

University of the Free State

Student Essay Writing Competition:
'Combating corruption in South Africa'

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2022
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Competition Category: Postgraduate

It has been suggested that the first humans arrived in southern Africa around 130 000 years ago. Imagine then if, for some strange reason, those ancestral pioneers committed themselves to the daily ritual of saving a single Rand. Imagine further that this ritual was unerringly upheld through the generations until our own day. Not even double the money so saved would rival the alleged cost of the Nkandla homestead. It beggars belief to imagine what might have been had this rural community – which might otherwise have lain overlooked in its poverty – been afforded the abundance misappropriated by its so-called leaders. Instead, the town's name will long be synonymous with some of worst abuse of governmental power our democracy has suffered. But such is the tainting touch of corruption.

Corruption has been one of the most persistent obstacles to our nation's flourishing since long before its democratic transition. However, as our institutions continue their alarming deterioration, it seems increasingly urgent that we demand the reform required to prevent and punish those who would abuse their authority to plunder what is rightfully our shared prosperity. Corruption is a challenge in South Africa in part because of a hubris which has compromised many of its institutions, notably our government, but this can be effectively combated by fostering a culture committed to promoting the good of communal practices. This can be achieved by the establishment of an independent anti-corruption commission, but it must be sustained by educating people to be active citizens with strong political will. This requires a clarification of the values whereby we hold our country dear, and universities such as Kopsies serve a significant role in empowering students for that discussion. It remains to us students to take that responsibility seriously.

Corruption Watch characterizes corruption as the “abuse of entrusted resources or power for personal gain”.¹ That personal gain should be a motivating element is not primarily what concerns us though, for we are all trying to earn our way through life. It is rather the abuse of authority, the misappropriation of the commonwealth, that has led political theorists since the ancient Greeks to condemn corruption as a disease of a person or community's moral character. This precedent was maintained at the essay contest's launch when Adv. Stefanie Fick of the Organization Undoing Tax Abuse (OUTA) called corruption an “illness” and assured the audience that we deserve to say “No!” to our abusers, whether in government or corporations.² The word the old Greek political thinkers would have used to describe a corrupt character is

¹ Corruption Watch (2022). *Our definition of corruption*. Available at: <https://www.corruptionwatch.org.za/learn-about-corruption/what-is-corruption/our-definition-of-corruption/>

² University of the Free State (2022). *Corruption essay writing contest*. Available at: <https://www.ufs.ac.za/corruption-essay-writing-contest>

“*kakia*” - a word I think humorously apt if you are familiar with South African slang - which is usually rendered as “vice” in English. The consequence of this moral corruption is the perversion of our communal practices and institutions.

Our activities, when properly established, are usually oriented towards attaining some set of goods. When a community comes together to set up these activities in some characteristic way, those activities become what philosopher Alasdair MacIntyre terms a “practice”.³ There are many things that could constitute a practice, such as arts, sciences, sports, or politics, and institutions like universities, hospitals, businesses, or governments he understands as importantly being bearers of such practices. For example, when at the launch Prof. Francis Petersen spoke of the university’s role in education, academic research, and the civic maturation of its students, he was defining the types of practices which the institute promote. The bond between these two is intimate, for practices depend upon the infrastructure provided by institutions to flourish, while institutions exist foremost for the purpose of preserving various practices. Institutions, then, have a vested interest in the success of their practices, but their integrity is jeopardized by an inescapable tension which also relates the pair.

A child might grow up in a disadvantaged community, directly witnessing the ravages of poor governance and exploitation. They may study hard, even attaining a degree at university, with the hope of helping their community prosper. Perhaps they become a lawyer, hunting out culprits and defending the innocent. Perhaps they become a politician, championing parliament for better legislation. Perhaps they become a teacher, edifying others through excellent education. Whatever good their practice may be characterized by, they must still, at the end day, be able to pay their bills. There will always be motivations besides what the practice is about. Institutions need to pay their staff if they are going to be afforded the liberty to pursue those higher ends. There is, of course, only a finite fount from which to draw its finances, so an institution must be discerning in its distribution. There are only so many promotions, grants, or publications available, and this leads to an acquisitiveness as people compete for those limited opportunities. It is when participants pursue these profits at the expense of their practice’s good that institutions become vulnerable to corruption.

The attainment of a practice’s characteristic goods requires the excellence of activity which in classical political and moral theory was called a “virtue”. This denotes any acquired quality that empowers a person who exercises it to act such as to exemplify what their practice is about. These need not only be moral traits but also intellectual, technical, or athletic proficiencies.

³ MacIntyre, A. (2007). *After virtue*. 3rd ed. Notre Dame: University of Notre Dame Press, pp.181-203

Virtue is in the ardent lawyer who provides fair representation regardless of fee. It is in the diligent teacher who offers competent instruction to their students regardless of talent. It is in the conscientious leader who ministers to their community's prosperity and not merely their own status. Any practitioner who is serious about their vocation recognizes that there are certain standards of conduct to which they must submit themselves if they are to excel. Adherence to these standards, these virtues, is also what empowers them to resist the more corrupting influences that might infect an institution. What, then, are these virtues with which we are to arm ourselves?

There are three virtues that MacIntyre argues are minimum prerequisites for the preservation of any practice: justice, courage, and honesty. The lack of any of these undermines our pursuit of the goods we have set up for ourselves. It is dishonest when a company fails to disclose their true beneficiary. It is cowardly when a police officer turns a blind eye to their partner soliciting bribes. It is unjust when a government official uses their position to favour family and friends. What unites all these vices is that they create a state of exception for the perpetrators, exempting them from the same standards of conduct to which all participants had submitted themselves when entering a practice. Adherence to the virtues ensures that we are all subject to the same rules, are provided equitable opportunities, and are penalized fairly when we falter. Allowing corruption to persist is tantamount to proclaiming that, while we all might have been created equally, some were done so more equally than others.

This understanding of the impact of vice and corruption was evident in the Constitutional Court's two key findings in businessman Hugh Glenister's case against personnel in the South African government.⁴ The aim of the case was to determine whether the disbandment of the country's previous anti-corruption directorate (commonly known as the "Scorpions") and its replacement with a new entity (the "Hawks") was constitutionally valid. To this end, it found the new body insufficiently insulated from undue political influence given that its activities are co-ordinated by Cabinet. This was because the court also found that the Constitution imposes an obligation on the state to establish and maintain an independent anti-corruption entity as unchecked corruption undermines both our Bill of Rights and ignores important international laws. Notably, our Constitution provides us all with equality before the law, so when individuals or groups participate in corrupt activity, they flout this right, placing themselves above the laws of this country and in a state of exception from the rest of the community.

⁴ Hugh Glenister v President of the Republic of South Africa and Others (2011) CCT 48/10 (Constitutional Court of South Africa).

This attitude of believing oneself set apart from and better off than others is called “hubris” by philosopher N.K. Dzobo.⁵ He attributes much of the poor recovery of African nations in their colonial aftermath to the predominance of this temperament among its leadership, which he argues is the result of a lack of discipline. His understanding of discipline occurs within an African humanistic tradition, where the supreme good of a human being is found in the fulfilment of what he calls our “creative humanity”, especially as it manifests in our work and interpersonal relationships. The greatest evil that a person can commit is to use that creative capacity recklessly, destructively; without discipline. Bad doctors bury their patients. Bad teachers send their students out into the world as bad doctors. Bad politicians, instead of wielding their authority to heal and uplift their damaged countries, use public money to build million-dollar mansions equipped with helipads and firepools.

Left shaken and uncertain after decades of trauma and exploitation, the people of Africa must set up for themselves a framework of values if, Dzobo urges, they are to reclaim their political and psychological independence. He does not dismiss dialogue about ethical matters as ivory tower indulgence but considers it imperative to meaningful national and institutional development. This view is at odds with the liberal individualism we have inherited from the West, which views the public as an arena for the pursuit of private interest and the government as merely its amoral arbiter. Dzobo’s view is, however, consistent with the more communitarian principle of *Ubuntu* and the assertion that “I am because we are”, that human beings exist not only as an “I” but also always as a “We”. This appreciation of human dignity is captured in an old African proverb: “Call on gold, gold does not respond. Call on clothes, clothes do not respond. It is the human being who counts!” Hubris and the reckless pursuit of selfish profit might be regarded as beneficial in that competitive, materialistic liberal arena, but traditionally it has been held to demean our creative humanity and erode our community’s cohesiveness. Discipline, then, is a cardinal humanistic value, ensuring adherence to the standards of conduct exemplified by the virtues.

It is the cry for justice which compelled the Constitutional Court in its verdict on the Glenister case, and it is the call for discipline behind Adv. Paul Hoffman’s campaigning for Accountability Now. Adv. Hoffman has identified a set of five features – dubbed the STIRS criteria – which he argues must characterize an effective anti-corruption commission.⁶ Along

⁵ Dzobo, N.K. (2010). “Values in a changing society: man, ancestors, and God”. In: Gyeke, K. and Wiredu, K. (eds), (2010). *Person and community*. Washington, D.C.: Council for Research in Values and Philosophy, pp. 223-40.

⁶ Hoffman, P. (2021). “Four steps to stopping corruption dead in its tracks in S.A.”. Polity, 11 June. Available at: <https://www.polity.org.za/article/four-steps-to-stopping-corruption-dead-in-its-tracks-in-sa-2021-06-11>

with remaining independent of any undue influence and being adequately resourced, such an organization must be staffed with highly trained and alert members specialized in dealing with institutional corruption and secure in their office. We should hope that such corruption-busters would not only adhere to but epitomize the virtues we have mentioned if they are to carry out the immense responsibility of policing those in the highest echelons of power. But that is why Adv. Hoffman also identifies the need for strong political will and an active citizenry if we are to have any prospect of stopping corruption dead in its tracks. It is through this civic engagement that the university is positioned to serve a crucial role.

From a perspective that takes *Ubuntu* seriously, education has an important function in the clarification of communal values. For Dzobo, good education must foremost help us make disciplined use of our creative capacities. To do so it must help us understand, critique, and, if need be, adapt the values, both indigenous and foreign, that impinge upon our everyday practices, and to apply values as the basis for action in concrete circumstances. This not only empowers us to be critical of and resist the abuse of authority and corruption in institutions; it also prevents alienation from our cultural heritage. Values and virtues need not be static or universal, for, as MacIntyre notes, practices may prosper across communities with diverse perspectives, but what they could not do is persevere where no concept of virtue is valued at all. It is, in part, a shared reference to virtues and the standards they embody that unites a community. What is incumbent upon institutions then, if their values are to remain relevant to the cultural and political life of its members, is to provide a realm wherein their revision and renegotiation can occur, and education must equip students to participate in the country's broader public sphere.

The hubris which underlies the culture of corruption in this country can only be countered if enough people are prepared to be courageous and honest, to stand up and speak out against the injustices they witness, and to enforce the discipline of its elected representatives. It is we as engaged citizens who must be the vanguard leading change and demanding better leadership and legislation. To do so we must be confident in our competence to speak truth to power. There is much a university can do to instill this confidence in its students. For example, programs which foster academic literacy and critical thinking are not simply useful in aiding students in achieving better grades; they arm them with the skills necessary to rationally orate and debate in the public sphere. Curricula do not merely prepare students for occupations but present them with a vocabulary of ideas with which they can articulate their world and experiences to others. This is dependent, of course, on the institution maintaining its own

integrity. It is by reinforcing the virtue of its own practices that universities can contribute to combating corruption.

The educational relationship that sits at the core of the university's function presents two goods of the practice. There is the good teaching by the lecturer as well as the good learning by the student. It is therefore not only up to the institute to ensure the quality of its staff. We as virtuous students must also recognize the responsibilities that we adopt in applying to the University of the Free State. To succumb to the dishonesty of plagiarism, the cowardice of vandalism, or the injustice of bigotry is to fail ourselves as participants in our pedagogical practices. We must instead commit ourselves to the discipline our ambitions deserve and not deviate when seduced with extraneous pleasures. We must recognize our shared endeavour with our fellow scholars and foster the spirit of co-operative care whereby we all benefit from the common contribution. We must recognize that we only stand to gain through firm respect for communal virtues. To quote another African proverb: "Goodness sells itself; it is badness which goes around looking for buyers."

Corruption's causality is complex, but it is often the result of moral vice which perverts the character of our institutions. These institutions are dependent upon but also in tension with the practices they preserve, and it is when people pursue power and profit at the expense of a practice's goods that institutions become vulnerable to corruption. We require a conception of virtuous practice if we are to achieve these goods and guard against acquisitive hands. The minimum virtues we need are courage, honesty, and justice. Corruption violates all of these and our Constitution when perpetrators place themselves in a state of exception from the rest of the community. This is hubris and firmly against the spirit of *Ubuntu*. A disciplined disposition is required to combat this hubris and ensure the ethical conduct of practitioners. The discipline of government can be secured by the establishment of an effective, independent anti-corruption body, and a virtuous culture of engaged citizenship can be fostered by excellent university education.

Education has an important role in empowering students to participate in the clarification of communal values. Universities must focus on arming students with the competencies necessary for active civic engagement, while students must respect the responsibility that their education into the public sphere entails. If we commit to fostering a culture where citizens can confidently participate in the articulation of the goods of communal practices, we can better hold accountable those who would exempt themselves from the standards which we hold fundamental to our nation. An independent integrity commission would stand at the forefront of such a community in its combat against corruption, but there needs to be more robust

discussion amongst the South African public, across our rainbowed divisions, about what qualities we collectively value in those entrusted with authority and what virtues we deem essential to the effective duties of government. The social ill of corruption can be much remedied by a healthy public sphere.