



## The Nature of Political Corruption in South Africa

*"Like the Voortrekker Monument, Zuma's house should not be taken down. It should stand there in the middle of the prairie as a permanent monument to public corruption. As Madonsela put it, the Nkandla project was a 'licence to loot'."*<sup>1</sup>

### 1. Introduction

Little epitomises the nature of our public sector corruption challenge better than the scandal of R215 million of public money being diverted away from the public good to upgrade President Jacob Zuma's private homestead. From national to local government, there is a general consensus that, in spite of South Africa's innovative and sophisticated legislative and policy frameworks for combating corruption in the public sector, political corruption is rife.

Last year, Pravin Gordhan, then Minister of Co-operative Governance and Traditional Affairs (COGTA), highlighted that the "the lure of power" is one of the key obstacles to local governance performance: "[T]he lure of power...is a big factor in diverting even so-called 'good' people once they get into office."<sup>2</sup> The conversation on corruption in South Africa throws up a range of interrelated but ever more profound questions. Why is corruption so rife in spite of a variety of means at our disposal to tackle it? Where do we start in terms of addressing this epidemic? What is it that makes a 'good' public official resort to corrupt behaviour? These questions cry out for an answer especially in the South African context, where our democracy was won at great human cost and sacrifice.

### 2. Combating Corruption

According to the Prevention and Combating of Corrupt Activities Act 12 of 2004, corruption occurs when "person A gives person B in position of authority something called 'gratification' to

influence person B to use his influence to benefit person A."<sup>3</sup> This is applicable to any sector, including civil society and business, and is not only relevant to the public sector.

South Africa has a variety of means at its disposal to tackle corruption head on. There are 13 public sector organizations that have a specific policy and legal role to fulfil in combating graft. In addition, numerous national mechanisms, like the National Anti-Corruption Task Team, have been created to synchronize the activities of these agencies. "South Africa also has dedicated policies, standards and legislation specifically designed to enable the state to tackle corruption through both criminal and civil action".<sup>4</sup>

Yet, evidence suggests that corruption is perpetrated by politicians and government officials with impunity. For example, Corruption Watch has noted that the "Gupta wedding saga and the on-going fiasco surrounding the President's private Nkandla residence are indicators in the past year of impunity in operation."<sup>5</sup>

### 3. Explanations for Political Corruption

Although *political corruption* is essentially the use of public power for private gain, there is a diverse range of activities that meet the definition of 'corruption'. These include fraud, theft and bribery, and institutional corruption. The consequences of corruption include that it undermines economic development, political stability, government legitimacy, and the social fabric; it jeopardizes the allocation of resources to

sectors crucial for development; and it encourages and perpetuates other illegal opportunities.<sup>6</sup> While there is a broad consensus that the cancer

of corruption has spread under Mr Zuma's presidency, there are two distinct approaches when it comes to explaining the roots of corruption.

### **3.1. The ethical approach**

The *ethical approach* views political corruption as an individual-level phenomenon rather than as a societal phenomenon. This approach focuses on the "lack of professional ethics among politicians."<sup>7</sup> It claims, implicitly or explicitly, that "the problem [of political corruption] belongs to the sphere of ethics, not to the institutional, structural, or societal sphere".<sup>8</sup>

It is sometimes argued that principles have been sacrificed by members of the ANC Alliance at the "altar of greater power." Thus, Colin Bundy highlights how it is possible to go on "adding anecdotes or telling details: but the pattern is clear, and dismaying. Party loyalty overrode ethical judgment, time and again."<sup>9</sup> The media has often framed this slippery slope towards endemic corruption as 'the Zuma disaster', and the 'Zumafication of South African politics.' A common thread coursing through many of these framings is their common prioritization of the corruption and corrupting *effect* of single individuals; an allusion – to use Fisman & Miguel's analogy – to the 'few rotten apples that spoil the rest.'<sup>10</sup>

Studies have shown that there are several psychological traits and mechanisms that predispose an individual to corrupt dealings. According to clinical psychologist Giada Del Fabbro, there are certain personality traits that "make the slide into corrupt behaviour easier." These traits include impaired empathy; self-centeredness; manipulation; entitlement; and a tendency to project blame on to others. Del Fabbro grounds his explanation in the process of socialization, upon which an individual's morality and ethics are based: "In essence, we learn behaviour [including corrupt behaviour] at the knee of our parents and teachers". Other explanations include human beings' innate greediness and the need to supplement an inadequate income.<sup>11</sup>

Gareth Newham makes the case that "until we get a handle on corruption in government, private

sector corruption will continue to flourish." He foregrounds the importance of government holding leaders to account for corruption and maladministration.<sup>12</sup> But are 'episodic' punitive remedies and solutions to political corruption sufficient? Moreover, does remedying corruption begin with addressing political corruption? In this regard, the systemic approach to political corruption may provide useful insights.

### **3.2. The systemic approach**

The systemic approach explains political issues, like political corruption, more broadly and abstractly by placing them in historical or societal context. Political corruption is "less a question of individual morality" and more the by-product of certain structural variables, including "the ever increasing voracity of political parties, the symbiotic relationship between corporates and politicians, and the lack of change of government."<sup>13</sup>

From this perspective, Mr Zuma is a symptom of corruption, not its cause. Professor Xolela Mangcu challenges us "to look beyond the person of Jacob Zuma to the structuring of opportunities in our society, and how individuals in search of instant treasures align themselves with powerful politicians."<sup>14</sup> While Friedman and Mangcu advance distinct arguments, both draw attention to the corruption, and the corrupting effect, of the systemic context; an allusion – to quote Fisman & Miguel's again – to "a rotten environment that spoils the more susceptible apples."<sup>15</sup>

The structural argument spotlights the economic inequalities of South African society. Corruption, among other things, has its roots in "the supposed deal of 1994 [which] is coming apart because it ducked the key issues — the domination of a racial minority and the economic ills that go with that."<sup>16</sup> Eric Urslander argues that corruption is rooted in the unequal distribution of resources in a society: "Economic inequality provides a fertile breeding ground for corruption – and, in turn, it leads to further inequalities".<sup>17</sup> According to Mangcu, on the other hand, "[w]hat has been described as a legal problem of corruption is ultimately a problem of political culture". Mangcu suggests that "the Zuma affair is a sordid manifestation of a failure in the ANC's political culture." He asserts that the problem of corruption is not limited to the government, but permeates the entire political culture of our society: "The children of so-and-so

will eternally be at an advantage over the children of so-and-so.”<sup>18</sup>

According to Chang Sup Park, “corruption tends to revolve around vicious circles. Consequently, the essential remedies and solutions for corruption should be thematic and structural in nature instead of episodic.”<sup>19</sup> Therefore, episodic punitive remedies and solutions to political corruption are not sufficient. Remedying corruption does not essentially begin with holding corrupt politicians to account, but rather with addressing the structural variables, whether they be economic inequality or political culture, which underlie corruption.

#### 4. Conclusion

In their *Pastoral Statement on Corruption*, the Catholic Bishops of Southern Africa express their desire “that we give greater attention to the damage caused in society and in the church by rampant corruption, and encourage all to work towards its eradication”. It is a call for a re-examination of “our own attitudes as citizens within the family, society and the church[,]” concluding that “corruption is not the government’s problem alone, it is our problem.”<sup>20</sup> Echoing this statement, Kavisha Pillay draws upon

a particular analogy, developed Ray Fisman and Edward Miguel, who argue that “corruption is not purely a case of rotten apples. Rather, the barrel or orchard is contaminated. Corruption can be ingrained in an environment, so that everyone is infected.”<sup>21</sup>

The Catholic Bishops’ statement draws attention to a profound point, namely, that corruption is a societal phenomenon and that corruption is not exclusively the lack of professional ethics among politicians. Rather, there are certain systemic factors favouring corruption, such as structural inequalities and a corrupting political culture, that also have to be addressed if corruption is to be combatted effectively and sustainably. Pillay concludes: “It is evident that corruption in South Africa has become a culture among some political leaders, business people and the population. Although the environment in which we live to some extent breeds the rot, we know that there are many people who have not been consumed by the decay of ethical values.”<sup>22</sup> Thus it is that the nature of corruption gestures to the need to expand the anti-corruption debate. It is, indeed, a cause for deep reflection.

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<sup>1</sup> Xolela Mangcu, *The Arrogance of Power: South Africa’s Leadership Meltdown* (Cape Town: Tafelberg Publishers Ltd, 2014), 293.

<sup>2</sup> Ben Turok, “Back to basics: Taking local government in hand,” *New Agenda* 59 (2015): 9.

<sup>3</sup> Manyaka, R. K. & Nkuna, N. W., “The Phenomenon of Corruption in the South African Public Sector: Challenges and Opportunities,” *Mediterranean Journal of Social Sciences*, 5(2014): 1574.

<sup>4</sup> Gareth Newham, “Why is corruption getting worse in South Africa?,” 17 January, 2014, <http://www.corruptionwatch.org.za/why-is-corruption-getting-worse-in-south-africa/>

<sup>5</sup> Newham

<sup>6</sup> See <http://www.icac.org.hk/news/issue30eng/button4.htm>

<sup>7</sup> Chang Sup Park, “How the Media Frame Political Corruption: Episodic and Thematic Frame Stories

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- Found in Illinois Newspapers,” (Chicago: Southern Illinois University, 2012), 20.
- <sup>8</sup> Park, *How the Media Frame Political Corruption: Episodic and Thematic Frame Stories Found in Illinois Newspapers*, 17.
- <sup>9</sup> Colin Bundy, *Short-Changed?: South Africa since Apartheid* (Johannesburg: Jacana Media, 2014), 78.
- <sup>10</sup> Muel Kaptein, *Why Do Good People Sometimes Do Bad Things?: 52 Reflections on Ethics at Work* (July 25, 2012). Available at <http://ssrn.com/abstract=2117396> or <http://dx.doi.org/10.2139/ssrn.2117396>
- <sup>11</sup> Kavisha Pillay, “The Psychology of Corruption,” 25 June, 2013, <http://www.corruptionwatch.org.za/the-psychology-of-corruption/>
- <sup>12</sup> Newham
- <sup>13</sup> Park, *How the Media Frame Political Corruption: Episodic and Thematic Frame Stories Found in Illinois Newspapers*, 19.
- <sup>14</sup> Mangcu, *The Arrogance of Power*, 126.
- <sup>15</sup> Kaptein, *Why Do Good People Sometimes Do Bad Things? 52 Reflections on Ethics at Work*, 32-34.
- <sup>16</sup> Steven Friedman, “Sole focus on Zuma ignores SA’s root problems,” 13 January, 2016, <http://www.bdlive.co.za/opinion/columnists/2016/01/13/sole-focus-on-zuma-ignores-sas-root-problems>.
- <sup>17</sup> Eric Uslaner, “Corruption and the Inequality Trap in Africa,” *Afrobarometer Working Papers* 69 (2007):1. Uslaner explains what he calls the “inequality trap” – how high inequality leads to low trust in out-groups (characterised by strong in-group sentiments, the belief that outsiders may be responsible for their economic plight and that they will not be treated fairly throughout society’s institutions) and then to high levels of corruption—and back to higher levels of corruption (Uslaner, 2007:1).
- <sup>18</sup> Mangcu, 126. Under ‘culture’ we understand the collectively shared beliefs about right and wrong, what is permitted and what is not. The culture of the country in which one is raised impacts upon one’s morality, which in turn impacts upon one’s behaviour (Kaptein, 2012:33).
- <sup>19</sup> Park, *How the Media Frame Political Corruption: Episodic and Thematic Frame Stories Found in Illinois Newspapers*, 19.
- <sup>20</sup> See <http://www.sacbc.org.za/pastoral-statement-on-corruption/>
- <sup>21</sup> Pillay
- <sup>22</sup> Ibid.

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