

## **Debate speech on the establishment of the Phala Phala ad hoc**

### **Speech delivered by Siviwe Gwarube MP, Chief Whip of the Official Opposition**

Chairperson,

In 2014, this House established an ad hoc committee that would investigate the allegations of abuse of state resources in the upgrading of the former President, Jacob Zuma's private residence in Nkandla.

In doing so, the committee was able to summon various government ministers and state institutions to answer to the very serious findings of the then Public Protector's report into the matter.

In 2015, the ANC used its numbers in that ad hoc committee to adopt a report that had completely whitewashed and downplayed the abuse of public money.

This was subsequently the subject of a Constitutional Court judgment which found that Parliament had failed to uphold its Constitutional obligation of holding the executive to account as it is envisioned in both section 42 and 55 of the Constitution.

In 2021, the then Speaker of the National Assembly, Baleka Mbete, admitted to the Zondo Commission of Inquiry that Parliament had failed to use its oversight mechanisms to hold government to account for State Capture – the looting of billions of rands.

She admitted that things went wrong and that these 'mistakes' should never be repeated again.

In the same year, during the same proceedings, another presiding officer, Ms Thandi Modise admitted that Parliament 'woke up when things were really bad' and offered an apology on behalf of the institution to the people of South Africa.

Eight years later, after the Nkandla matter seized this Parliament, another Speaker of the National Assembly, Nosiviwe Mapisa Ngakula, is faced with the very same question of principle.

Allegations have been levelled against a sitting President.

Serious allegations of large monies in foreign currency stored in his home; kidnapping; torture and the abuse of state security resources to conduct covert operations.

The very same choice is now before this House.

Do we simply turn a blind eye to these allegations because of party politics?

Do we shield President Cyril Ramaphosa and those cabinet ministers implicated in this alleged crime because of shallow political allegiances? Do we neglect the oath of office we all took to be faithful to the Republic and uphold the Constitution in service of the people of South Africa?

Or do we do what is right?

It is clear to us that the ANC never learnt any lessons from the nine wasted years they like to punt; as though it was not the very same people in these benches who made those choices.

To even bring this matter to the floor of Parliament has been a fight. We have seen every attempt to block MPs from doing their jobs and shutting down accountability.

Imihla le abantu be ANC baxhapha amagwebu bethethelela izinto ezingathethelekiyo?

Anonelanga ukhohlisa abantu beli?

Kunini siyonyelisa iPalamente; singawenzi umnsebenzi esiwuthunyiweyo?

Akonelanga na ngoku?

Is it is not time to show South Africans that we are capable of putting political differences aside and truly showing up for them? Should we not be the people who break the cycle of hollowing out Parliament and stand tall in service of the public?

My challenge to you today is a simple one:

The Constitution we swore to uphold expects us to interrogate of abuse of state resources.

It cannot be – under a constitutional democracy – that we have a sitting President accused of breaking the law with the aid of state of institutions left without answering the key questions we should be asking.

While the Section 89 Inquiry in the process of being established by the Speaker will interrogate whether or not impeachment proceedings should be instituted against the President; it does not mean we should not be investigating the other state institutions that are implicated in this saga.

- State Security has a case to answer for;
- The South African Police Service has a case to answer for;
- The Presidential Protection Unit has a case to answer for;
- The Department of International Relations has a case to answer for;
- The various ministers in the security cluster have a case to answer for;
- The various state institutions such as the South African Reserve Bank and the South African Revenue Service need to enlighten the public about what they know and what was disclosed to them;

None of these questions will be answered in a section 89 Inquiry.

These matters can only be responded to through an ad hoc committee that would have the powers to summon all of these institutions and interrogate these issues in an open and transparent manner.

We are expected to do our work, in service of the Constitution and the public, by establishing such a committee.

And so, no one is asking you to make a determination on the guilt or innocence of the President, ministers or government officials.

All that is asked of you today is to allow Parliament to do its work of determining the facts and testing the serious allegations before us.

All that is asked of you today is to not repeat the mistakes of the 5<sup>th</sup> Parliament of shielding the executive to account; for political expediency.

All that is asked of you today is to side with the Constitution and the people we are meant to serve.

This is not some mud-slinging political fight.

It is truly about the integrity of this institution.

When history is written about the 6<sup>th</sup> Parliament, let it be one where this House found its voice and put party interests aside in order to fulfil our legislative duty.

Let it be one of service to the people.

Let it be a clear choice of country over party;

Of people over politics.

**END**