

Swamping the Drain

Anti-establishment outsiders like Donald Trump have often entered Washington on a voter backlash by promising to “drain the swamp”. This is very contextualized language for the land of the Everglades and the Bayoux. But here in South Africa we have a lot of mountains and the Karoo – so we don’t know much about draining swamps.

We do have stormdrains, however, and we know what happens when they get clogged. African stormwater can fall out of the sky so fast that the trash and litter clogging the sewers causes these to back up. We can have flash-floods... so we know all about *swamping the drain*!

It’s happening right now to Pravin Gordhan with his PROJECT RE-CAPTURE. Zexit has drained the swamp in terms of the triumphalists, the Guptas, the Hlaudinis, the sycophants, and the Premier League. But now we are experiencing the opposite – swamping the drain. The losses, the damages, the gaps, the looting have reached epic proportions. We are inundated with new cases coming to light daily.

A year ago, Derek Hanekom was one of the first “insiders” to admit that the ANC had a problem and that State Capture (by his estimates at that time) could reach R100 million. This week, almost one year later, Pravin Gordhan is pegging it at R100 *billion*. This figure boggles the mind.

No wonder there is high unemployment! No wonder the economy is wobbling! No wonder Ramapostponer has appointed four “lions” to go overseas in search of new investment. The bail-outs at SAA alone are exceeding R20 billion. Are voters going to forgive the party that let this happen? The ruling party that split; its corrupt klepto-faction ripped off the nation’s strategic reserves in a ranking second only to Venezuela’s Chavez mafia? At least over there they had petrodollars to steal.

Here they stole from our forests (Safcol), from our natural resources (Gupta coal deals), from our dignity (induced load-shedding), from our national defense (arms deal bribes), and even from our Treasury (tax rebates to the Guptas). They even stole from poor beneficiaries like those Estima farmers promised imported dairy cows from India, only to find that the project budget had been siphoned off into the bank accounts of the rich and powerful. Even the Community Work Programme (CWP) – designed to supplement the income of the unemployed - was pilfered in Mpumalanga. At the time, according to Al Jazeera, the HOD of COGTA was busy (between his visits to the massage parlour) wheeling and dealing in rhino horn exports. While coaching the tenderpreneurs how to divert money destined for the poor.

Then they got white-wash audits from major accounting firms like KPMG. Very clever. In exchange for their exorbitant fees. And when this meddling was exposed, they fought back brazenly with the help of hired guns like Bell-Pottinger.

Project Re-capture is the order of the day. But it comes late in the day. Ombudswomen and men, auditor general, the media and NGOs have been roaring about this since the early morning of this same day. I work for one such NGO and we have a portfolio of litigations from reporting corruption, patronage, and outright fraud – in Mpumalanga. Our own Treasure Hunt is currently seeking to re-capture R4 million – not R100 billion. We already set up our own mini-Project Re-capture some years ago, when we realized that there was a web of relationships in provincial government trying to keep the

lid on all its smallanyana skeletons. We have toughed it out and I can offer three pieces of advice to Minister Gordhan who should be called the Minister of Debt Collection.

1. Get a War Chest ready – In our small NGO case, we have had to spend about R400 000 in legal fees chasing R4 million in losses and damages. That is about 10 percent. And you have a Treasure Hunt going after R100 billion? How can you control spending on legal fees? For starters, don't agree that the State should pay ANY legal fees for these rascals. No way! And don't forget to claim for your legal costs too, when you corner them.

Better than Floyd Chivambo's crazy idea of starting a State Bank (just another cash-cow to be ripped off), Gordhan should start a *State Law Firm*. Hire an army of lawyers, on salaries! Keep the outsourcing to a minimum because you have the volumes to gain economies of scale.

2. Expect your foes to synergize – Start a data-base that can track individual cases but that can also look out for similarities and patterns. For example, be able to see if the same bank account number pops up in several different legal cases. Clues like this help you to see the big picture.

By definition, criminals don't have to play by the rules, even though you do. They will join forces and help one another to fend off any "debt collectors". Even if you are chasing down politicians or ex-politicians, remember that the boundaries are blurred between them and organized crime. Intelligence will cross that boundary and enter the shadows, making it very hard to track.

3. Keep an eye on the State Security apparatus – It is very possible that the "spooks" are collaborating with your adversaries. Given the existence of PAN (Principle Agents Network) which is the shadow of SSA (possibly some re-capture opportunities there too?), it is safe to assume that "big brother is watching you".

Maybe in government you expect that sort of thing? When Mogoeng Mogoeng detected that the "spooks" had him under surveillance, he sounded sort of fatalistic. His advice was, just don't step out of line, so they cannot catch you out. That's sort of naïve! Those guys can invent fairy tales that are as believable as the truth. They believe in blame-shifting, not in confession. So they may invent intelligence about you that is not true, but that sounds as credible as the truth.

This is what happens during the flash floods, when the drains get swamped. You need to know every drop in that flood – the respective case numbers, the names of all the suspects, and who their investigators are. You need to sort cases by Criminal, Civil and Labour categories – and maybe it is a good idea to have a sort field for Waste, too? Swirl the records together so you can see the patterns as they get pulled down the drain. So you can get help even beyond our borders. I think of Peter Hain and the Bank of Baroda – follow your nose and look for allies out there. You will find perpetrator-accomplices out there too. But I wonder if India will ever extradite the Guptas? Do you think?

And don't just keep it to the Big Five (Eskom, Transnet, Prasa, SAA and the Energy Fund). Widen the scope to re-capture all that has been looted and wasted. So many cases have gone down the drain or are going down the drain that the volumes are backing up, slowing it down. This is an opportunity for Project Re-capture to get a handle on the full extent of State Capture.