

THE STRUGGLE FOR THE HEART AND SOUL OF THE ANC

By Dave Steward, Chairman of the FW de Klerk Foundation

As we enter 2021, with all the uncertainties created by the COVID crisis, a desperate struggle is being waged for the heart and soul of the ANC. The struggle arises from the split that has divided the organisation since the election of its present leadership at the 2017 National Conference at NASREC.

The new leadership was divided from the start between Ramaphosa's supporters and those of former President Zuma - led by the powerful Secretary-General, Ace Magashule. The main cause of contention was Ramaphosa's determination to root out corruption - a cause which enjoyed widespread support among the ANC rank and file, but caused deep concern among influential elements within the ANC's structures - many of whom were deeply tainted by corruption.

After his election as national President in 2018, Ramaphosa showed that he was serious about combating corruption by strengthening and supporting key institutions - including the National Prosecuting Authority and the Zondo Commission - that were investigating corrupt practices and state capture. These steps finally bore fruit on 10 November, when the NPA issued an arrest warrant for Magashule on 21 charges of fraud and corruption - associated with the so-called Free State asbestos affair which involved irregular contracts to the value of R255 million.

On 13 November Magashule appeared in court in Bloemfontein and was granted bail of R200 000. Outside the court he told his angry supporters - some of whom were seen destroying ANC tee shirts with Cyril Ramaphosa's image - that the ANC had been infiltrated: "There are those that have been co-opted because even during apartheid they were working with the apartheid agents. In any revolution, there is counter-revolution."

He threatened to expose the corruption of his accusers: "I can go to every individual and point out what they have done." He insisted that he would not "step aside" unless he was asked to do so by the ANC branches that had elected him.

Magashule's arrest predictably caused a furore within the ANC leadership and was the main topic of an NEC meeting early in December. His supporters produced no fewer than five legal opinions asserting that he would not have to 'step aside' - despite the clear provisions of the NEC's August decision. Crucially, the NEC did not follow its own rules and failed to suspend Magashule. Instead, it welcomed "the Secretary General's decision to present himself to the (the ANC's) Integrity Commission on 12 December..." Despite its clear refusal to implement its own policy - the NEC confirmed "the firm stance we have taken on corruption". In particular, there would "be no dilution of the position taken" at its August meeting "that the ANC needs to draw a clear line in the sand between the organisation and those who steal and commit other crimes against the people." The NEC's decision meant that, in practice, this "clear line" no longer existed.

On 12 December Magashule met with the 11-member Integrity Commission - chaired by ANC stalwart George Mashamba. The Commission recommended that the NEC should suspend Magashule. In an unusually frank statement - that was subsequently leaked to the media - it criticised the NEC for not having followed its own rules at the December meeting. It expressed its concern over "a growing negative perception about the NEC." "The highest decision-making body between conferences is responsible for the increasing lack of trust by the very people it purports to lead. The NEC seems to be doubting the soundness and correctness of its own conference resolutions, including its own decisions, especially those that deal with corruption".

Magashule told the Commission that he accepted that he was bound by decisions of the collective leadership and said that he would step aside - but only if instructed by the NEC.

So, the battle lines have been drawn - with the ANC Women's League and a sizable portion of the ANC's structures - and possibly a majority of the NEC - on Ace Magashule's side - and the ANC stalwarts, the SACP, most of the ANC rank and file and the media supporting Ramaphosa. The next step will probably take place at the virtual NEC meeting today that is being convened to discuss the ANC's important policy statement that will be issued on 8 January to mark the organisation's anniversary.

The stakes - not only for the ANC but for all South Africans - could hardly be higher. Ace Magashule is bad news. In addition to the 21 offences for which he has been charged, further investigations are under way regarding his alleged role in other scandals - including the notorious Estina Dairy affair. Apart from that, Magashule holds views that are irreconcilable with the values that underlie the Constitution. In a speech on 22 July 2018 -

- He rejected the "false view that our (1994) democratic breakthrough was in itself the end of the struggle for the liberation of our country".
- He characterised the United States sanctions against Cuba as a "crime against humanity";
- He expressed his support for "the struggle of the people of the Bolivarian Republic of Venezuela"; and
- He proclaimed that the supreme goal of a communist party "is to achieve the highest form of human society, which is communism. A system which is about the creation of a classless society, a communist society based on the foundations of equality."
- More recently, he rejected the Supreme Court of Appeal's judgement on BEE procurement rules because it impeded the 51% black ownership goal that was vital to giving black South Africans 'control of our economy' and to 'completing our revolution'.

President Ramaphosa is equally committed to the completion of the National Democratic Revolution. As he pointed out in his statement on Reconciliation Day "we cannot move forward with the process of meaningful reconciliation if policies around economic transformation, affirmative action and land reform (*i.e. Radical Economic Transformation, the NDR and expropriation without compensation*) are resisted". He was saying, in effect, that there can be no reconciliation unless whites cooperate enthusiastically in an open-ended process that will progressively - and without consultation - erode their property rights and employment prospects. This was like asking turkeys - in the spirit of Christmas - to participate enthusiastically in preparations for the festive meal!

The difference between him (Ramaphosa) and Magashule is that Magashule supports the NDR on the basis of returning to the unrestrained corruption of the Zuma era, while Ramaphosa supports the same ideology, but without descending once again into rampant corruption - and while, at the same time, paying some deference to the Constitution and to the need for fiscal restraint (at least, for as long as Tito Mboweni and Pravin Gordhan retain their posts).

So what happens next?

Will there be a show-down at today's NEC? President Ramaphosa's authority will be seriously eroded if the NEC once again fails to suspend Magashule. This might lead to moves to recall the President - possibly at the postponed National General Council meeting later this year. Alternatively, an NEC decision to suspend Magashule might also precipitate a leadership struggle and a serious split in the ANC.



More likely, the ANC will, once again, do everything it can to maintain the organisation's fractured unity: it will return to its traditional stance of pretending to combat corruption; Magashule will remain as Secretary-General while his case winds its way through interminable legal challenges and delays; and Cyril Ramaphosa will continue his role as a lame-duck president - while the country continues its downward trajectory along the road to the National Democratic Revolution.