

BOOK  
REVIEW

# Pieter-Louis Myburgh

## Gangster State

### EUSEBIUS MCKAISER

is a South African political analyst and broadcaster, celebrated nationally in his role as Talk Radio 702 anchor. McKaiser studied philosophy at Rhodes and Oxford Universities and has since lectured the subject in both England and South Africa. He has had a successful career in international debating and has written extensively on South African politics – both as a columnist and as author of the bestselling books *A Bantu in my Bathroom* (2012), *Could I vote DA?* (2014) and *Run, Racist, Run* (2015). McKaiser is a Research Fellow of the Helen Suzman Foundation.

If, like the ANC Youth League in the Free State, you cannot handle reality, then you should not open Pieter-Louis Myburgh's second book, *Gangster State*. It will tempt you into dusting off your tickets to Perth but for a couple of reasons: democracy is in crisis the world over so there is hardly respite from looting and divisive politics anywhere on the globe; you probably cannot afford to emigrate even if you were *gatvol* precisely because the years of state capture have decimated the value of our assets; and, less dramatically, many of us are of course deeply committed to the project of yet realising the normative vision of a just and equal South Africa which requires a reckoning with the kinds of (un)realities that Myburgh's book reveals in stunning and lucid detail.

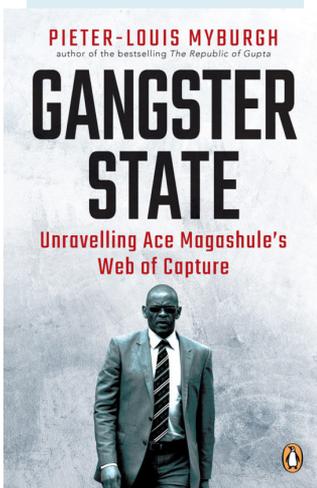
Before teasing out the importance of this book, and situating it within our broader political landscape as well as relating it to other books of a relevantly similar kind with which this one compares favourably, let me give a sense of some of the specificity that a reader encounters in this book.

The heart of the book is a spectacular and patiently-sourced, factual account of mindboggling levels of looting within the Free State, ostensibly sponsored by prominent and senior ANC leader (the party's current secretary general) and former Free State premier, Ace Magashule. The Free State Department of Human Settlements (FSHS), to take but one example, was an important part of the trough at which the thieving pigs were eating for many years. This is why, between 2009 and 2018, the Department was responsible for seven billion rand in irregular expenditure.

When Magashule became premier, he pretended that he wanted RDP houses to subsequently be of a larger size than had previously been the case. This, on the face of it, sounds pro-poor and progressive. As Myburgh demonstrates, however, the real aim soon became clear. It simply allowed Magashule to demand that new tenders be advertised and for existing companies, already evaluated as competent to deliver low-cost housing, to have their access to tenders thwarted. Roughly one billion rand between 2010 and 2011, for example, would in effect be divvied up between a range of new contractors who were mostly a network of beneficiaries close to the premier.

In the end, the poor suffered: socio-economic rights like the justiciable entitlement to the progressive realisation of housing were trampled on while people close to Magashule, like Rachelle Els, an old friend of his from Parys, and soccer boss Mike Mokoena (who would prove himself useful when political donations were needed such as in 2014, according to a source the author cites, when called upon to donate towards the ANC's elections campaign by Magashule), benefited. Magashule was and is no friend of the poor. He is, in fact, an enemy of the poor.

This is just one saga. There are many more documented in the book and even a curious political animal addicted to books that drill down into the captured state would be forgiven for experiencing corruption-fatigue. Chapter after chapter exposes a character in Magashule who is, without any doubt, a constitutional delinquent of the most dangerous kind. Even family members, like his daughter Thoko Malembe, scored contracts from the FSHS through a company, Unital, in which she has a 30% stake. The



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author details a set of such contracts worth more than R150 million that Unital got for a failed housing project in Vogelfontein just outside Bethlehem.

Besides this toxic connection between money and politics, Gangster State also tells the story of suspicious deaths than cannot be ruled out as mere criminality when political motive jumps out at you. The assassination of one Noby Ngombane, lifted back into the public space in Chapter 7, is one such example. Ngombane, a seasoned ANC leader from the Free State, had been asked by the ANC to chair a committee. The Interim Leadership Committee had the task of dealing with the internal political squabbles in the Free State between those in the party loyal to premier Ivy Matsepe-Casaburri and her nemesis, one Ace Magashule, who had been snubbed by the national leadership for the position of premier. But Ngombane was seen by some as anti-Magashule's faction even though changes in the provincial cabinet, and other positions within the provincial government, did not emanate from him but from the executive head and the party's leadership.

There were even rumours that Ngombane was positioning himself to become premier eventually. One afternoon, outside his home, he was gunned down in a hail of bullets. Soon, dockets would go missing, police would do a shoddy job, and there would be no interest shown in following all the hypotheses that jump out at anyone with even a cursory knowledge of the province's politics. It is obvious that any wholly apolitical reading of the killing of this man is absurd given the facts. At the very least, as Myburgh correctly opines, the police should have done detective work to test and eliminate the very real possibility of (yet another) politically motivated killing.

It is a possibility that dovetails with other evidence in the book of thuggery, intimidation, bribery and various run-of-the-mill and also more sophisticated ways of silencing critics and corrupting others so that their complicity in wrongdoing would compel them, too, to remain silent.

Journalists and authors, even in brave works of this kind, do not share everything they think because their published claims must stand up to legal scrutiny. In a radio interview with me on 702, however, I asked Myburgh pointedly whether this chapter is intended to imply that Magashule might be connected to the killing of Ngombane. It was a usefully awkward question and ended in the author saying to me that that possibility cannot be ruled out. It is a possibility that dovetails with other evidence in the book of thuggery, intimidation, bribery and various run-of-the-mill and also more sophisticated ways of silencing critics and corrupting others so that their complicity in wrongdoing would compel them, too, to remain silent.

What then is the significance of this book of which I have given but a small description from a much larger and more grand narrative of illegality? Several 'big picture'-observations must be extracted from the minutiae: firstly, theft doesn't just happen on a gigantic scale at national level. We need to do a much better job of paying close attention to provincial and local government where billions of taxpayer money are stolen, away from the journalistic beat of most reporters and outside the interests of many national editors who focus on the national story, translated as 'the national government'. We know, obviously, that the national story itself is a complex interplay between the three spheres of government but it is hard, nevertheless, to get the public to take seriously the criticality of a book that focuses on a part of the country that might seem to be marginal. What happened and happens in the Free State happens elsewhere. This book could as well have been about the Eastern Cape, North West or Northern Cape. It is important, in the first instance, because it reminds us of the opportunity cost of often ignoring provinces and municipalities in our dominant public discourse.

Secondly, the book demonstrates the culpability of the ANC as an organisation that enables corruption. While Magashule was snubbed for a long time for the post of premier, often the ANC's national leadership, despite not having faith in him to be appointed premier, would pressurise various Free State premiers (like Beatrice Marshoff) to include him in their provincial cabinet. The national leadership knowingly exposed the people of the Free State to an unethical man in key positions of state power. Luthuli House cannot drive a wedge between itself and odious characters like Magashule. It is the political culture, and internal ANC political dynamics, that actively allowed Magashule to be the head prefect of a provincial gangster state. So, while the subtitle of the book names Magashule – Unravelling Ace Magashule's Web of Capture

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Thirdly, this book is an important illustration of how little the normative vision of a just and equal society means unless we animate a principle on which justice depends; the rule of law. It is shocking that so much evidence uncovered by an investigative journalist has not been used already by law enforcement agencies to bring the criminals to book. The criminals are all around us. They

should be jailed. It is disingenuous of the government to keep pleading with the public to "be patient" when it comes to seeing men and women behind bars for corruption. All the lyrical jurisprudence coming out of our courts means nothing if they do not end in actual justice. That someone like Magashule himself can occupy such a powerful position within the ANC tells you a lot about the inability of this party to "renew" itself, a concept they throw around with gay abandon but clearly do not take seriously. Until the rule of law is deeply entrenched, this kind of book will never be the final one of its kind.

Lastly, Myburgh's book is as important as other books that tell the story of state capture such as, among others, Jacques Pauw's brilliant *The President's Keepers*, Crispian Olver's cogent *How to Steal a City* (which is a municipality-level version of Myburgh's book) and Myburgh's own phenomenal first book, *The Republic of Gupta*. Two perversely good consequences of the state capture project are that excellent investigative journalism has flowed from it, and our courts have developed some critically important jurisprudence that entrenches (at least theoretically) the accountability role of the judiciary.

Ultimately, I would rather live in a society in which Myburgh struggles to find corruption stories to write about. That, I'm afraid, is unlikely for as long as South Africans are more upset by the content of his book than inspired to do their bit to keep the democratic project alive.