracy, to ensure that certain people received nominations for leadership positions. These were acts of corruption, and warning signs of things to come.

Ann Bernstein: What did you do to try and remedy it?

Kgalema Motlanthe: My responsibility as secretary general entailed presenting a report to the national elective conference on behalf of the National Executive Committee (NEC). In the report, I clearly stated that NEC members were not immune from corruption, and that the NEC should take responsibility for combatting this scourge. I asked the incoming NEC to investigate, and to ensure there were consequences for wrongdoing.

Ann Bernstein: I assume that did not happen.

Kgalema Motlanthe: That report would have had a much greater chance of success at a time when we were seeing early signs that the value systems and democratic practices of the ANC and the country were being eroded. At that time, members of the NEC were still inclined to frown upon wrongdoing. Today, these corrupt practices are seen as business as usual. If you read that report today, it could serve as the basis for a renewal.

Ann Bernstein: By 2011, Trevor Manuel has told us and others have confirmed, it was known that members of the cabinet were being appointed by the Guptas. They knew about their appointment before the President told them, because they heard it from the Guptas. Was this ever discussed in the NEC or in any official ANC body? Was there any formal discussion on this anywhere?

Kgalema Motlanthe: Yes, there was a formal discussion in one of the NEC meetings. That is when Minister Fikile Mbalula said he got a congratulatory message from one of the Guptas for being appointed, even before he was formally appointed. Discussions at NEC meetings raised the issue that the Guptas seemed to have undue influence on the workings of government, but there were many factors preventing those discussions from bearing fruit. The heads of the intelligence at the time, Gibson Njenje and Mo Shaik, were relieved of their responsibilities after they tried to investigate the Guptas. And the NEC itself had, in a sense, already been captured. The number of ministers and deputy ministers was increased to 72, and all the appointees came from the NEC. These members related to the president as their employer, and they were very reluctant to stand up to him. So that is how the NEC got captured by the president, which made it easier for the state as a whole to be captured.

Ann Bernstein: There are a number of people in the private and public sectors that participated in the industrial scale corruption we call state capture. How do you think the ANC should deal with the findings of the Zondo Commission? What would be appropriate, in your view, for dealing with very senior people in the cabinet, who have been accused of corruption in the commission's reports?

Kgalema Motlanthe: The ANC has a few instruments that would enable it to deal with this issue, because the Zondo Commission will no doubt result in prosecutions of those who have been accused. For those who are implicated, the ANC has a step-aside rule that states that they should step aside from their responsibilities until their names are cleared in a court of law. If they are convicted for corruption or any such serious offense, the ANC constitution prescribes that they are no longer eligible to be an ANC member, therefore, they should be expelled from the party.

Ann Bernstein: Are you confident that action will be taken? We have a few cases at the moment where there appears to be a reluctance to take decisive action – the head of the ANC Women's League is a case in point.

Kgalema Motlanthe: I am confident that there will be action because it is a matter of law. It is not dependent on the ANC's likes and dislikes. It is the law, and the law will be applied effectively. In the case of head of the Women's League, Bathabile Dlamini, there is more of a grey area as the law states that if you are convicted for any offense with an option of a fine, you have no criminal record. That is how, if you recall the early days of the Travelgate scandal, most of those implicated remained in parliament because they were sentenced to less than six months imprisonment with an option of a fine. They all paid the fines and continued with their lives. At a level of ethics and morality, no public representative should go into office when they have been found guilty of betraying the public's trust. However, the law, as I said, creates this grey area.

Ann Bernstein: It remains a big challenge for a political party with so many members who are clearly corrupt and face many allegations of corruption, that it does not seem to see the Constitution and the rule of law as vitally important. How can the party find its way out of this situation?

Kgalema Motlanthe: If the leadership is not compromised, it can act decisively, because the constitution of the ANC is straightforward on such matters. However, if the leadership itself has skeletons in its closet, then you end up with paralysis and the failure to act against obvious acts of malfeasance.

Ann Bernstein: Were you surprised by any of the findings that emerged from the Zondo Commission? Did they confirm things you knew already or was there anything that took you by surprise?

Kgalema Motlanthe: Mostly it confirmed what I already knew. The only thing I was taken aback by was the finding that Bosasa was essentially running the Department of Correctional Services. This was an eye opener to me – an entire government department could be taken over by a private service provider! That was a real shock.

Ann Bernstein: You were Deputy President to President Zuma for five years. When you reflect back on that period, what were your most difficult choices, and do you feel it might have helped if you and other leaders had spoken out more in public? Was there anything with hindsight, that you think you could have done differently?

Kgalema Motlanthe: Remember that President Zuma was my successor. So, when I became his deputy, I could say frankly to him, "Look Mr President, no president does things the way you do them." I could speak honestly to him about these things, including at most cabinet committee meetings that he asked me to chair. But he would not listen. Part of his skill is that he would never argue with you, he would not respond directly to what you were saying, but he would go ahead anyway and act the way he wanted to.

Ann Bernstein: If there had been more talk about all of this outside the party structures, which I know would have been difficult, do you think that might have helped?

Kgalema Motlanthe: Short of removing President Zuma and electing a different leader, there is very little that could have been done, because he had the authority as head of state to appoint and remove ministers. You could say whatever you wanted to say, it would not have an effect as long as he was president. The discussions were always candid and based on trying to do the right thing, but under his leadership he would just do what he and his benefactors wanted him to do.

Ann Bernstein: I want to turn to an important issue explored in the Zondo Commission. What is your view on cadre deployment? There are some who argue that this has been a key factor behind the weaknesses and corruption in state-owned enterprises and elsewhere. President Ramaphosa said at the Zondo Commission that he wanted cadre deployment to continue. The Minister of Finance, on the other hand, has said that the aims of transformation in terms of racially transforming the state have been overachieved in many respects. In his view it is time to end cadre deployment. Where do you stand in this debate?

Kgalema Motlanthe: The cause of the trouble, in my opinion, is not cadre deployment, per se. When I was ANC secretary general, there was a deployment committee chaired by the deputy president, who at that time was Jacob Zuma. To the best of my knowledge, this committee never had the role of appointing people into public office. The idea, as I understood it, was to encourage those who had the requisite qualifications to apply for posts, and they would then be considered along with other candidates. The exception was advisors, who can be appointed by a principal who knows the advisor and feels they need that person's support. So, I think there has been misinformation about the deployment committee's role. When I was deputy president of the ANC, I never chaired a single meeting of the deployment committee, because there was no need for it.

Ann Bernstein: Perhaps it changed after you were deputy president? As deputy president of the ANC, Cyril Ramaphosa was chairman of the deployment committee from 2012 to 2017, and it seemed to have had a different role from your description of it.

Kgalema Motlanthe: Well, that is the impression I get, that it may have taken on a different role.

The late professor Stan Sangweni was an expert on statecraft and one criticism he made frequently was that the appointment of senior managers in the public service is vested in the President, and the President delegates that authority by proclamation to his ministers. If there is a vacancy of a director general (DG) or a deputy director general (DDG) in any ministry or department, the post has to be advertised, but that is as far as transparency goes. From that point onwards, there is no transparency nor strict rules to follow. He argued that the President should rather delegate the authority to make appointments to the Public Service Commission and that this commission should not itself act as an interviewing panel. Instead, it should put together experts and practitioners in the respective field, who will then conduct the interviews and make recommendations. The same applies to the Judicial Service Commission when conducting interviews for judges.

That is the advice we should follow if we want to have a capable state. That way we will select the best talent available in the country. To illustrate, the best department in government that I know of has always been the Department of Science and Technology, because the DG and all the senior managers have been there for many years. It is the ministers who have come and gone, not the other way around. In most other departments there is a high turnover of senior managers, and ministers regularly want to appoint new people. This is what is being misunderstood as cadre deployment. It is not cadre deployment. It is the wrong way of appointing senior managers. If we improved the appointment process and appointed capable people, the problem would go away.

Ann Bernstein: That is an interesting take on a very important debate. Let me come to the present now. Last year, you said that ANC factions, both the so-called CR17 and the RET factions, could destroy the ANC.

You said this in the context of the conflicts and disputes that took place around the selection of the lists for the local government elections. What did you mean exactly?

Kgalema Motlanthe: People at the time were openly trying to populate the list of candidates along factional lines. If people say in one region the dominant faction is RET or CR17, you have to ask the question, where is the ANC in all of this? The ANC cannot exist only in the form of factions. Otherwise, it might as well close shop. As the head of the electoral committee, I had to raise this issue with the NEC. I told members of the NEC that they should act against regional people promoting factionalism. I said, "You must act against this. Don't look the other way, simply because these regions pledge support to you".

Ann Bernstein: How do you feel about the country today? Are we making sufficient progress in reforming South Africa, the government, and its laws so that we can get growth and employment? Or is it not taking place fast enough?

Kgalema Motlanthe: We suffer from a number of handicaps. Key among them is our education system. We must fix it. We must also import the German TVET system and make it work in South Africa, because our TVET colleges are not producing the skills needed in our economy. Unless we raise our artisanal skills, it will be difficult to grow the economy. One of the recommendations of the parliamentary high level panel (HLP) review that I chaired was that, given our levels of unemployment, we should try and get parliament to amend the Labour Relations Act to create space for small entrepreneurs and exempt them from being compelled to live up to the standards of the collective bargaining councils which have well-organised unions on the one side and the big employers on the other. Small employers are compelled to abide by wage agreements made by big employers. The panel recommended there should be flexibility in this regard by amending the Labour Relations Act to exempt small employers.

It should also be easy to obtain a license and small businesses should not have to comply with complicated regulations when they are still struggling to become established. They should be able to get a license within a month at most. For example, for years the taxi industry has not been paying taxes and today it is a massive industry. They are now at a level where SARS can easily bring them into the tax system. But if you try to do that when businesses are still at fledgling stages and struggling, then you will suffocate them, which prevents them from generating jobs in a country with very high levels of unemployment. We should also be establishing microfinancing facilities in townships and poor communities so that people can have better access to start-up capital. If one person sets up an operation which employs other people, government should not interfere. Give them breathing space. That is how you deal with high levels of unemployment.

Ann Bernstein: As a former trade unionist, your support in the parliamentary HLP report for much greater flexibility and breathing space for small firms was really striking. Why is it so hard to persuade everyone of this view and do you believe we are getting anywhere on that issue?

Kgalema Motlanthe: I do not see an alternative way to address our high levels of unemployment. We must create opportunities for people to start companies that can grow, which will result in people creating jobs. That way you also create local economies. Other than agriculture, I do not see how we can create the labour-intensive sectors that will create enough jobs. The only way to reduce poverty is to permit people to work.

Ann Bernstein: I could not agree more! One of the other recommendations the HLP made to parliament was about tribal land. In your view, should unelected chiefs continue to exercise the powers that they have in South Africa's democracy?

Kgalema Motlanthe: Traditional leadership in the rural areas is recognised in the Constitution. When the panel was reviewing legislation we came across the Ingonyama Trust Act, which we found to be unconstitutional. The

Act has led to the creation of a board that was essentially forcing households to sign up for and pay leases. They were forcing people to convert their permissions to occupy into leases. The board was collecting rent from poor rural households. The Rural Women's Movement took the matter to court, and, on 11 June last year, the High Court in Pietermaritzburg found in their favour and ordered the board to reimburse people the rental money they had collected. The Minister of Rural Development and Land Reform had sided with the Ingonyama Trust Board and so the court also found that she had breached her duty to respect and protect these citizens' land rights and imposed certain responsibilities on her office.

We also discovered that traditional land use management systems have collapsed completely, even in jurisdictions outside of the Ingonyama Trust Act. We also looked at the security of tenure for rural residents, and recommended that it should be secured in law, and not be subjected to the whims and idiosyncrasies of chiefs.

Ann Bernstein: Can the ANC become a leader in society again, morally and politically? Pallo Jordan has written that the ANC should just close up shop and claim its proud legacy of the past and let new political parties emerge. What is your view? Can the ANC really reform and become a contributor to South Africa in a very positive way again?

Kgalema Motlanthe: I think the ANC is within its right to embark on efforts to renew itself. However, South Africans should not be bound by that timetable. South Africa should move on, and it will be up to the ANC to try to catch up. I am saying that because I think the results of the elections in 2016, as well as last year, indicate that our politics is now in a state of flux, which must necessarily result in a realignment of political forces. I do not think that the current political parties, including the ANC, represent the future. I think the kind of formations that are going to take this country forward are still to come and they will be fashioned by a realignment of political forces.

Ann Bernstein: My last question is about foreign affairs. What is your view on Russia's invasion of Ukraine?

Kgalema Motlanthe: There is no doubt there were opportunities that could have prevented the actual outbreak of the war between Russia and the Ukraine. Once war broke out it became a no-win situation – for the Ukrainians, and for the Russians. The Russians themselves sit with a war that they did not approve of, and that Putin has initiated, and that is something that should be condemned. President Putin did not give a full account of his goals to the Duma. He simply said we need to recognise the Donbas region as republics populated by Russians. They are being persecuted and we need to protect them. That is what the Duma gave approval for, but Putin went well beyond that.

I am disturbed by the actions of FIFA, who suspended the Russian Federation because of the invasion, even though that does not appear to be in accordance with FIFA's principle of keeping sport and politics separate. The same applies to the Russian oligarchs whose money was good in several European countries before the invasion, but now, by the stroke of a pen, their finances have been frozen, without any due process.

War in general should not be supported because it never solves problems. Therefore, my take on the Russian invasion of the Ukraine is that it should be condemned.

Ann Bernstein: Well, Mr President there is more to debate, but we have come to the end of our time. Thank you for giving us this time and for speaking so generously and frankly about how you see our past, present and future.

Kgalema Motlanthe: Thank you, Ann.

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