

## **MONEY IN POLITICS: AN ASSESSMENT OF THE PRIVATE FUNDING OF THE AFRICAN NATIONAL CONGRESS IN POWER: IMPLICATIONS FOR SOUTH AFRICA'S DEMOCRACY**

**Mbasa Mvenene**

*Walter Sisulu University*

### **ABSTRACT**

*This paper examines the influence of private donations on political office bearers, public officials, and bureaucrats, mainly from the African National Congress (ANC). The paper further evaluates the implications for South Africa's democracy. The paper analyses cases recently revealed in the State Capture Commission Report (SCCR), which shows a clear nexus of influence between donations received and benefits given in the form of high-value government tenders. The main line of argument in this paper is that the principle of political equality and the robustness of the democratic system (accountable, responsive, open) is discredited and undermined by a conflict of interests induced by private donations that build patron-client relations between the ANC in power – the chief holder of government tenders – and big businesses that donate generously to the ANC. The paper is qualitative in approach. It is a case study based on secondary data, which is thematically analysed. The paper found that private donations to the ANC build patron-client relations that corrode democratic quality and the principle of political equality.*

**Keywords:** Private Funding, Democracy, Political Corruption, African National Congress, South Africa, Money In Politics.

**Word Count:** 8627

### **1. INTRODUCTION**

This study examines the effects of private donations to the African National Congress (ANC) and their influence on South African democracy. The emphasis on the ANC is warranted due to South Africa's dominant party system, cadre deployment, and proportional representation (Beresford, 2015:226; de Jager, 2015:147). Since the 1994 elections, the ANC has maintained electoral supremacy. The party peaked electorally between 1999 and 2009, holding significant representation in the National Assembly (NA) (Independent Electoral Commission [IEC], 2014; 2024). This electoral dominance allowed the ANC to appoint its members to cabinet positions. Subsequently, cabinet ministers select Director-Generals (DGs), boards of state-owned enterprises (SOEs), public companies, and Developmental Financial Institutions (DFIs) based on allegiance to the ANC (Southall, 2007:74-5; Booysen, 2021:10).

In accordance with the above, previous studies (Hirsch, 2005:65; Bond, 2006:44) report that cadre deployment policy is the instrument or vehicle through which ANC leaders are assigned to strategic administrative roles, SOEs, and public companies. The criteria for assignment included years of service to the party, an established leadership track record, and regional and provincial influence within the structures of the organisation. Consequently, it became apparent that leadership within the structures of the ANC would lead to appointment to public office if one were deemed trustworthy to prioritise party interests while serving in a public capacity.

With respect to the operational aspects of the PR system, de Jager (2015:147) argues that, unlike in a constituency-based electoral system, accountability, transparency, and a connection between the voter and the public representative are limited. This is because the voter only votes for a political party, not an individual; it is the party, through democratic means, that selects candidates to fill public office. Therefore, the elected public official will predominantly be accountable and responsive to the party leadership, which gives them their job, as opposed to the voters who voted for the party.

Private funding of ANC is an important and relevant area for research, although it is a historical challenge that has been argued in the literature (Lodge 2001; Kotze 2004; Sokomani 2005; Butler 2010 & Olver, Buthelezi & Brunette 2017). The evidence contained in the SCCR (2022) and the Parliamentary Research Unit: State Capture (2022) raised the acuteness of this debate. These reports have revealed interesting cases in which the link between private donations and the improper awarding of tenders was made explicit by testimonials and leaked emails. This paper analyses these cases and discusses their implications and significance for South Africa's democracy, which have yet to be fully considered in the literature. This is in accordance with rethinking old questions in light of new evidence in the form of the SCCR.

This study is especially important given that there is a multitude of this scholarship in the European Union (EU) (Smilov & Toplak, 2008; Ferguson, Jorgensen & Chen, 2016; Katsaitis, 2023a; Katsaitis, 2023b) and the United States of America (USA) (Speck & Olabe, 2013; Akey, 2015; Katsaitis, 2020; Wouters, 2020; Nyberg, 2021). This paper aims to provide valuable insights into the impact of private donations to the governing ANC on South Africa's democracy, focusing on transparency, accountability and the public interest to contribute to the ongoing academic debate.

This study covers the period between 2000 and 2018 because there was no legislation to regulate the private funding of political parties in South Africa (Right2Know 2021). This timeline is also congruent with the evidence in the SCCR. The principal argument advanced in this paper is that the undue influence of secret private donations undermines democracy, creating patron-client ties between wealthy donors and ANC leaders. In this paper, political equality guarantees every adult citizen an equal voice in decision-making, transcending wealth and financial status (Friedman 2010, 156).

This paper is qualitative in approach. The research design is a case study research that uses documentary evidence as a data-gathering method. The paper focuses on five cases that will enrich the understanding of the subject matter at hand. Thematic analysis is the data analysis procedure. The paper is organised as follows: the first section is a thematic review of related literature to situate the study and provide context. The second section details the research design and methodology. In the third section, the findings are presented. The fourth section is the discussion. The conclusion provides a summary of the key arguments.

## **2. LITERATURE REVIEW**

### ***Neopatrimonialism (patron-client relations)***

This section presents a review of the literature on neopatrimonialism, patronage-based appointments, and political influence that emanates from private donations in South Africa.

Previous research (Mtimka, 2010:39) found that in post-colonial African societies, the progress of economic development and the strengthening of democracy are hindered by the patron-client relationships that exist between politicians and powerful business interests. The essence of these relationships is characterised by corruption. One seminal study in this area is the work of Max Weber (1968:1006), who observes that a strong man with access to state-generated rents distributes the benefits to a network of loyal clients in return for continued personal loyalty and political support.

Another important study is that of Francis Fukuyama (2014:86), where patron-client relations are defined as corrupt reciprocal transactional relationships in which a patron (for our purposes, private donors) extends financial resources to a client (an incumbent party, the ANC) in return for favours, interest protection, high-value government contracts (tenders) and support. Research to date (Breakfast, 2013:59; Thandika Mkandawire, 2015:565; Masenya, 2017:148-9; Breakfast & Madumi, 2020:15) found that patron-client relationships distort the equitable distribution of and access to public goods and services.

In China, where private donations are prohibited, private firms leverage investment in corporate social responsibility (CSR) to establish political connections with senior public officials and acquire government

contracts. The mobilisation of political connections is crucial in transitional economies where the government controls significant resources. South Africa, similarly a transitional economy, sees private firms using donations to gain favour with officials for government contracts (Xiang Jia & Zhang, 2022:629).

Neopatrimonialism is the analytical framework applied to examine the impact of private donations on South Africa's democracy. This framework is appropriate because it connects with this study's main line of argument: that the principle of political equality and the robustness of the democratic system are discredited and undermined by private donations that build patron-client relations between the ANC and its private donors (big business).

***Party Funding Regimes, Transparency and the Implications for Democracy***

Prior studies (Mbeki, 2009:80; Van Wyk, 2009:31; Steven Friedman, 2010:159; Anthony Butler, 2010:12; Sampie Terreblanche, 2012:63; Pienaar 2019; Mvenene, 2022:54) affirm that during the early 1990s, the international and domestic private sector (firms and individuals) seized the opportunity to influence the incoming government in South Africa by providing financial resources for electioneering. Individuals and firms exert political influence through financial donations to a party with preferred policies, agenda or ideology (Akey, Babina, Buchak & Tenekedjieva, 2022:4). In turn, the ANC (client) has an increasing potential to promote the priorities of those who oil the election machinery (patron) but not popular public opinion as PR would stipulate (Gouws & Mitchell, 2005:353).

Tom Lodge (2000:60) argues that the promise of designing legislation to regulate private party funding in South Africa was first made in 1997. Before the enactment of the Political Parties Funding Act (PPFA) No. 6 of 2018, there was no private funding regulation in the country (My Vote Counts, 2022), and this opened a window for the exertion of political influence through donations to the ANC (Olver et al., 2017). The Public Funding of Represented Political Parties Act 103 of 1997 only regulated government-provided funding to parties with representation in the NA (Mvenene, 2022:123; My Vote Counts, 2023:6-7). The lack of private party funding regulation resulted in political corruption, the compromise of political parties' policy autonomy, the marketisation of government decision-making, the erosion of fair political representation, national policy ownership, and government management (Robinson & Brummer, 2006:2).

Private party funding has remained a contentious and topical issue in democratic South Africa, particularly concerning transparency and accountability during elections. Recent scholarship (Pienaar, 2016; Maphunye & Motubatse, 2019; Kurniawati, Sandha, Suntharanurak, Muhtar & Pancasilawan, 2023) calls for further investigation into private funding in South Africa because of the unethical and corrupt practices associated with an environment with no regulations. Numerous studies (Smilov & Toplak, 2008; Speck & Olabe, 2013; Falguera, Jones & Ohman, 2014; Ferguson, Jorgensen & Chen, 2016) found that corruption is more pronounced in countries with high inequality levels, such as South Africa, where wealthy segments of society can exercise greater political influence than those with low incomes. This undermines the principles of transparency, accountability and political equality.

At the ANC's National General Council (NGC) in 2005, rank-and-file members became increasingly conscious of the dangers that its policies, and perhaps its very essence, could be compromised for the highest offer (Robinson & Brummer, 2006:2). Several studies (Bill Freund, 2007:667; Southall, 2007:74-5; Iheduru, 2008:339; Wolff, 2014:67-8) have found that the strong connections between business and the ANC presented the opportunity to party leadership for crass materialism, primarily using Black Economic Empowerment (BEE) and the cadre deployment policy. A whole discussion of BEE lies beyond the scope of this study. The focus is on the corrupt patron-client relations between donors and the ANC that culminate from unregulated private donations and the impact on South Africa's democracy.

In South Africa, unethical practices associated with an unregulated private funding regime raise concerns about potential corruption, including awarding government tenders to consistent donors of the governing ANC. Secrecy and the resistance to transparency by the two biggest parties, ANC and the Democratic Alliance (DA), indicated the possibility of a conflict of interests where, for instance, audit companies of political parties would simultaneously be their donors. Similarly, a conflict of interest arises when lucrative government tenders are awarded to generous donors of the governing ANC (Lodge, 2000:58; Edozie, 2008:53; Center for Development & Enterprise [CDE], 2014:25-6; My Vote Counts, 2023:17). This dents the integrity of the democratic process, public confidence and trust because of the opacity associated with private party funding. With the knowledge of private donors, the electorate can make informed political decisions or participate effectively in elections (Maphunye & Motubatse, 2019).

The above literature aids this study in understanding the link between private donations made in secret and the potential for unethical and corrupt practices, which inhibit political equality, fair political representation or the ability to hold officials accountable. Persson Rothstein and Teorell (2010:2-4) found that corruption in sub-Saharan Africa was endemic (or systematic) because everyone (citizens, business, political office bearers and public officials) believes that acting corrupt is beneficial. After all, everyone is complicit. No one is willing to enforce anti-corruption legislation, rendering it ineffective. The principal-agent theory of corruption indicates that principals (high-ranking political office bearers, senior public officials) gain the most from corruption. Consequently, anti-corruption efforts are deemed irrational as principals would oppose such initiatives.

A recent study (Mulgan, 2020) identifies numerous forms of political corruption in Japan, notably focusing on bribery, where politicians accept money for favours. Bureaucratic corruption is highlighted as it involves senior public officials, political office bearers, and business leaders acting collaboratively and being motivated by personal greed. Numerous other studies (Phongpaichit, 2003; Sukhtankar & Vaishnav, 2015; Rose-Ackerman & Palifka, 2016) have attempted to explain systemic corruption's causes and consequences, highlighting that public officials sell favours and opportunities while businesses buy them. This is understood as rent-seeking, which means that individuals and groups seek economic gain through non-economic methods within the bureaucratic system (Kotkin & Sajó, 2002). These scholars also propose reforms required to combat this business-politics-based systemic corruption in different contexts (Khan, 2002; Korsten & Samuel, 2023).

Previous research (Smilov & Toplak, 2008; Speck & Olabe, 2013; Falguera, Jones & Ohman, 2014; Ferguson et al., 2016; Pienaar, 2019) on private party funding found that transparency is critical in the prevention of corruption because large donations, would be subject to public scrutiny, empowering the public to better assess the campaign promises and motivations of parties. Knowledge of party funding sources enables the electorate to make more informed voting decisions while enhancing party accountability. In this way, the public can determine whether decisions are taken to appease private donors or in the public interest. Transparency is also critical to ensure that wealthy individuals do not disproportionately influence policy at the expense of those experiencing poverty. Without private funding regulation, transparency, accountability, and the public interest can be trumped, particularly in countries with high income inequality, such as South Africa (OECD, 2005; 2014; CDE, 2014; My Vote Counts, 2023:3).

In the USA, previous research (Akey, 2015:3194; Akey, et al., 2022:8-9) reports that the Federal Election Commission and the Federal Election Campaign Act, which provides for Political Action Committees (PACs), creates donation limits and prohibitions, and mandates public disclosure of campaign finance. Despite this regulation, private donations may still exert undue influence on public officials. For instance, generous and consistent donors establish political connections with public officials, which results in unfair advantages (Akey, 2015:3192). Another limitation of these regulations is that private donations by firms are coordinated with

lobbying activities and the employ of former government employees to sustain political connections and influence policy decisions—this derails intent to maintain election integrity (Akey, 2015:3188 & 3192).

In the United Kingdom (UK), recent literature (Katsaitis, 2020:1344 & McMenamin, 2020:3) argues that the Political Parties, Elections and Referendums Act of 2000, Electoral Administration Act of 2006 and the Political Parties and Elections Act of 2009 form the political finance regime. They enhance transparency and accountability by supervising and managing private donations and setting election expenditure limits. This also includes rules on disclosing loans received by parties or candidates while limiting contributions.

In China, recent evidence (Xiang, Jia & Zhang, 2022:629) shows that private donations and lobbying are prohibited and that firms that wish to exert political influence must engage in quality CSR. In this way, firms can acquire government favour, which is essential for acquiring government contracts. In Australia, firms can donate directly to parties without limits. However, the Australian Election Commission (AEC) mandates reporting of donations received, which are publicly available. However, (Badrul Muttakin, Chatterjee, Khan, Getie, Mihret, Roy & Yaftian, 2022:291) found that these donations result in poor quality CSR and the manipulation of regulations because public officials prioritise private gain over the public interest. This view is supported by studies (Qian, 2016; Kamangari & Gerayli, 2017; Al Fadli, Sands, Jones, Beattie & Pensiero, 2019) with similar findings in different study populations, including China, Jordan and Iran.

In the EU, Katsaitis (2023a:2452-3) found that foreign organisations circumvent regulations to influence EU-level parties by contributing through their European offices. Consequently, current regulations fail to prevent foreign interference in EU political processes. Ethical regulation enforcement limitations were revealed through the identification of individual donors involved in illegal activities. Recent studies (Pienaar, 2019 & Katsaitis, 2023a:2454) emphasise notable gaps in political finance regulation and enforcement, entrenching foreign influence while undermining electoral integrity amidst ongoing controversy and corruption.

Katsaitis (2023a:2447-8) and Akey (2015:3209-3210) assert that political donations are made to promote specific policies or political agendas. Regardless of whether the agenda is partisan or strategic, donors seek to sway policy and political outcomes. Other scholars (Cooper, Gulen & Ovtchinnikov, 2010; Katsaitis, 2020; Akey, et al., 2022:4-7) believe that private donations represent an investment in political connections. Thus, firms donating to victorious candidates anticipate returns in the form of increased firm value.

The literature above (Akey, 2015; Pienaar, 2019; Katsaitis, 2020; McMenamin, 2020) indicates two lacunae that this study will fill. First is the limitation of the analysed data, which does not show a clear nexus of influence between donors and incumbent parties. The documentary evidence analysed in this study (Parliamentary Research Unit: State Capture, 2022 & the SCCR, 2022) clearly indicates that private donations to the ANC and its deployed political office bearers result in a patronage relationship characterised by corruption. Second, the evidence analysed here clearly distinguishes individuals from business donors to provide valuable insights into the impact of private donations on South Africa's democracy, with a particular focus on transparency, accountability and the public interest.

The five cases analysed in this study show a correlation between tender awards and private donations made to either the incumbent party (ANC), a political office bearer or a senior public official. To illustrate this point, consider the following example: Zizi Kodwa, a former senior public official and national leader of the ANC and Jehan MacKay, a controversial businessman alleged to bribe public officials for high-value tenders, are both in court and were released on R30 000 bail on 5 June 2024 (Cruywagen, 2024; Cruywagen & Ludidi, 2024).

The section below will begin with a brief description of this study's research design and methodology. This is followed by a presentation of the study's findings.

### **3. RESEARCH DESIGN AND METHODOLOGY**

#### ***Qualitative Research Approach***

The research approach employed in this paper was a qualitative method. Qualitative research starts with assumptions and uses interpretive frameworks to guide the investigation of a research problem, addressing the meanings ascribed to social problems by individuals and groups. The investigation of research problems follows qualitative approaches, including the case study research design. The final result is a description and interpretation of the problem that contributes to the literature (Creswell & Poth, 2018,8). By adopting this approach, the present study aims to generate insights into the impact of private donations to the governing ANC on South Africa's democracy, focusing on transparency, accountability and the public interest.

#### ***Case Study Research Design***

The case study research design is the study of a single case or cases in real life in a contemporary setting to develop an in-depth understanding of a particular phenomenon. This case study is bounded by time, limited to 2000 and 2018, and is in line with the secondary sources analysed to arrive at the findings. This is an instrumental case study because the intent is to understand a particular issue or problem: how private donations to the ANC impact South Africa's democracy, mainly transparency, accountability and the public interest. An enriched understanding of a case or cases enables description, interpretation and generalisation supported by the data. Consistent with this approach, the case study design was used to gain rich insights through an in-depth and focused examination of the five cases thematically analysed. Generalisations are limited to South Africa (Bertram & Christiansen, 2018:42-3).

#### ***Data Collection Method***

This study purposefully gathered and analysed (relatively new) secondary documentary data to inform policy or practice concerning private-party funding and how transparency mechanisms can improve public accountability and endorse the public interest. To collect this data, a search was conducted on the Nelson Mandela University (NMU) library online services resource, Access Global News Bank database (<https://0-infoweb.newsbank.com.wam.seals.ac.za/apps/news/easy-search?p=AWGLNB>) (Mvenene, 2022:79). The specific keywords used in the data search are listed below. They are followed by the Boolean operators used to create search strings: "money in politics", money AND politics, "private funding", "democracy", private funding AND democracy, "ANC", "party funding", ANC AND party funding, "democracy", "corruption", democracy AND corruption, "state capture", "South Africa", state capture AND South Africa, "political patronage", "political corruption", "political transparency", "public interest", political transparency AND public interest.

The search for newspaper articles was confined to 2000 and 2018 in accordance with the timeframe of this paper. The selection criteria for relevant articles were determined by the headlines, or titles, and contents of articles that helped address the central focus of this study. After the search, 86 newspaper articles were retrieved; however, the scope of this research project only allowed for using a part of the data corpus. Accordingly, the data was trimmed through the evaluation of each article (data item), and those that did not speak about this study's central focus were discarded using a funnelling approach. Finally, 16 newspaper articles were included in the analysis.

The following grey literature was also analysed for these reasons. The SCCR (2022) comprises 5 437 pages, six reports, and 16 volumes. The commission cost north of R1 billion. It involved 300 witnesses over 429 days. This large amount of data is a rich resource for civil society and the electorate seeking accountability. The Parliamentary Research Unit Special Bulletin: State Capture (2022) is a series of papers based on the six reports of the SCCR. The research unit of the NA compiled these papers. The Zondo Commission: A bite-sized summary is a research report published by the Public Affairs Research Institute (2022). These documents provide valuable insights about an unregulated private funding regime and the prevalent undue influence which corrodes public institutions and democratic governance in South Africa.

Grand Political Corruption in Democracies: Features, Programming Options and Assessment Tools is a research report by anti-corruption expert Till Bruckner (2014) published by Transparency International. This

report is helpful because it provides insights into the disproportionate influence on policy that large donations can buy in countries like the USA with rife lobbying and political action committees (PACs). The report also provides strategies for reducing the undue influence of the wealthy on policy through transparency mechanisms to enhance accountability and support informed decision-making. *Managing Conflict of Interest in the Public Sector* (Organisation for Economic Cooperation & Development [OECD], 2005) and *Lobbyists, Governments and Public Trust Volume 3* (OECD 2014) are research reports published by a reputable transnational organization which speak to the implications of private donations and the impact on democratic processes generally, not specific to any country.

The CDE (2014) provides insights into the PR system, the cadre deployment policy of the ANC, and how it results in the politicisation of civil service (non-elected government employees) and the prominence of political connections. It also suggests measures to increase transparency and combat procurement corruption. *My Vote Counts* (2023) is a non-governmental organisation (NGO) that was instrumental in developing the PPFA. The NGO publishes research on transparency, accountability, political equality, social justice and money's influence in politics. The search for grey literature mentioned above was also guided by the study's strategic aim, focus, context, scope and title.

Triangulation (integrating data from different sources) of various data sources (research reports, government publications and newspaper articles) mentioned above helped ensure objective analysis and the avoidance of researcher bias in the findings (Johnston, 2014:623; Bryman, 2012:543-4).

#### **4. FINDINGS**

##### ***Thematic Analysis Process***

Thematic analysis was employed to examine the impact of private donations to the governing ANC on South Africa's democracy as represented in the above-mentioned data sources. The thematic analysis was undertaken manually using different coloured pens and paper. The primary document is the SCCR (2022), which provided helpful information concerning this study's strategic aim. The five cases analysed represent a recurring theme throughout the data analysis detailed in this section. As mentioned earlier, the present study only analyses recent evidence mentioned in the previous section because previous literature has already synthesised the older cases of the impact of private party funding on South Africa's democracy. This study builds on this literature to contribute fresh and valuable insights.

##### ***Codes***

This thematic analysis followed the model Braun and Clark (2006) prescribed. Initially, the purposefully selected documents were analytically and critically reviewed. Codes related to the study's aim were generated from the data. These codes include "private donations and disproportionate influence", "undue political influence", "political connections", "corruption and money laundering", "public interest", "transparency and accountability", "economic consequences" and "the erosion of democratic integrity".

##### ***Theme Generation***

Following the above, similar codes or those overlapping were clustered to form themes, revealing patterns in the data. So, all codes related to the risks associated with private donations for democracy were grouped to create "political donations and undue influence". All codes related to bureaucratic and procurement corruption, political connections, and money laundering were clustered to develop "patron-client relations and procurement corruption". Codes such as civil service politicisation, private donations, undue policy influence and the ANC's dominance created "the discontents of the cadre deployment policy". All codes related to the economic consequences of private donations and corruption were assembled to develop the theme, "economic impact of private donations and corruption". Lastly, "transparency, accountability and oversight" was created from codes such as lack of oversight, enforcement, and the erosion of democratic integrity. A total of five themes were generated.

### ***Defining and Explaining Themes***

The themes were reviewed through an iterative process; they were rich, accurately represented and representative of the documents (or data). Themes will be defined and explained with reference to the five case vignettes below. First, “political donations and undue influence” encompasses the unethical and illegal actions associated with private donations, including the disproportionate and undue influence of the wealthy on public officials and public policy decisions. The data (Bruckner, 2014:7; CDE, 2014:26; OECD, 2014:11) indicates that large and consistent donors expect reciprocity from beneficiaries through tenders, favourable regulation or legislation. For instance, in 2014, the data (SCCR, 2022:434) shows that R371 553.87 was paid to the ANC by Blackhead Consulting, the same company which received the R255 million asbestos audit tender (please refer to the “Free State Asbestos Project”). This blemishes political equality, democratic governance, public trust and confidence. This theme is visible across all cases analysed.

For international readers, 1 United States Dollar (USD) is equal to R18 of the South African Rand (ZAR) (Wise, 2025) . While 1 Euro is equal to 19 ZAR (Forbes, 2025) .

The second theme, “patron-client relations and procurement corruption”, speaks to networks of capture involving public officials, politically connected businesspeople and bureaucrats who collectively worked to subvert the procurement process and unduly benefit through money laundering. The data (CDE, 2014:26-9; SCCR, 2022:425-30; PARI, 2022:4) indicates that these networks included former President Jacob Zuma and the Gupta enterprise. Looking at the Free State Asbestos Project, the data (SCCR, 2022:425-30) uncovers that between 2014 and 2018, Zizi Kodwa (Deputy Minister of State Security and a former spokesperson of the ANC), Thulas Nxesi (Minister of Public Works), Linda Ngcobo (regional manager and chief director), Paul Mashatile (Member of Executive Council [MEC] for Human Settlements), Colin Pitso (then chief of staff), Bongeka More (Deputy-DG), and other politically connected facilitators all received unjustified payments or gifts from the chief executive officer (CEO) of Blackhead Consulting, Edwin Sodi. This is the same period Blackhead Consulting received numerous high-value tenders from the Departments of Human Settlements and Public Works.

Similarly to the above, in the “Following the Money in the City of Johannesburg” case, the SCCR (2022:180-2) reveals that EOH made payments in the millions directly to the ANC, its leaders or paid for the expenses of the party through political intermediaries who were middlemen between the ANC and the EOH. In this patron-client capture network, the motivation for the donations to the ANC was so its officials deployed in public office would unduly but consistently award them tenders. In this case, like the one above, it becomes clear that the EOH (or the donor) is the patron, while the ANC (or the governing party) is the client. This negative relationship is based on the subversion of public procurement for personal gain, while the public interest or democratic governance is negated. Although the CDE (2014:29) suggests that procurement corruption and bribery cannot always be traced to the ANC, they are traceable to party leaders.

As highlighted in this study’s literature review section, patron-client relations cannot be viewed separately from the ANC’s electoral dominance, the PR system and the cadre deployment policy (CDE, 2014:17; Bruckner, 2014:16). The third theme, “the discontents of the cadre deployment policy,” speaks to large private donations made to the ANC or its leaders resulting in policy influence, mainly the decisions of cadres deployed in government who exercise influence over the procurement process (PARI, 2022:5). With a majority of senior public and civil servants sourced from the ANC, their loyalties lie with the party and not the voting public. In the “Capture of Transnet” (SCCR, 2022:470-505) and “Bosasa” (Parliamentary Research Unit: State Capture, 2022:11) cases, senior public officials and politically connected senior bureaucrats exploited public procurement for private gain and the financial interests of the Gupta enterprise. PARI (2022:8) affirms that the “politicization of the civil service – largely through the ANC’s cadre deployment policy – provided fertile ground for corruption and state capture to take place.”

Moving to the fourth theme, “economic impact of private donations and corruption”, speaks to data which indicates the long-term economic impact of the diversion of public resources from the public interest to the private and commercial interest of senior public officials, ANC leaders, politically connected administrators and donors through unethical and corrupt means. This form of rent-seeking, accompanied by the misappropriation and misallocation of public funds, carries an adverse effect on the country’s fiscal health, economic growth and trust in public institutions and democratic governance (CDE, 2014:25; PARI, 2022:5; Parliamentary Research Unit: State Capture, 2022:12).

Lastly, the theme, “transparency, accountability and oversight,” speaks to the lack of the previously mentioned and how this has allowed for a culture of private donation-linked corruption to thrive (PARI, 2022:3). The data (MVC, 2023:22) indicates that without a concrete framework for transparency in the form of disclosures and contribution limits, the wealthy can exert disproportionate and undue political and policy influence. Without regulation to ensure transparency and accountability, public officials may work in the private interest of their donors and not the public interest. If the public does not know who funds the governing party, they cannot assess the influence on political decisions, which curtails democratic accountability, public trust and confidence in the democratic process (OECD, 2014:11&20; CDE, 2014:28-9).

The data (Bruckner 2014,7) suggests that money’s influence in politics and democracy can be mitigated through country-specific approaches to transparency, accountability, the maintenance of oversight, investigation and prosecution, and not global approaches because of the diversity of political cultures. In essence, the data (OECD, 2014:11&20; CDE, 2014:28-9; PARI, 2022:5-8; Parliamentary Research Unit: State Capture, 2022:12-3; MVC, 2023:22) concurs that transparency enhances democratic accountability, while accountability results in reduced corruption, facilitates informed decision-making and fair political representation. This will be unpacked in the discussion section in relation to the findings of other studies.

The case vignettes below depict a clear link between private funding, grand political corruption, and patron-client relations, which undermine the core tenets of democracy, transparency, accountability, and the public interest. Grand political corruption within established democracies involves the distortion of the democratic process by influential actors, whether they are internal or external to the political system, to seize control of the state machinery for their personal gain (Bruckner 2014, 1).

#### ***Case Vignettes***

##### ***Political Influence and Politically Connected Facilitators at SAX***

The Divisional manager of security management at South African Express Airways (SAX), Timothy Ngwenya, investigated irregular tenders that were awarded to Koreneka Trading & Projects by SAX from 2015 to 2017. The aggregate value of the dubious tenders awarded to Koreneka amounted to R17 million, paid in a series of four different invoices. This was money paid by the SAX to Koreneka for services that were never part of an agreement for services to be rendered. Ngwenya revealed that some of the illegal earnings being investigated were meant to finance the ANC’s election campaign activities. Ngwenya learned about this from a “Sipho” who claimed to be a representative of “Luthuli House”, which is the headquarters of the ANC in Johannesburg (SCCR, 2022:415-7).

Babadi Tlatsana, director of Koreneka, disclosed that proceeds from irregularly awarded tenders from SAX and the Department of Transport were laundered by way of smaller companies (Neo Solutions and Batsamai Investment Holdings) into private hands and the coffers of the ANC. Koreneka’s accountant, David Kasilira, was in complete control of the company’s accounts and not Tlatsana. Kasilira paid R9.9 million to Neo Solutions (for services not rendered), which was then paid out to Batsamai in tranches; Batsamai was registered in the name of Brian van Wyk’s (then general manager of SAX) life partner. Tlatsana acknowledged that she was coerced by van Wyk to donate R1 million to ANC’s North-West regional office in early 2016, conveniently for the municipal elections (SCCR, 2022:421-5). Please see theme 1.

### ***The Capture of Transnet***

#### ***The Parliamentary Research Unit: State Capture (2022:6) shows that***

Political interference in key appointments, manipulation of procurement practices; [the] collapse of governance; concentration of power in the hands of a few individuals.

These are the critical factors that contributed immensely to the capture of Transnet between 2009 and 2018, facilitated by a network inclusive of senior public officials that politicised bureaucratic (or administrative) jobs in SOEs with the intent to benefit the Gupta enterprise through procurement corruption and money laundering. The Guptas made donations in the millions to both the ANC and the DA. The inordinate influence of Gupta-linked companies on decision-making inside Transnet highlights that private donations influence the behaviour of deployed cadres. Tenders estimated at R41.204 billion constitute total spending by Transnet, which unduly benefited the Gupta enterprise (The Star, 2013; Public Affairs Research Institute, 2022:2-3). Violations of the Prevention and Combating of Corrupt Activities Act 12 of 2004 and the Prevention of Organised Crime Act 121 of 1998 resulted in kickbacks totalling R7.34 billion (SCCR, 2022:482-5). Please see theme 3.

#### ***Bosasa***

The Bosasa Group of Companies did not want to compete for government or SOE tenders in the 2000 – 2016 period. Bosasa maintained this stranglehold over tenders mainly by cash inducements in the form of bribes; other material lubricants were only marginally used to ensure that all lucrative tenders were awarded to Bosasa or its associated companies. The aggregate monetary value of the tenders irregularly awarded to Bosasa between 2000 and 2016 is estimated at R2.37 billion, of which R75.7 million is constitutive of bribe payments.

Bosasa also provided extensive funding of ‘war rooms’ during certain election periods in an apparent effort to influence senior government officials (Parliamentary Research Unit: State Capture, 2022:7).

However, the data (CDE, 2014:29; Parliamentary Research Unit: State Capture, 2022:11) also presents contradictory patterns in that Bosasa and the Gupta enterprise did not solely rely on private donations for exerting political influence. They also relied on their patron-client relations with politically connected facilitators of procurement corruption and money laundering inside SOEs and government departments. Proceeds of corruption would benefit not only these companies but also political leaders and senior public officials as individuals, without evidence that this money finds its way to the ANC. In this case, theme three and not theme one would be visible.

#### ***Following the Money in the City of Johannesburg (COJ)***

Former Johannesburg mayor Geoff Makhubo (2019 – 2021) used his front company, Mfundi Mobile, to channel monies amounting to R50 million from EOH Holdings to the ANC in time for the 2016 municipal elections. Makhubo made a request to the EOH for a donation to the ANC, and the week after awarding a high-value tender to the EOH, Makhubo requested a further donation that Stephen Van Coller (CEO of EOH) described as a bribe. Van Coller employed a law firm, the ENS, to investigate wrongdoing and procurement irregularities at EOH. It was discovered that Mfundi Mobile was a conduit to channel money from the City of Johannesburg’s (COJ) purse to Makhubo’s pockets and those of the ANC (Tshwane, 2020; van Rensburg, 2020; My Broadband, 2022; SCCR, 2022:177-8 & 729-730; Parliamentary Research Unit: State Capture, 2022:8).

Mr van Coller and Mr Steven Powell (who had led the ENS investigation) told the Commission how an apparent front company was used as a vehicle allegedly to channel money for the ANC’s benefit and to Mr Makhubo (SCCR, 2022:730).

**Table 1. A timeline of payments made to Mfundi Mobile, Geoff Makhubo, and the ANC around tenders.**

| <b>Date</b>   | <b>Payment / Key Event</b>                       |
|---------------|--------------------------------------------------|
| December 2015 | COJ A647 tender submission date                  |
| 1 February    | Mfundi Mobile paid Molelwane Consulting R200 000 |

|                    |                                                                                                                                                                          |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2016               |                                                                                                                                                                          |
| 25 April 2016      | Mfundu Mobile paid Molelwane Consulting R50 000                                                                                                                          |
| 17 May 2016        | Mrs Pilisiwe Tau (wife of then COJ mayor) requests a donation from EOH to take students on a trip to New York                                                            |
| 19 May 2016        | Makhubo requested an R50 million ANC donation from EOH                                                                                                                   |
| 30 May 2016        | TSSMS paid Molelwane R570 000 for COJ – no evidence of Molelwane working on this project                                                                                 |
| 2 June 2016        | COJ awarded SAP Upgrade tender to EOH for R404 million                                                                                                                   |
| 29 June 2016       | EOH sponsored an R512 000 New York trip for learners at COJ request for the programme of the COJ Executive Mayor's spouse, Mrs Tau                                       |
| 30 June 2016       | EOH contributed laptops worth R204 095 to ANC Greater Johannesburg Region in a disguised donation                                                                        |
| 06 July 2016       | EOH pays R15 439 068 to Mfundu Mobile for purported work on COJ; Makhubo uses this money to pay for the ANC's Greater Johannesburg Region's municipal elections expenses |
|                    | Mfundu Mobile paid ANC's office rent R410 000 and printing costs R40 000                                                                                                 |
| 21 to 22 July 2016 | Makhubo emailed Makhubedu multiple ANC supplier invoices for payment by Mfundu Mobile with a total value estimated at ± R4.1 million                                     |

Timeline of the COJ A647 SAP Upgrade tender (contract) with EOH

Adapted from: My Broadband (2022). Available at <https://mybroadband.co.za/news/government/429704-suspicious-payments-to-anc-to-get-major-it-contracts.html>.

The table above shows the influence exerted by EOH on the COJ to unlawfully acquire tenders by making bribes disguised as donations to Makhubo (then regional ANC TG in the Greater Johannesburg region and a Member of the Mayoral Committee [MMC] for finance in the COJ from 2011 to 2016) through a front company owned by Patrick Makhubedu, Molelwane Consulting. EOH is an Information Technology (IT) company that recurrently received lucrative contracts from the COJ for no evidence of work done between 2014 and 2017. Makhubedu, then EOH's business development executive, focused on the public sector and had a strong relationship with Makhubo. Their relations are characterized as patron-client relations because EOH (private firm) routinely made bribes disguised as donations to Molelwane, and the ANC to unfairly acquire confidential (or sensitive) information regarding tenders before a bid was published (please see the key events between 29 June and 22 July 2016 in Table 1) (My Broadband 2022; SCCR, 2022:181-4).

Mfundu Mobile is a front company that is controlled by EOH personnel and is used as a conduit to siphon money to Makhubo through Molelwane (please see 1 February and 26 April 2016 in Table 1) and the ANC (please see 6 and 21 to 22 July 2016 in Table 1). These monies originate from EOH and are paid to Mfundu, which will pay the expenses of the ANC at the behest of Makhubo (please see 6 and 21 to 22 July 2016 and "office rent" and "printing costs" in Table 1). This evidence was confirmed by emails revealed at the State Capture Commission by Stephen van Coller, new CEO of EOH, and Steven Powell, from the ENS Forensics. They presented the bank statements in Tables 1 and 2, which were initially submitted to the State Capture Commission (Tshwane 2020; van Rensburg 2020; SCCR 2022:175-182).

To buttress the above, the payments made on 1 February and 25 April 2016 to Molelwane by Mfundu were actually a bribe to the ANC after a meeting between Ebrahim Laher, then head of EOH international, Parks Tau, then mayor of the COJ, Makhubedu and Jehan Mackay, then head of the public sector at EOH (SCCR, 2022:193-4). EOH executives were already exerting influence on COJ officials to acquire the R404 million tender unfairly. On 19 May 2016, Makhubo requested an R50 million donation from Asher Bobot (then CEO of EOH), with Makhubedu copied in the email. The payment of R570 000 made on 30 May 2016 comes after Makhubo placed pressure about the R50 million request (SCCR, 2022:195). The next day, Makhubo transferred R200 000 of the R570 000 to his personal bank account (ibid). On 2 June 2016, the A647 SAP upgrade tender (contract) worth R404 million was irregularly awarded to EOH (ibid). All the payments between 30 June and 22 July 2016 were found to be kickbacks from the R404 million tender (SCCR, 2022:194-6). This is because all

repeat payments from Mfundi, Molelwane and the “donations” from the EOH are referenced as “Sales - CO4 SAD Support Special” (SCCR, 2022:197).

**Table 2. A timeline of payments made to then ANC spokesperson Zizi Kodwa, Siyabulela Sintwa, then advisor to President Jacob Zuma, and ANCYL TG Reggie Nkabinde.**

| <b>Date</b>       | <b>Amount</b> | <b>Transaction Reference</b>              |
|-------------------|---------------|-------------------------------------------|
| 26 May 2015       | 80, 000.00    | FNB OB 000000229 Ng Ng Kodwa              |
| 13 July 2015      | 45, 000.00    | FNB OB 000000243 Ng Ng Kodwa              |
| 12 September 2015 | 50, 000.00    | FNB OB 000000264 Sg Sg Sintwa(Jm)         |
| 07 October 2015   | 21, 600.00    | FNB OB 000000269 Sg Sg Sintwa(Jm)         |
| 19 October 2015   | 20, 000.00    | FNB OB 000000271 Sg Sg Sintwa(Jm)         |
| 29 October 2015   | 50, 000.00    | Ng Kodwa Jmackay                          |
| 03 November 2015  | 50, 000.00    | Ng Kodwa Jmackay                          |
| 05 November 2015  | 50, 000.00    | Sg Sintwa Jm                              |
| 26 November 2015  | 30, 000.00    | FNB OB 000000282 Apr Apr Streetwise (Zizi |
| 28 November 2015  | 50, 000.00    | Ng Kodwa Jmackay                          |
| 04 December 2015  | 40, 000.00    | FNB OB 000000286 Ng Ng Kodwa (4/12)       |
| 18 December 2015  | 100, 000.00   | FNB OB 000000289 Mr Mr Siyabulela Sintwa  |
| 02 February 2016  | 30, 000.00    | Zizi Kodwa FNB Acc Jm 30, 000.00          |
| 27 January 2017   | 50, 000.00    | FNB OB 000000405 Sg Sg Sintwa jm          |
| 29 June 2017      | 500, 000.00   | FNB OB 000000443 Mr Mr Nkabinde((jm)Loan  |

Source: My Broadband (2022). Available at <https://mybroadband.co.za/news/government/429704-suspicious-payments-to-anc-to-get-major-it-contracts.html>.

The transaction references names are left as they appear on the originals submitted to the State Capture Commission by Stephen van Coller, CEO of EOH, who voluntarily submitted evidence to the Commission and Steven Powell from ENS Forensics, who was conducting an investigation of the history of corrupt activities involving former senior EOH executives (SCCR, 2022:175-7). These references or beneficiary names are explained in the content below the table.

Over the period 28 April 2015 to 2 February 2014, EOH-related entities and Mr Jehan Mackay made aggregate cash payments in the aggregate amount of R1 680 000 to Mr Zizi Kodwa and another R30 000 for his benefit (SCCR, 2022:198).

The table above depicts a series of large recurrent money transfers by Jehan Mackay, the controversial EOH executive, in the form of loans and donations to senior public officials and leaders of the ANC in order to acquire inordinate influence over the direction of tenders at government departments between 2015 and 2017 (please see Table 2). These persons include Zizi Kodwa, then spokesperson of the ANC (2014 – 2018) and an MP (2014), then TG of the ANCYL, Mzwakhe Reggie Nkabinde, and Siyabulela Sintwa, then personal assistant of former president Jacob Zuma (van Rensburg, 2020). Bank statements were submitted to the State Capture Commission in November 2020, revealing that payments made by Mackay to Kodwa between May 2015 and February 2016 totalled R375 000 (see Table 2). References for these payments include “Ng Ng Kodwa”, “Zizi”, and “Zizi Kodwa”.

Payments made to Sintwa total R291 600 between September 2015 and January 2017; references for these transfers include “Sg Sg Sintwa (JM)”, “Mr Mr Siyabulela Sintwa”, and “Sg Sg Sintwa jm” (see Table 2). R500 000 was loaned to Nkabinde by Mackay’s Tactical Software Solutions (TSS) company (see 29 June 2017 in Table 2). Nkabinde had a close relationship with Nomvula Mokonyane, then Minister of Water and Sanitation, a department that was a repeat customer of EOH’s services. Mackay also transferred money from TSS to his

personal bank account and sent it to those mentioned above (van Rensburg 2020). Between 2015 and 2017, Kodwa also received money transfers totalling R180 000 from Edwin Sodi's company, Blackhead Consulting, which is also embroiled in the asbestos saga analyzed in the final vignette (Stone, 2020; SCCR, 2022:427-9).

Mackay also loaned Kodwa R1 million on 6 June 2015 to purchase a high-end vehicle. Similarly to Table 2, the transaction reference on the TSS bank statement "NG KODWA (ANC DONA.JMM)" suggests that it was a loan not only to Kodwa but also to the ANC (SCCR, 2022:198). In addition to the loans, donations to the ANC and the payment of luxury accommodation for Kodwa by Mackay, the pair met regularly to discuss donations to be made to the ANC and high-value government tenders EOH that required the political intervention of Kodwa (SCCR, 2022:199). On 11 and 12 August 2015, R1 million was paid to the Independent Electoral Commission (IEC) of South Africa by an EOH-related company on behalf of the ANC. This happened after, on 5 August 2015, Kodwa submitted a report for a R1 million sponsorship to EOH. On 30 September and 1 October 2015, an R704 250 donation was made to cover the accommodation costs of the ANC in the Eastern Cape. Between 8 December 2015 and 18 January 2016, EOH paid for 2500 ANC printed t-shirts (SCCR, 2022:199-200).

The above information came to light in email conversations between the two. For instance, a month after Kodwa was given the R1 million (14 July 2015), Mackay wrote to him requesting that he intervene in a R360 million tender in the Department of Home Affairs where EOH was disqualified (SCCR, 2022:199-200). The transfers indicated influence buying by Mackay on behalf of EOH, so Kodwa uses his political connections to facilitate procurement corruption in government departments that EOH services. This vignette is emblematic of themes 1, 2 and 3.

#### ***The Free State Asbestos Project***

The Free State Provincial Government improperly awarded a high-value asbestos audit tender to Blackhead Consulting, owned by Edwin Sodi, in 2014. The tender is valued at R255 million. Between 2013 and 2018, Blackhead Consulting made ongoing donations to the ANC, amounting to millions. Companies that recurrently received lucrative government and state tenders made generous donations to the ANC (especially during election years) and/or made unjustified payments to front companies owned by senior public officials, public office holders, politicians, and state functionaries. These monies would ultimately be laundered to the ANC (Parliamentary Research Unit: State Capture, 2022:8; SCCR, 2022:750 & 803).

Evidence (SCCR, 2022:750) shows Blackhead Consulting, owned by Mr Edwin Sodi ("Mr Sodi") had received a number of lucrative contracts from government departments, most notably the 2014 asbestos audit tender valued at R255 million from the Free State government. Bank accounts show millions of Rands in payments to the ANC by Blackhead alone between 2013-2018.

The SCCR (2022:434) also shows that R371 553.87 was paid out to Mashatile, who promised the money would benefit the ANC directly. Although the money was not directly transferred to the party's bank account. Please refer to theme 2 for other senior public officials who were beneficiaries of these payments by Blackhead Consulting.

## **5. DISCUSSION**

### ***Thematic Findings of the Study***

This study's findings highlight five themes which merit attention. First, private donations to the governing ANC result in unethical and illegal actions, including the disproportionate influence of wealthy donors on public officials and public decisions. This undermines democratic governance and political equality. Second, patron-client relations involving businesspeople, senior public officials, and political facilitators (or intermediaries) are networks of capture that subvert procurement processes for personal gain at the expense of the public interest or the common good. Third, the ANC's cadre deployment policy is prone to the influence of large private donations made by wealthy donors. This results in cadres' deployment in government, prioritising party loyalty over the public interest. Fourth, corruption linked to private donations carries economic

consequences, including reduced investment, public resource diversion, and the weakening of public trust, confidence and democratic governance. Finally, the absence of transparency, accountability, and oversight is a key factor that enables corruption to be linked to private donations. Enhancing transparency can improve public accountability and reduce corruption related to private donations, while the electorate can make more informed decisions.

This study's thematic findings on political donations and undue influence are consistent with those of previous literature (Lodge, 2001; Butler, 2010; Friedman, 2010; Mulgan, 2016; Ferguson et al., 2016; Pienaar, 2019; Katsaitis, 2023a), which argue that private donations erode political equality and democratic integrity. However, this present study further finds that donations by the wealthy target political incumbents. In the South African case, that is the ANC, and that is the rationale for this study's focus on donations made to the party. These studies (Matlosa, 2004; Akey, 2015; Sokomani, 2010; Sole, 2010; Mulgan, 2016; Xiang et al., 2022) findings are consistent with the thematic finding that patron-client relations between businesspeople and senior public officials result in the subversion of procurement processes for personal gain, albeit in different study populations. This study found that the proceeds of procurement corruption are laundered through front companies and end up paying for the expenses of the governing ANC. This was particularly apparent in the first, fourth and fifth case vignettes analysed in the findings.

Previous literature (Persson et al., 2010; Bruckner, 2014; Sukhtankar & Vaishnav, 2015; Rose-Ackerman & Palifka, 2016; Korsten & Samuel, 2023) arrived at similar findings to those of themes on the discontents of the cadre deployment policy and the economic impact of private donations and corruption. In the main, corruption associated with private donations is systemically entrenched, and this requires reforms to improve transparency, accountability and oversight in order to safeguard democratic integrity in South Africa. This is the final thematic finding of this study. Other literature (Matlosa, 2004; Akey, 2015; Maphunye & Motubatse, 2019; Akey, et al., 2022; Katsaitis, 2023a; MVC, 2023) similarly found that policy reform in the area of political finance was critical to reverse undue influence and corruption that carries adverse effects for fiscal health, economic growth and development, particularly in countries with a high income, asset and resource inequality such as South Africa.

### **Implications**

Despite European political finance regulation, the risk of foreign influence associated with private donations persists (Katsaitis, 2023a). In the USA, intent to limit undue influence, ensure election integrity and maintain transparency is undermined by super Political Action Committees (PACs) that exploit loopholes in the regulatory framework (Akey, 2015). This highlights the peculiarities of each country's context and political culture, which requires that policy reform in the area of political finance be specific to individual countries. However, there is also the option of outright prohibiting private donations, as seen in Canada and Germany (Bruckner, 2014). As mentioned in the introduction, in this study's timeframe (2000 – 2018), no legislation existed to regulate private donations in South Africa. This only happened in 2021, when the PPFA came into effect, and parties were compelled to disclose the sources of their funding (Matlosa, 2004; Olver et al., 2017).

However, this paper suggests stricter transparency and accountability measures regarding private funding in line with recent literature (MVC, 2023) in order to mitigate the impact of private funding on democratic processes in South Africa. Enhanced oversight in the public sector and the NA, accompanied by enforcing regulations, investigations and prosecutions of corrupt activities tied to private funding, can reduce corruption, protect political equality and safeguard democracy. This can lead to fair public participation and more informed decision-making emanating from stricter transparency and accountability mechanisms. This study's findings contribute to the ongoing public debate about the implications of private donations on democracy. At the same

time, it can raise awareness and empower the public to demand greater transparency and accountability from political parties and senior public officials.

Turning to the theoretical implications, this study's findings challenge the notion of political equality in a democratic society without concrete political finance regulation and high inequality levels. These findings demonstrate how private donations can result in patron-client relations between donors and the governing party. This undermines democratic integrity. This calls for re-evaluating democratic theories that assume equal political influence exists among the public amidst a lack of stringent political finance regulation. This study's findings also enhance our understanding of political economy by showing how private donations can unduly influence policy and democratic governance. Finally, this study emphasises the importance of transparency and accountability in maintaining democratic governance. Theoretical frameworks in future research should integrate these elements as they are essential to combating corruption and safeguarding the public interest.

#### ***Limitations and Directions for Further Research***

This study only uses secondary data in its analysis because of the unwillingness of those implicated to be interviewed. The researcher also relied on secondary data due to a fear of reprisals if the data were collected through primary methods. The data are sourced from reputable organisations, state organs, and civil society. To avoid issues regarding reliability and validity, the secondary data was triangulated to ensure authenticity. Other scholars (Mulgan, 2020; Katsaitis, 2020; Katsaitis, 2023a) have also used the same methods alongside a case study approach. It is also acknowledged that the focus on five case vignettes may not capture the full scope of corruption associated with private donations in South Africa. Furthermore, due to space and time limitations, the study does not dwell much on the connection of BEE in relation to bureaucratic corruption and private donations in South Africa.

Future research can build from this study's findings to do comparative research within Southern Africa and provide a broader understanding of the implications of private donations for democracy in the region. Future research can also assess the effectiveness of the PPFA in increasing transparency and accountability while discouraging corruption related to private funding of political parties. Finally, further research can analyse the interconnectedness of BEE empowerment deals, the revolving door, corruption as a collective action, and private donations' influence in South Africa.

## **6. CONCLUSION**

This study aimed to assess the implications and significance of private donations to the ANC and the subsequent impact on South Africa's democracy, focusing on transparency, accountability and the public interest. The five thematic findings reveal how private donations result in the wealthy's disproportionate influence and create patron-client relations that undermine democratic principles. In the main, the SCCR is analysed to show the corruption induced by private donations to the ANC between 2000 and 2018. The study emphasises the need for transparency, accountability, and oversight to mitigate money's influence on politics and safeguard democracy in South Africa. Transparency, openness, fair public participation, and responsiveness to the public interest are critical to democratic governance and cannot be afforded to individuals and private firms with deep pockets. As the principle of political equality suggests, each South African citizen is entitled to an equal claim and an equal share in political decisions. It has become apparent that the relationship between money and politics is corrosive. It erodes the scope, quality, and experience of the democratic system.

## **7. ACKNOWLEDGEMENTS**

The author acknowledges the insightful input of colleagues, friends, and family, which significantly enhanced the article.

#### ***Declaration of Interest Statement***

The author reports that there are no competing interests to declare.

#### ***Biographical Note***

The author is currently pursuing a PhD in political studies at Nelson Mandela University. The author teaches political studies at Walter Sisulu University. The author is also an occasional political columnist and political analyst.

#### **Funding Information**

The author declares that this research was not funded by any individual or institution.

#### **Data Availability Statement**

The data supporting this study's findings are openly available in Figshare at <https://doi.org/10.6084/m9.figshare.26887171.v1>. The data supporting this study's findings are available from the corresponding author, [MM], upon reasonable request.

#### **Disclaimer**

The views and opinions expressed in this article are those of the author and do not necessarily reflect any affiliated agency's official policy or position.

**Table 1. A timeline of payments made to Mfundi Mobile, Geoff Makhubo, and the ANC around tenders.**

*Timeline of the COJ A647 SAP Upgrade tender (contract) with EOH*

| <b>Date</b>        | <b>Payment / Key Event</b>                                                                                                                                               |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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| 17 May 2016        | Mrs Pilisiwe Tau (wife of then COJ mayor) requests a donation from EOH to take students on a trip to New York                                                            |
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|                    | Mfundi Mobile paid ANC's office rent R410 000 and printing costs R40 000                                                                                                 |
| 21 to 22 July 2016 | Makhubo emailed Makhubedu multiple ANC supplier invoices for payment by Mfundi Mobile with a total value estimated at ± R4.1 million                                     |

TSSMS means Tactical Software Systems Managed Services

COJ means City of Johannesburg

VAT means value-added tax

Adapted from: My Broadband (2022). Available at <https://mybroadband.co.za/news/government/429704-suspicious-payments-to-anc-to-get-major-it-contracts.html>. Please read alongside SCCR (2022, 192-7). Available at <https://www.stateofthenation.gov.za/zondo-commission-reports/Part%204%20Vol%201%20-%20Judicial%20Commission%20of%20Inquiry%20into%20State%20Capture%20Report.pdf>.

**Table 2. A timeline of payments made to then ANC spokesperson Zizi Kodwa, Siyabulela Sintwa, then advisor to President Jacob Zuma, and ANCYL TG Reggie Nkabinde.**

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