Corporate corruption of South African politics and economics

‘Accumulation by dispossession’ as a structural process, beyond ‘state capture’

- By Patrick Bond

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South Africa’s ranking in Transparency International’s Corruption Perception Index suggests the government is not as corrupt as public opinion suggests. In this article PATRICK BOND emphasises the need for a deeper, more nuanced understanding of the problem and turns his attention to what he sees as the more pervasive threat posed by corporate corruption, underpinned as it is by its long history of colonial exploitation and dispossession.

Introduction: Narratives and silences

In South Africa, the typical analysis of corruption is limited to blaming individual political leaders or managers of state departments and parastatal corporations. Secondarily, citizens regularly complain about petty forms of graft by lower-level bureaucrats. How serious are such forms of graft? How might we understand the problem in deeper terms, in relation to South Africa's economic history? And how do not only state-society, but state-market-society forms of corruption operate? Indeed, how far does so-called 'state capture' extend beyond the usual suspects: syndicates such as the Gupta brothers who operated from 2008-17, or the Watson brothers' Bosasa state-outsourcing operation through the 2000s-2010s, or the Shaik brothers who, via late-1990s Arms Deals operations involving a French firm prone to bribery, first implicated Jacob Zuma as corrupt, to the extent he was fired as Thabo Mbeki's Deputy President in 2005?

Corruption Perception Index ranking of South Africa, 1996-2023 (least corrupt out of 180 states)

Source: https://tradingeconomics.com/south-africa/corruption-rank

It transpires that the South African state is relatively mediocre in the best-known Corruption Perception Index ranking of 180 countries' administrations (including politicians), compiled by Berlin-based Transparency International (TI). The TI (2024) Index measures "bribery; diversion of public funds; officials using their public office for private gain without facing consequences; ability of governments to contain corruption in the public sector; excessive red tape in the public sector which may increase opportunities for corruption; nepotistic appointments in the civil service; laws ensuring that public officials must disclose their finances and potential conflicts of interest; legal protection for people who report cases of bribery and corruption; state capture by narrow vested interests; access to information on public affairs/government activities."

South Africa's 2023 ranking is 83rd least corrupt or 97th most corrupt.

South African governance is by this measure far cleaner than is typically acknowledged by society. In 2023, polling by TI (2024) recorded 64% of the population "who thought corruption increased in the previous 12 months," with 18% of public service users acknowledging they "paid a bribe in the previous 12 months." This degree of state graft is certainly worse than in the mid-1990s, when just after apartheid ended South Africa's rank was 23rd least corrupt. The sharp 2021-23 degradation in rankings from 69th to 83rd least corrupt state probably reflected not only high-profile Covid-19 procurement fraud, but current president Cyril Ramaphosa's own recent scandal in which US dollars were illicitly hidden in a couch at one of his residences.

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But this article contends that if TI is correct, the South African state suffers a relatively minor level of such corruption, compared to the corporate economy's far deeper and more pervasive strain of capitalist "accumulation by dispossession". That term, signifying outright theft (instead of "accumulation by exploitation" through capital-labour relations at the point of production in the workplace), was coined by David Harvey (2003), based on a revival of the work of the first Marxist political economist writing about South Africa, Rosa Luxemburg. In 1913, her *Accumulation of Capital* included the observation that imperialism reflected capitalism periodically suffering overproduction crises, requiring expansion to new territories (what many term 'globalisation'), and in that process, increasing contact with the non-capitalist spheres of the world.

Luxemburg drew extensively on secondary sources: writings about how South Africa's earliest corporations were plying their trade, suffused with their desire and capacity to carry out systemic theft, dating to the Portuguese, Dutch and British colonialists. Capital's interactions with non-capitalist society and nature is the appropriate way to frame the worst tendencies of corporate graft, as described in the next section. To illustrate those interactions, at least four factors that are missing from mainstream economists' Gross Domestic Product (GDP) measurements reveal aspects of accumulation by dispossession: migrant labour systems that amplify the importance of unpaid labour by women (who typically live in distant ex-Bantustans or even the wider Southern African region, in contrast to social reproduction within urban areas where super-exploitative relations are more difficult to sustain), and three aspects of environmental degradation: local pollution, global-scale greenhouse gas emissions and uncompensated depletion of non-renewable wealth (Bond, 2021).

Yet today, the private sector is usually mentioned as “corrupt” in narrow ways, for example according to Kenneth Brown, who was Treasury’s leading procurement officer until 2017, the average state contract entails illegitimate price mark-ups of 35-40% (Mkokeli, 2016). In addition, consciousness has recently been raised about *white* South Africa’s propensity to corporate financial fraud thanks to the March 2024 firearm suicide of Markus Jooste, the Stellenbosch-based chief executive who caused Steinhoff’s collapse (Wiener, 2024). Two other white tycoons appeared to have died through assisted suicides – Brett Kebble in 2005 and Gavin Watson in 2019 – after corruption charges became unavoidable. Jooste’s death occurred on the eve of long-overdue state prosecution for looting an international retail network, thanks to graft costing more than $15 billion. When discovered in late 2017, the firm’s crash stunned stock markets and resulted in liquidation six years later. Another bankruptcy that resulted from accounting fraud was KwaZulu-Natal sugar and real estate firm Tongaat Hulett. In 2019, chief executive Peter Staude and a half-dozen other officials – nearly all white – were exposed, and two subsequent revelations of graft included two dubious firms attempting a business rescue.

In February 2023, there was also the high-profile ‘grey listing’ of South Africa by the Paris-based Financial Action Task Force (FATF), a network associated with the main Western imperialist powers’ policing of the global economy (especially in the wake of the 2001 airplane hijacking that spurred greater scrutiny of radical Islamic financial circuits). The FATF (2023) revealed the systemic character of banking-sector crime in South Africa, as did, simultaneously, the *Al Jazeera* (2023) ‘Gold Mafia’ report (mainly about Zimbabwe but also implicating major Johannesburg banks whose staff facilitated the graft, namely Absa, Standard Bank and Sasfin).

Society’s suspicions about international finance were again confirmed during South Africa’s high-profile 2023-24 prosecution of local and foreign banks for currency manipulation (a decade late) (Wasserman, 2023). It was a rare moment for judicial action (Competition Tribunal, 2023), no matter the Competition Commission’s apparently flawed inclusion of too many banks, as pointed out by Judge Dennis Davis (2024) in a case still to be heard at the Constitutional Court (Bond, 2024a).

Tellingly, financial regulators from both Treasury and the Reserve Bank – the latter owned by the very banks engaged in prolific illegal acts – had not only denied currency manipulation (Phakathi, 2019) but also ignored FATF warnings dating from 2019 until late in 2022, when three new laws were hurriedly passed and regulatory procedures tightened – but to no avail, as the grey listing was still imposed. And after all, Treasury’s Financial Intelligence Centre had estimated in 2019 annual costs of illicit financial flows to the economy already ranged from 3% to 7% of GDP (Planting, 2019).

In an even broader context, beyond these high-profile cases, consider what is termed private sector “economic crime and fraud” – i.e. corporate corruption – by international consultancy PwC (2020), sponsor of a biannual survey during the 2010s. This category of capital accumulation, typically facilitated by governments turning a blind eye (or indeed even codifying systemic underpayment for natural resource extraction and pollution, is still too rarely mentioned in popular accounts of state capture. Corruption Watch (CW), for example, regularly ignores systemic exploitation and super-exploitation of labour (i.e. meaning that the wage that is paid to workers is below their social cost of reproduction, especially in migrant labour systems reliant upon women's unpaid caregiving). CW never remarks upon the uncompensated depletion of non-renewable resources (especially minerals) or wanton pollution and greenhouse gas emissions.

Instead, CW's (2022:1-2) " [a]nalysis of Corruption Trends" merely reports that from its consumer complaints line, "in the private sector the most commonly found corruption types are fraud (56%) and maladministration (25%), which relates more to compliance," and that "[c]orruption straddles the public and private sectors and in the period under review, 62% and 25% of corruption cases are attributed to each respectively" – as if the broader system of South African capitalism's relations with the non-capitalist spheres is otherwise unobjectionable, not worthy of systemic treatment. Likewise a new project in mid-2024, "State Capture and Beyond," was launched by the Legal Resources Centre and Human Rights Media Trust, without mention of corporate and financial crimes or even of inadequate state regulation (*NewzroomAfrika*, 2024).

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Part of the problem is that nearly all incidents of private-sector corruption are typically understood as stemming from greedy *individuals* and small-scale syndicates, not as a systematic problem – accumulation by dispossession – that appears to have become much worse during the era of neoliberalism (given that other stages of South African capitalism included much stronger regulatory apparatuses and a different ethos, e.g. Afrikaners' 1930s-80s *Volskapitalisme)*.

Of course, there are many other micro incidents of dispossession that receive news coverage. For example, as the 2023 *Africa Organised Crime Index* pointed out, South Africa "has seen increased instances of kidnap for ransom and extortion that has halted billion-dollar construction projects. Moreover, in 2022, South Africa experienced a record number of mass shootings, all attributed to protection rackets in the liquor and nightlife industries" (Enact, 2023: 61; Dolly, 2019). The "construction mafia" has reportedly shaken down building firms in more than 180 projects (Irish-Qhobosheane, 2022).

But in search of broader analysis, there are only rare exceptions, e.g. when Hennie van Vuuren and Michael Marchant (2023:201) argue (based mainly on critique of military-oriented capitalists) that "[u]ntil grand corruption is understood as continuity, there is little hope of tackling it. In the form of state capture, the economic crime that today confronts the country primarily results from failure to dismantle the criminal networks that profited from apartheid. Not only have actors in these networks continued to profit, but they have undermined any attempts to hold them to account." In the same volume, editors Mbongiseni Buthelezi and Peter Vale (2023: 8) correctly blame "*the continuity of a strain of capitalism* that characterised apartheid". So too do Sizwe Mpofu-Walsh (2023) and Ryan Brunette (2023) seek to identify segues not breaks between apartheid-era and post-apartheid capitalism. But these writers do not develop the idea in the direction it might logically proceed: the theory pioneered by Luxemburg and Harold Wolpe (1972) to describe the "articulations" of two modes of production, the capitalist and pre-capitalist, especially with the historical sensitivity that Ben Magubane (2001) brings to the race-class debate, so that capital accumulation by dispossession is better understood – and then better combatted (as discussed in the conclusion).

Strains of South African capitalist accumulation by dispossession

To reiterate, there is a widespread belief in society that South African private-sector economic activity is generally clean, and corruption is essentially state-centered, which often contributes to pressure for outsourcing, corporatisation, commercialisation and privatisation, especially as the state retreats from areas such as service provision and infrastructure (Ruiters & Bond, 2023). Yet dating to the earliest epoch of profit as the incentive structure for the South African economy, the opposite has been more true.

In *Accumulation of Capital*, Luxemburg included a chapter in which she explored the way South African mining houses utilised the power that capitalist enterprise wielded against pre-capitalist relations, and how multifaceted resistance emerged. As Luxemburg (1913) concluded, "[n]on-capitalist relations provide a fertile soil for capitalism; more strictly: capital feeds on the ruins of such relations, and although this non-capitalist milieu is indispensable for accumulation, the latter proceeds at the cost of this medium nevertheless, by eating it up." That era's anti-imperialist political economists and social commentators were already documenting super-exploitation, including Sol Plaatje, Olive Schreiner and John Hobson. But Luxemburg's theorisation – applying Marx's understanding of capitalist crisis (based on overproduction tendencies) to the first era of corporate-dominated but colonial-managed globalisation – provided indicators of the articulation of the two modes of production. These have illuminated micro-economic, social and environmental features of extreme uneven development, where race, gender and socio-ecological power relations are all abused for the sake of earning super-profits (Bond, 2021). Likewise, Samir Amin's long career did much the same, especially in his scathing assessments of how South African racial capitalism evolved from his first analysis in 1972 (when he termed South Africa 'imperialist'), through and beyond 1994 (Bond, 2023b). In his autobiography, published posthumously, Amin (2019, 178) charged the post-apartheid government with amplifying these tendencies: "Nothing has changed. South Africa's sub-imperialist role has been reinforced, still dominated as it is by the Anglo-American mining monopolies."

Shortly after Wolpe's (unacknowledged) rediscovery of Luxemburg's capitalist/non-capitalist surplus drain as the articulation of modes of production, the term racial capitalism emerged, in the same spirit but aimed at replacing the South African Communist Party's two-stagist framing known as "colonialism of a special type" (first end racism, *and then later end capitalism*). Studying multinational corporations during the height of apartheid, Martin Legassick and David Hemson (1976) introduced the idea of racial capitalism to argue for a one-stage revolution overthrowing both apartheid and capitalism simultaneously.

South African governance is ... far cleaner than is typically acknowledged by society.

In contrast, Magubane (2001) put the South African history of *evolving* (not fixed) race-class relations into historical perspective, as he explored several waves of what is now called Foreign Direct Investment (FDI). The era of slavery – and also indigenous people's social resistance – was initiated in 1488 at the hands of Portuguese explorers Bartolomeu Dias and Vasco da Gama, followed by the first durable FDI: the Dutch East India Company's Cape Town settler-colonialism in 1652 led by Jan van Riebeeck. His objective was not the enslavement of indigenous people, but their *extermination*, so he could squat the valuable agricultural-provisioning land for mercantile capitalists.

Diamonds were discovered in Kimberley in the 1870s and De Beers was consolidated by Cecil John Rhodes, who required a different kind of race-class power: coerced migrant labour. His racial capitalism was, hence, aimed at "civilising" the workers in inhuman hostels using hut taxes, as novelist Anthony Trollope approvingly remarked (Magubane, 2001). In 1886, the world's largest gold seam was found in what became Johannesburg, and the world's deepest digs were ultimately dominated by Ernest Oppenheimer's and New York banker JP Morgan's Anglo-American Corporation. In 1890, meanwhile, Rhodes' British South Africa Company won City of London backing and further FDI promises, to initiate "Cape to Cairo" sub-imperialism.

These diverse forms of accumulation by dispossession – between the capitalist and the non-capitalist spheres of life – had thus progressed, although remaining firmly within white power's grip, first, over the black body (slavery followed by indentured labour and migrant labour coercion); second, over land (settler colonialism); and third, over non-renewable natural resources (often termed "extractivism") and associated despoliation of the air, water and soil. The 20th century witnessed transnational capital stitching these strains of accumulation together as a systematic form of corporate plunder. Following the British troops' defeat of the Dutch-descendent Afrikaners in 1901 and the fusion of white voter interests against black South Africa, formal national status was granted in 1910. With the Land Act of 1913, extreme uneven geographical development was cemented along racial lines, a process endorsed by European colonial powers and the US, who required access to cheap gold, chrome and other metals and minerals.

The most succinct explanation drawing together class, race, gender and ecological degradation associated with South African racial capitalism, comes from the Chamber of Mines in this oft-quoted defence of super-exploitative migrant labour: "the mines are able to obtain unskilled labour at a rate less than ordinarily paid in industry … otherwise the subsidiary means of subsistence would disappear and the labourer would tend to become a permanent resident upon the Witwatersrand, with increased requirements" (cited in Wolpe, 1972). From reliance upon coal-fired power, was a set of impressive backward-forward linkages that distorted South Africa ever since, under the rubric of "uneven and combined development" (Ashman, 2023; Baran, 2024).

While mining remained the central determinant of race-class relations, uneven *sectoral* development emerged in the 1930s-40s, when black manufacturing workers were hired to serve the booming import-substitution industrialisation process (resulting from the decline of trade due to the global Depression and World War Two). But instead of durable delinking from a chaotic global economy, the assimilation of South Africa as one of US imperialism's most reliable sub-imperial allies occurred in 1944 in the Bretton Woods Agreement. (At the time, nearly half the world's gold was to be found more than a kilometre deep underneath Johannesburg and a similar amount was underneath Fort Knox.) The two creditor states' agreement on the $35/ounce peg (until the Nixon Administration's 1971 default) confirmed a system of US monetary hegemony that remains to this day – in spite of ever more fruitless 'de-dollarisation' rhetoric from the BRICS+ network (Battista, 2023).

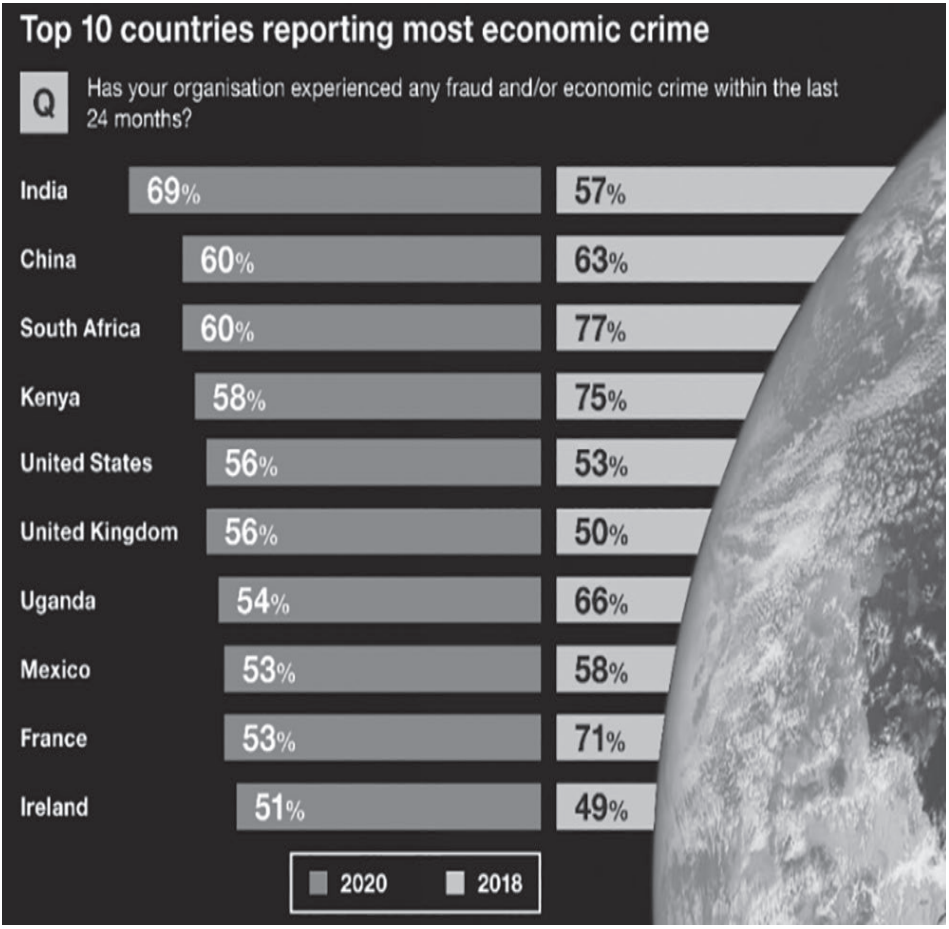
A group of scholars at Johns Hopkins University associated with Giovanni Arrighi identified various dialectical contradictions within the late 20th century system of accumulation by dispossession that caused apartheid's downfall (Arrighi *et al.,* 2010). But corporate profitability resumed with a new financially-liberated, neoliberal regime of accumulation (Bond & Malikane, 2019), e.g. with the historic wealth of the country disappearing to London and New York in 1999-2001 when Anglo American Corporation, De Beers, Old Mutual, SA Breweries, Sasol, Mondi, Investec, Didata and other firms established overseas stock market listings with Mandela-Mbeki's permission (Bond, 2014).

Comparative contemporary state and corporate graft

For those following Buthelezi and Vale (2023:8), a concern for "*the continuity of a strain of capitalism* that characterised apartheid" should lead to a richer assessment of how corruption became so ubiquitous in South Africa. When it comes to state graft, there are more detailed perspectives available than in TI's first-cut surveying. The NGO Corruption Risk (2023) complained, "[a] sound system of monitoring assets and conflict of interest of public officials would have avoided a scandal like the 2022 theft of a large amount of money hidden in the residence of President Cyril Ramaphosa" (Corruption Risk, 2023). Ramaphosa's most famous scandal, in 2012, was unveiled in the Farlam Commission: the main role in Lonmin's financial capital flight to Bermuda (Alternative Information and Development Centre, 2014). Questions have often been raised about his close connections to Glencore's Ivan Glasenberg, given that the world's largest commodity trader was fined $1.5 billion in 2022 for corrupting African states (15% of the company's pretax profit the year before), which as Tim Cohen (2022) pointed out, "is, in all honesty, a parking ticket" – and there was no investigation of Johannesburg-born Glasenberg's profitable role in South Africa.

But Glencore is the tip of the iceberg. As noted above, during the 2010s the PwC "economic crime and fraud" reports revealed that South Africa's corporations were considered worst in the world in general and – in the 2014 survey – also in the categories of money laundering, bribery and corruption, procurement fraud, asset misappropriation and cybercrime (Hosken, 2014). In the 2018 PwC survey, the runners-up were Kenya, France and Russia. In 2020, Indian corporations were considered most corrupt, and China tied for second with South Africa, closely followed by firms from Kenya, the US and UK (PwC, 2020).

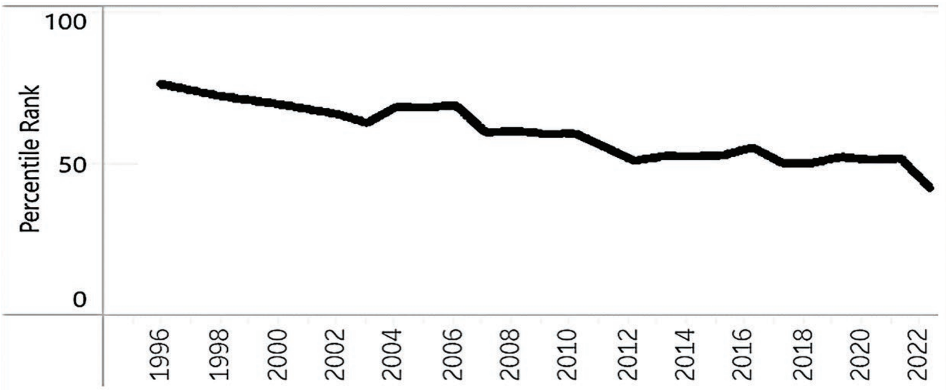
PwC index of economic crime and fraud, 2020 and 2018



Source: https://www.pwc.co.za/en/press-room/global-economic-crime-and-fraud-survey-2020.html

A more balanced accounting is even attempted by the World Bank, Natural Resource Governance Institute and Brookings Institution (2024, citing Kaufmann *et al.*, 2010). Their "Control of Corruption" assessment "captures perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as 'capture' of the state by elites and private interests". From 1996-2022, South Africa's mean percentile rank fell from 76th to 45th with the most dramatic decline occurring between 2021-22.

South Africa's "Control of Corruption" ranking: percentile, 1996-2022



Source: https://data.worldbank.org/indicator/CC.PER.RNK?locations=ZA

Help from Washington (!)

In spite of Washington and New York being two of the core managerial sites for corporate-led Western imperialism, the US Foreign Corrupt Practices Act (FCPA) and other anti-graft legislation have been deployed against South African corporations. US officials have been far more aggressive than South African counterpart prosecutors in cases such as Hitachi's 2007 bribery of the ANC via its Chancellor House investment wing, which was successfully prosecuted under the FCPA in 2015 (insofar as the Tokyo firm paid a fine), and New York State's mid-2010s attack on some of the world's largest banks for currency manipulation involving the Rand.

The Hitachi incident not only adversely affected Eskom's Medupi and Kusile coal-fired power plants – leaving the economy without sufficient energy and hence destructive load-shedding for many years, as well as more than 50 megatonnes of additional CO_2 emissions (a tenth of the entire economy's greenhouse gas pollution) and thousands of deaths because former Eskom CEO Andre de Ruyter refused to install pollution-reduction scrubbers on Eskom's coal-fired power plants – but represented the country's single most damaging case of corporate corruption in simple monetary terms.

As de Ruyter (2023, 35) put it in his *Truth to Power* exposé, Medupi and Kusile "were way over budget, they weren't on schedule, and they performed well below their specifications, thereby failing all three project management tests. The project to add new generation capacity was just a miserable failure." In part, de Ruyter blames "ANC deployees close to the [Eskom] board" who informed Chancellor House that the initial discussions with the successful bidder, Alstom, were not going well. It's fair to assume that this information was then also relayed, via Chancellor House, to top Hitachi officials. At a meeting at O.R. Tambo International Airport in September 2007, Klaus-Dieter Rennert, a senior executive at Hitachi Power Europe, urged Chancellor House chair Professor Taole Mokoena to apply pressure on Eskom to reopen the tender process. The chairperson of the Eskom board at that stage was Mohammed Valli Moosa.

'South Africa's sub-imperialist role has been reinforced, still dominated as it is by the Anglo-American mining monopolies.' – Samir Amin

The Hitachi contracts were won after a suspicious reconfiguration of the tender, which the firm then failed to properly provide and install, e.g. requiring 7,000 welding repairs. A *News24* investigation based on US Securities and Exchange Commission documents revealed in early 2023 that according to a Hitachi memo, Mokoena "has good connections within Eskom. Dr Mokoena is personal friends with Mr Valli Moosa (chairman) and Mr Tulane Gcabashe [sic] (CEO)." US prosecutors concluded that, according to *News24*, Hitachi was introduced to Chancellor House "and ultimately decided to work with them not for any technical expertise, labour force or infrastructure, but for the influence wielded by the companies" (Cowan, 2023).

A smoking-gun memo was found by US authorities: according to a Hitachi executive in a 2010 email, "[w]hen we adopted [Chancellor House] at the time of [Hitachi Power Africa's] establishment, we took ANC influence into consideration and still we believed it was a right decision" (England, 2015). As Eskom chair from 2005-08, Moosa was a key decision-maker. In 2015, *Mail & Guardian* reporters complained, "[f]or nearly a decade, the South African branch of Japanese giant Hitachi lied, obfuscated and denied. And other than a minor slap on the wrist for ANC stalwart Valli Moosa, neither Hitachi nor the ANC or its funding front Chancellor House suffered any repercussions" (De Wet and Mataboge, 2015).

South African society, environment and economy did suffer enormously, though, as breakdowns at the early units were prolific. Yet even after Hitachi paid $19 million to the *US government* as a fine in 2014, the 2018-22 Zondo Judicial Commission of Inquiry into Allegations of State Capture, Chipkin and Swilling (2018), Buthelezi and Vale (2023) and many other commentators forgot about this case, perhaps mistakenly assuming the corruption problem really only became severe once Zuma took office. The missing case of Hitachi and its facilitators – including Moosa, who in the early 2020s headed the Presidential Climate Commission and Mokoena who in 2023 was named South Africa's Health Ombud – remains an appalling gap.

Conclusion: Against corporate economic crime and plunder

The problems identified above are not only local in nature, but also reflect lack of will in hot money centres and global corporate headquarters.

But local conditions are dire, given how readily ANC leaders led by Ramaphosa have refused to follow Zondo Commission prosecution recommendations e.g. against ANC chairperson Gwede Mantashe for petty corruption by the Watson family's Bosasa outsourcing firm. Zondo and others had at least partially documented corruption by not only the Gupta brothers but also enablers of their and others' graft in major accounting, legal and consultancy firms (Thompson, 2020; Open Secrets, 2023; Thaker and Pillay, 2023). British Ambassador Robin Renwick's (2018, 1) book *How to Steal a Country* is a classic example of neglecting corporate-profiteering causality, asking all too innocently in its third paragraph, "[h]ow is it that internationally reputable companies such as KPMG, McKinsey, SAP and HSBC are so easily drawn into such a web of corruption?"

To be sure, civil society has often attacked corporate malfeasance (putting to death – by bankruptcy – the likes of Bell Pottinger and Cash Paymaster Services). And major firms are indeed occasionally capable of self-correcting. The clearest case was when software supplier EOH – set up by Israeli entrepreneur Asher Bohbot in 1998 – was cut off by Microsoft in 2019 due its by then blatant role in state capture, thus reducing the firm's share value by 99% from peak to trough (Gelb, 2023). (In 2021 EOH's remnants included new directors who sued Bohbot for R1.7 billion, but apparently had no success.)

There are both traditional South African white monopoly capital and Western multinational corporations – both sometimes termed 'WMC' – which take advantage of such procurement opportunities. But it is also important to acknowledge how, in the spirit of Frantz Fanon's (1961) *Wretched of the Earth* chapter on 'Pitfalls of National Consciousness,' limits to black capitalist class formation in the post-apartheid economy in turn create dependency on accumulation via the state. Together these corporate forces prevent a productive capitalism from emerging given the initial ease of simply serving as middle-man to *accumulation by dispossession*. NA93

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