

# Zuma's election heralds instability

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On December 14, more than 4,000 African National Congress (ANC) delegates in the city of Polokwane in Limpopo Province cast their votes at the ANC's 52nd annual conference to decide between the two candidates standing for president of the organisation, South African President Thabo Mbeki and ANC Deputy President Jacob Zuma.

Thabo Mbeki, the current incumbent and running for a third term, garnered 1,505 votes to Jacob Zuma's 2,329, signifying an overwhelming victory for Zuma and a humiliating defeat for Mbeki. Images on South African television showed Zuma supporters dancing on tables, wildly cheering in celebration whilst some delegates from the Eastern Cape Province, an Mbeki stronghold, openly wept. A somewhat stunned-looking Zuma with a visibly crestfallen Mbeki in tow then took to the stage.

Zuma had the backing of five of the nine provinces as well as the support of the ANC Youth League and the ANC Women's League. In the run-up to the conference, the Congress of South African Trade Unions (COSATU) alleged that delegates from Northwest Province were being offered bribes, jobs and other financial rewards in return for their support for Mbeki. The allegations and counter-allegations underline the bitterness of the power struggle.

There has been much speculation as to whether the infighting in the ANC could lead to the break-up of the tripartite alliance. But with their candidate triumphant, it seems that COSATU and the South African Communist Party (SACP) remain committed to the alliance.

Congratulations came from Mangosuthu Buthelezi of the Inkatha Freedom Party and Patricia de Lille of the Independent Democrats, as well as the last apartheid president, F.W. de Klerk. Helen Zille, the leader of the official opposition, the Democratic Alliance, congratulated Zuma, but stated that it was a "dismal day" for the country. Various spokesmen from the South African business community indicated their main concern was that the ANC should not deviate from its current economic policies. By the afternoon of the following day,

South African economic indicators remained steady.

Elections for the remaining six top positions in the ANC took place on the same day. At least five of the new positions are now held by individuals perceived to be within the Zuma camp.

Zuma's victory at Polokwane has opened the road to the South African presidency in 2009. However, there are several obstacles in the way; the most prominent are possible charges for fraud, tax evasion, corruption, money laundering and racketeering currently being considered by the National Prosecuting Authority (NPA).

## **Zuma's corruption trial**

In 2004, Zuma's financial advisor, Schabir Shaik, became the subject of an investigation in relation to possible fraud and corrupt activities. During these investigations, information about Zuma's alleged acceptance of an US\$80,000 bribe from the French arms manufacturer Thales was made public. The National Director of Public Prosecutions at the time, Bulelani Ngcuka, stated that, in Zuma's case, although there was prima facie evidence of corruption, there were still not sufficient grounds to charge him.

Shaik was eventually found guilty in June 2005 on two counts of corruption and one of fraud. In his verdict, Judge Hilary Squires also stated that there was "overwhelming evidence" of a corrupt relationship between Zuma and Shaik. Shaik was sentenced to an effective 15 years in prison. Two weeks later, Zuma was dismissed as deputy president.

In early 2006, Zuma was charged with raping a young woman, a family friend. In the course of the trial, he admitted to having had unprotected sex with the woman, whom he knew to be HIV-positive. He then told the court that he took a shower afterwards to protect himself from infection, a statement that subjected him to much ridicule. Zuma was eventually acquitted. Although his media image took a battering, it did not diminish the support mainly from his rural base in Kwa-Zulu Natal, but also increasingly from those who have remained mired in poverty since 1994.

Following Zuma's dismissal as deputy president, the National Prosecuting Authority announced that he would be charged with corruption. A trial date was set for June 30, 2006. However, the case was struck off the roll by Judge Herbert Msimang, who ruled that the prosecution's case depended on the outcome of appeals against controversial warrants used to permit the seizure of documents from Zuma's lawyers and from Zuma personally by the Scorpions—an elite investigative unit attached to the National Prosecuting Authority.

Despite this setback to the prosecution's case, the NPA obtained court orders that enabled them to extend the investigation to the UK and Mauritius. In November 2007, the prosecution's team went to the Supreme Court of Appeal and successfully appealed against Judge Msimang's setting aside of the search warrants. Zuma's legal team is preparing to take this matter to the Constitutional Court. However, this has opened the way to pressing new charges against Zuma.

During the Scorpion's August 2005 raid on the homes of Zuma and his lawyer, Michael Hulley, some 93,000 pages of documents were seized. These are expected to form the basis of a new charge sheet. The main charge is that Zuma accepted an \$80,000 bribe from Alain Thetard, the representative of Thint, the local arm of French arms giant Thales, in return for protection from potentially damaging investigations into a South African arms deal. One of the 14 documents being requested from Mauritian authorities is Thetard's diary, which records the appointment with Zuma.

The day after Zuma's election victory, the National Director of Public Prosecutions, Mokotedi Mpshe, stated in a radio interview that new charges against Zuma were imminent. Besides the existing charges of fraud and corruption, charges of tax evasion, money laundering and racketeering would be added to the charge sheet. In addition, there was new evidence detailing the extent of the corrupt relationship between Zuma and Shaik, including evidence of approximately R4 million (US\$600 000) in payments from Shaik to Zuma that continued until mid-2005. This is far more extensive than previously thought.

Zuma and his supporters have consistently maintained that the charges being levelled against him are part of a political conspiracy to prevent him from becoming the president of the country.

To a considerable extent, Zuma's victory is not so much a product of his political acumen, but rather of Mbeki's deep unpopularity. When Mbeki, accompanied by his top

aide Essop Pahad, Foreign Affairs Minister Nkosazana Dlamini-Zuma and Health Minister Manto Tshabalala-Msimang, arrived in Polokwane on Monday, they were booed and jeered by some of the 4,000 delegates.

Mbeki has for 10 years presided over a country where a thin layer of the population has reaped enormous benefits. However, at least 40 percent of the population remain mired in dire poverty, with few prospects of future improvement. Unemployment remains high, and the Mbeki presidency's endless dithering over the HIV/AIDS crisis has cost the lives of millions.

Dissatisfaction with the status quo has been manifested recently in an unprecedented number of protests. The South African Police Service recorded more than 20,000 separate demonstrations over a two-year period between 2005 and 2007, including the longest public sector workers' strike in the country's history. In contrast, the period from 2004 to 2005 saw 6,000 demonstrations.

The vast majority of these demonstrations, led by grassroots activists, were about poor (often non-existent) service delivery and objections to economic policies favouring big business.

COSATU and the SACP have promoted Zuma as the candidate for the working class who might even introduce socialist measures to alleviate their plight. It is recognised, although rarely acknowledged, that the simmering low-level discontent could erupt into a social conflagration. COSATU and the SACP have been working assiduously to divert this energy into harmless channels.

However, Zuma has spent much of his time assuring big business that there will be no significant changes in economic policy under his presidency. The relative stability of South African markets following his triumph indicates that South African and international capitalism have found someone with whom they can do business.



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