



The Media Policy and Democracy Project

exploring how the media can work better for society

‘Nkandlagate’ – a critical textual analysis of the press coverage

Jeanne Prinsloo

Research Assistance: Tia Egglestone
Translation from isiZulu: Mzwandile Mhlaba

This study has been undertaken under the auspices of the Media Policy and Democracy Project, a joint collaborative research project between the Department of Communication Science at the University of South Africa (UNISA) and the School of Journalism and Media Studies at Rhodes University.

Published 21 January 2014 by the Media Policy and Democracy Project.

www.mediaanddemocracy.com

This publication was supported by a grant from the Open Society Foundation for South Africa (OSF-SA).



**OPEN SOCIETY FOUNDATION
FOR SOUTH AFRICA**

Table of Contents

1. Introduction and rationale.....	3
2. Contextual issues and background	4
3. Aim of the research.....	5
4. Theoretical framework	6
4.1 Representation and discourse	6
4.2 Democracy and the news media's role within it.....	7
5. Investigative journalism, media scandals, and mediatised events.....	8
5.1 Media scandals and mediated events	8
5.2 Investigative journalism as a genre.....	9
5.3 Narratives of scandal and social drama	10
6. Methodology.....	11
7. Analysis of the <i>City Press</i> and <i>M&G</i> coverage of President Zuma's private home in Nkandla.....	14
7.1 Pre-scandal.....	14
7.2 Revelation 1: the 'breach' – expenditure from the public purse.....	14
7.3 Responses to the expenditure	16
7.3.1 Democratic Alliance (DA) response	16
7.3.2 Presidential defence	16
7.3.3 Nxesi introduces the Ministerial Handbook and National Key Points Act (NKPA).....	17
7.4 <i>City Press</i> and <i>M&G</i> on Ministerial Handbook and NKPA to prevent disclosure.....	18
7.5 Responses to press coverage on Ministerial Handbook and NKPA	20
7.5.1 Nxesi blames "misperceptions"	20
7.5.2 Legal responses: de Vos and Milo on Ministerial Handbook and NKPA	21
7.5.3 Editorial responses in the <i>City Press</i>	22
7.5.4 President Zuma's defense: ignorance and misinformation	23
7.6 Revelation 2: Nkandla land ownership and legality of improvements.....	24
7.7 Revelation 3: Contracts and tenders.....	24
7.8 Parliamentary interventions in relation to the Nkandla revelations:.....	25
7.8.1 Opposition responses	25
7.8.2 Coverage of ANC reactions to interventions.....	25
7.9 The DA march on President Zuma's private home in Nkandla	26
7.9.1 Background articles prior to the march: the DA	26
7.9.2 Background articles: the ANC's reaction to the DA interventions.....	27
7.10 Coverage of the DA's inspection visit to Nkandla	28
7.10.1 ANC responses to Zille's thwarted march.....	29
7.10.2 Zille's response to the thwarted march.....	30
7.11 Revelation 4: President Zuma's responds: I have a bond	30
7.12 <i>City Press</i> and <i>M&G</i> responses to revelation of home loan	31
7.12.1 Corporate rot	32
7.13 General responses to the Nkandla expenditure in press.....	33
7.13.1 Non-elite solicited responses.....	33
7.13.2 Party loyalty and democracy.....	34
7.13.3 Other responses: SABC	35
7.13.4 Civil society responses to Nkandla expenditure	35
7.14 Pot boilers: coverage persists	36
7.14.1 Morality issues	36
7.15 Withholding the report	37
7.16 Responses to the withholding of the reports	37
7.17 Aftermath: The scandal is not over.....	38
7.17.1 <i>M&G</i> : the Nkandla files (05.07.2013)	38
8 The <i>Ilanga</i> coverage between September 2012 and February 2013.	40

9 Concluding thoughts	43
9.1 Coverage of the <i>Mail & Guardian</i> and the <i>City Press</i>	43
9.2 Coverage of <i>Ilanga</i>	49
9.3 A final word	50
10 References	52

1. Introduction and rationale

This study has been undertaken under the auspices of the *Media Policy and Democracy Project*, a joint collaborative research project between the Department of Communication Science at the University of South Africa (UNISA) and the School of Journalism and Media Studies at Rhodes University.

The research focuses of the project include three strands, namely Media Diversity and Transformation; Media Accountability and Media Freedom; and Communications Policy and the Public Interest. These research areas are bound together by a concern for the public interest, or policy that serves the interest of all South Africans rather than any section or group, and that reflects the common good. This particular study falls under the first section of Media Diversity and Transformation.

Impelled by a concern to contribute to policy development, the project has taken into account the criticisms of the media contained in the ANC's discussion document entitled "Media transformation ownership and diversity" (2010) so that it might also develop researched responses to the ANC's media concerns. The document identifies what are considered key challenges facing the print media and it criticises the media on several grounds. Those pertaining to the concentration of print media ownership; the need for diversity in ownership and in control of print media; monopolistic behaviour by the print media; and unequal participation and unequal access to the print media environment are addressed by the other strands of the research which will be reported on in forthcoming publications from the *Media Policy and Democracy Project*. This study confines itself to the coverage or the editorial content of the news media and therefore it responds to the critique pertaining to this dimension.

Two particular criticisms of the news media relate to issues of news content in the press. First, what is described as the highly commercial and sensational nature of print media is considered to be detrimental to the public interest. Second, the protection and promotion of media freedom stands accused of being treated as more important than responsible and ethical reporting.

Certain aspects of the ANC discussion document are worth noting in relation to this focus and to these criticisms. Importantly, the ANC identify what they consider their agenda and these are the objectives they would like the news media to adopt. They constitute themselves as seeking to endorse a particular outlook and values, namely to promote a "developmental state, collective rights, values of caring and sharing community, solidarity, ubuntu, non sexism, working together"¹. In contrast, the "current mainstream media's ideological outlook" is described as "neo-liberalism, a weak and passive state, and overemphasis on individual rights, market fundamentalism, etc" (ANC 2010, item 50). In terms of the first criticism listed above, one of issues raised is that the press are prejudiced: the media are a "contested terrain and therefore not neutral". They are described as engaged in "ideological battles and power relations based on race, class and gender in our society. It cannot claim that its role is merely to reflect" (ANC 2010, item 53). It is important to note that that this criticism assumes that the news media can indeed serve as a mirror or reflect the world of politics, a point picked up on later in this research study. The point to make here is that the press are viewed as ideologically biased against the party and so hostile to the ANC, a refrain voiced by many ANC politicians, particularly when the conduct of individuals in the party has been criticised on various grounds.

¹<http://www.anc.org.za/docs/discus/2010/mediad.pdf>, accessed 17.10.2013.

In relation to the second point above, the document accuses the press of having “The tendency of dismissing any criticism of the media as an attack on press freedom” and the media is described as “behaving like a protection racket and leaves no space for introspection”. They claim therefore to “have a responsibility to assist the media need to shape up” (*sic*) (ANC 2010, item 61).

The ANC criticism of the “media” does allow that its role includes the critique of “public policies and their implementation” but it stipulates what its purpose should be. They should “do so in a manner that adds value to the national endeavour and reflect on the broader questions about how our souls are being poisoned by the spirit of conspicuous consumption in a socio-economic formation that encourages greed” (ANC 2010, item 83). Thus it espouses a nationalistic approach that distances itself from personal greed, enrichment, and conspicuous (capitalist) consumption.² This study is mindful of these criticisms and recommendations.

Frequent statements are made relating to a perceived stand-off between news media producers, both journalists and editors, and politicians. Such statements are premised on assumptions that they hold about the other party, its actions, and intentions. They tend to be most clearly articulated around contentious issues or circumstances and are reported on in the news media. The term “mediatised conflict” was coined by Cottle (2006) to describe the phenomenon. The word “mediatised” intends to draw attention to how the interests and identities that contend for political legitimacy and social transformation do so largely through the various media forms. This concept makes explicit that the media are not, and cannot be, mere reflective surfaces or mirrors on the world (as the ANC document suggests) and seeks to capture its active and performative role within conflict. Cottle proposes that the news media “are capable of enacting and performing conflicts as well as reporting and representing them” (2006:9), that is, he argues that the news media engage with conflict in a number of ways. Importantly, however, so do politicians, and so the media becomes a stage for the performance of conflicts.

The frequent complaint by the ANC of the media as biased against their declared progressive policies and as concerned with personal freedoms rather than being grounding in a communitarian vision can only be evaluated by careful research of the actual news coverage. This study consequently investigates what the press and politicians do and say in relation to one another when involved in a contestation. It seeks to do this by analysing the discourses that have been articulated in the press by all parties concerned, in a manner that also weighs up the ANC’s arguments. The focus here is necessarily selective. The study investigates a single mediatised conflict in order to identify and track the performance of the media and the political actors involved. The case study selected is the press coverage of the editorial content surrounding the expenditure on President Jacob Zuma’s private home at Nkandla in rural northern KwaZulu-Natal. This mediatised conflict was the focus of sustained investigative journalism reporting in the two weeklies considered for the purpose of this study, the *City Press* and the *Mail and Guardian*. This investigative journalism is subsequently contrasted briefly with the coverage in the isiZulu newspaper, *Ilanga*, where it was covered in routine news reports. While the study is confined to a single media controversy, it does provide the platform for analysing the discourses articulated by the contesting sides.

2. Contextual issues and background

South Africa is sometimes described as a young or emerging democracy and perhaps twenty years of existence is a relatively short period. Yet it has a Constitution that is widely lauded for its progressive bill of rights and which various arbitrations ultimately defer to. In discussions of the Nkandla press

² This study is not addressing the contradiction between the ANC’s neoliberal economic policy and its espoused values, but merely notes it here.

coverage two sets of Constitutional clauses are frequently referenced, namely those that protect media freedom, access to information, and free speech on the one hand (sections 16 and 32), and those that promote the right to dignity, and to participate in the cultural life of choice (sections 10 and 30). These clauses are variously invoked when there is a mediatised conflict, particularly when individual political figures have been the focus of scandals or conflicts. They have included Manto Tshabalala-Msimang (then Minister of Health), Jackie Selebi (then police commissioner), and Jacob Zuma, both as the dismissed Deputy President and then as President of South Africa, particularly in relation to the rape case in 2006, *The Spear* debacle in 2012, and, following close on the heels of that mediatised event, a renewed focus on the ongoing expenditure on his Nkandla private home.

The workings of the news media in these instances can be examined in relation to how they interrogate the scandals and how they constitute the social actors in these instances. There is already a small body of literature that looks at the news coverage of the rape trial and *The Spear*. While this study might add to that body of research, it is specific in its intention to scrutinise how the Nkandla controversy unfolds and to measure this against the critiques of the media and their assumed role in relation to media democracy and diversity.

3. Aim of the research

If different parties hold strong views about how the media cover political actors and actions and how politicians view the media, these conclusions are drawn in the absence of focussed research. This study sets out to examine what the press and politicians actually do and say in relation to one another when engaged in a contestation. In doing this it seeks to investigate issues of diversity and democracy through the lens of the Nkandla controversy.

The study therefore undertakes a close and critical textual analysis of the news coverage of this single mediatised controversy that responded to the expenditure by the state on Zuma's Nkandla private home in northern KwaZulu-Natal. The controversy presumes a particular problem or set of problems and the work of this study is to consider how it is mediated in the press, what stories are told, what arguments are made, how they are legitimated, and how they differ. The broad research question it asks can be summarised as: How is the contestation surrounding the expenditure on President Zuma's Nkandla home narrated?

In order to answer this question it is first necessary to identify and critically analyse how various discourses are articulated in the coverage of the sampled newspapers. This must then be considered in the light of issues of democracy and diversity, whilst keeping the criticisms of the press in the ANC discussion document in mind—specifically those criticisms of reporting being considered neither responsible nor ethical; as privileging freedom of expression, while being insufficiently concerned for the public good; promoting conspicuous consumption; and not enabling equal participation and access. This analysis of the Nkandla coverage also recalls the questions raised by the ANC as a means of guiding the process. Expressed in other words then:

- Are the media hostile to the ANC?
- Are they biased towards other sectional interests?
- Do they attack the dignity of ANC politicians?
- Do they operate to the detriment of the public interest?
- Is responsible and ethical reporting not treated as important as the protection and promotion of media freedom?
- Whose voices do they include and how are they positioned?

However, these broad questions must also be redirected and the discourses articulated by the ANC held to the same scrutiny, for example: are the ANC hostile to the media, etc.

4. Theoretical framework

4.1 Representation and discourse

The research is located within the fields of Cultural Studies and Journalism Studies. As it takes the approach of a critical discourse analysis, it is appropriate to establish how discourse is understood in this study, which is informed by Foucault's theorisations (1977; 1989; 1981). While he develops a complex body of ideas, this is not restated here, but discussion is limited to introducing certain significant concepts in order that their use in this research is clear.

Put simply, in all areas of human activity there are particular 'languages' that include terms, concepts, and ways of speaking. In order to make these categories of language or *discourses* clear one can think of the difference in terms, concepts, and ways of speaking and acting, for example, during a visit to a doctor or a *sangoma* or a lawyer. The discourse in each space operates according to unspoken rules of what can be spoken about, who can speak with authority and who is spoken to. Importantly, a discourse does not offer a neutral description of the world but presents a position, is underpinned by assumptions of "truth", and is always in contestation with other discourses. Where one discourse has come to be considered common-sense or natural, there is always another one that could take its place. Importantly a discourse operates by proposing a particular "truth" and the struggle between two sets of discourses can be understood as a struggle in defining what counts as "truth".(For example, contesting discourses constitute the West as civilisation versus the West as imperialistic domination.)

What is critical to this understanding of discourse is that meaning cannot be produced outside of discourse—our knowledge is positioned within these frameworks. This does not imply that concepts and actions are merely relative, but that rather they are positioned according to discourses that propose codes of conduct and statements and actions can be measured against their own premises as well as those of opposing discourses. Furthermore, human beings take on these discourses as their truth and it constitutes them as the "subject" of the discourse. Power is understood then not as primarily oppressive, but as producing the objects and subjects of the discourse. Importantly, discourses are not merely static, but are fluid and they respond to contesting ideas as well. Again, an example is useful: a customary discourse would constitute someone as a traditional subject while the discourse of modernity would constitute them as a modern subject (Mamdani 1996). In spite of tensions between them in certain respects, the discourses will be differently effective at different moments, depending on the circumstances.

Because politicians hold particular status or are regarded as authoritative by many in society, they are well positioned to articulate their discourses and thus propose what should count as truth. Similarly, the news media are significant in circulating such sets of statements, but they also serve as a space for the articulation of conflict and act as a participant in the contestation, proposing a different truth to the official line. It is important to point out that the news media are not monolithic and their output does not merely endorse a single point of view but is highly complex. (Cottle 2006:3) What this research does then is to identify and analyse the contesting discourses by drawing on a range of analytic strategies from different fields of study.

There is a significant point to be made about the news in relation to this understanding. News reporting has been described as the telling of stories (Bell 1994; Fiske 1987; Prinsloo 2009) and the work of the news media is to make meaning from the endless chain of events that occur in social life. The resulting sets of representation and stories are the products of processes of selection and

construction. The same set of events can give rise to a different narrative and therefore a different form of evaluation than the one that might find its way into print. Because there must be a process of selecting and constructing of that which is deemed newsworthy, journalism exceeds the “reflective” role sometimes called for, and thus it is automatically and simultaneously a process of evaluation. The news media are therefore not mere reflectors but intervene in the life of society by mobilising or mustering moral and collective forces. It is this *discursive* work that they undertake that needs scrutiny in relation to the forms and the nature of the interventions, and in relation to the accusations made which have been established previously.

4.2 Democracy and the news media’s role within it

While democracy is not yet universally practiced, nor indeed uniformly accepted, in the general climate of the world opinion, democratic governance has now achieved the status of being taken to be generally right (Sen 1995:5).

While Amartya Sen points to the general acceptability of democracy, the concept of democracy itself remains contested and various conceptions of it contain irreconcilable differences. George (2013:499) points to five distinct strands of thought: “liberal and libertarian theories, with their faith in unregulated marketplace competition; competitive elitism which emphasises the roles of elites in defining the common good; liberal pluralism and its focus on interest group competition; deliberative democracy, which wants to broaden and activate the public sphere; and radical pluralism, which focuses attention on traditionally marginalized and dominated groups”.

Alongside these tensions, no broad consensus exists on the precise role that the media in general and the news media in particular should play in a democracy. Yet while different schools of thought have debated the role of the media in different ways, it is a reasonable assertion that pluralism and media diversity are considered fundamental to the democratic role the news media might play. It is also broadly accepted that citizens must be able to participate in their society and for this purpose it is accepted that they need access to information and to diversity of ideas. Although it is accepted that different contexts give rise to different sets of practices, it has also been argued that “certain minimum democratic and media professional values have come to command universal respect” (Tehrani2002:72), including “freedoms and responsibilities to exercise professional duties, including the responsibility to promote democratic values” (George2013:491). Debates around the news media’s role in democracy have frequently drawn on the concept of the public sphere/s, a term attributed in the first instance to Habermas (1989), who conceives of it as a sphere where rational consensus is achieved through robust debate and in which the media plays a critical role. While heavily critiqued on various grounds—many of which Habermas himself accepted subsequently—the public sphere and “deliberative democracy” remain important in the discussions of media democracy. His vision of “deliberative democracy” presumes reasoned and inclusive debate that aims to reach consensual decisions and is an approach that runs counter to the idea of pluralism at market/ownership levels only (Kapoor 2002). In contrast to this vision of consensus, which is arguably what the ANC document discussed above alludes to in terms of a nationalistic purpose, the public sphere has been critiqued in terms of unequal access along lines of class, race, and gender (Fraser 1992). Subsequently the idea of “publics” and public spheres in the plural has been put forward to argue that rather than a single sphere there are multiple sites of engagement, and that the media field “can provide a contested terrain where exclusion and domination as well as solidarity and resistance are reproduced” (Dahlberg 2007:56). By introducing what she terms “agonistic pluralism” Chantal Mouffe (1999:745) seeks to emphasise ways that democratic politics might represent difference. She insists on the impossibility of mere consensus envisioned by Habermas, arguing that antagonisms are part of any political system and that to deny these would be to efface the political and run the risk of silencing and marginalising certain people and groups. For Mouffe ongoing confrontation should not be seen in a negative light but as an indication of

democracy's vibrancy and pluralism. Democratic politics should not therefore aim at eliminating power, but consider how to constitute forms of power that are consistent with democratic values (Mouffe 1999). This set of ideas is in keeping with the conception of society in terms of a range of several smaller public spheres.

5. Investigative journalism, media scandals, and mediatised events

Just as the public sphere cannot be considered as monolithic, neither can journalism be construed as possessing a single purpose or form. Contemporary journalism is more complex and diverse than is suggested by the broad criticisms levelled at it. That different kinds of journalism are possible is flagged in the ANC document when they speak to their vision of a "developmental state" and journalism that would "add value to the national endeavour". Clearly this is not what the authors of the document believe the mainstream press are doing or what Zuma's comments, presumably reasonably indicative of this approach, suggest. He recently lamented the dearth of "patriotic reporting" and argues that "the media spoon-feeds the public with negative stories about government failures but fails to tell the story of how the government has turned the country around from the illegal apartheid system to a vibrant democracy"³. This stands in some contrast to the broader self-conception that tends to inform the journalism profession "as public watchdog and provider of information and resources of public opinion formation" (Cottle 2006:3).

Acknowledging that different forms of journalism serve different roles is necessary. Christians et al (2009) identify four different roles, namely the monitorial, the collaborative, the facilitative, and the radical. If the patriotic journalism Zuma is calling for can be termed collaborative, the interrogative journalism pertaining to "government failures" would be appropriately described as monitorial and in line with the watchdog role. This is informed by an understanding of professionalism that is taken for granted in western democracies. More ideally it could also be facilitative of civic democracy through promoting dialogue through communication which both engages the readers and in which they participate (Christians et al. 2009:158).⁴

5.1 Media scandals and mediated events

Every now and then exceptional, high-profile, media phenomena breach normal media conventions, disturb routines of news reporting and culturally reverberate throughout society (Cottle 2006:54).

It is the conduct of public figures, failures of government or a government department that at times escalate to become the focus of one of these exceptional media phenomena. Cottle argues that these phenomena create the conditions under which wider collectivities cohere, which express and mobilise interests and identities, and that they can tell us much about "how the media appeals to imagined communities".⁵ By the latter he is referring to audiences and social groups who broadly hold shared beliefs, attitudes, and interests. He insists therefore that mediatised events "demand serious investigation" (2006:54). Of the different kinds of exceptional media phenomena he discusses, two are relevant to this research into the Nkandla coverage, namely "media scandals", and "mediatised public crises".

³<http://mg.co.za/article/2013-09-10-zuma-condemns-opposite-of-the-positive-sa-media>

⁴ The radical role is concerned with a radical redistribution of social power and concerned with bringing to public attention the existing power relations in the various spheres of economic, political, and social life. It is underpinned by socialist principles.

⁵ "Imagined communities" (Andersen 1983) refers to how a community is understood and identifies itself and does not signify that it is imaginary.

“Scandal” serves as a term to signify a breach in moral conduct and authority. A media scandal occurs when private acts that disgrace or offend the idealised dominant morality of a social community are made public and narrativised by the media, producing a range of effects that can endorse and reinforce that morality or disrupt it and lead to change. A scandal in effect draws attention to what is and what ought to be. For exceptional phenomena to constitute a media scandal that reverberates over time requires particular forms of news production and it is specifically dedicated investigative journalism that undertakes this task. A mediatised public crisis can occur when the scandal reverberates to challenge political authorities and give rise to transformative effects.

5.2 Investigative journalism as a genre

The output of investigative journalism or any other genre needs to be analysed in terms of the characteristics and expectations of that genre and in this case it works within the monitorial role of the press. News reporting, as noted earlier, undertakes particular discursive work. Investigative journalism is distinct from other reporting in that it is marked by a willingness to engage with challenges to democratic institutions and the processes of democracy or social justice. Its purpose is to reveal important aspects of the state of democracy in the society and to evaluate them and in doing this it tends to adopt an amorally engaged voice.

Investigative journalism therefore engages with accounts of victimhood, villainy, and non-accountable social institutions and in the process it serves as a call to public moral indignation. As it seeks to invoke a moral vision it needs to be authoritative and it relies on careful reporting of events and facts in order to produce an authoritative account. As a moral discourse then it represents what is in terms of what it could ideally be, or in other words, it presumes the possibility of “enhanced virtue in public affairs” (Ettema and Glasser 1998:7). As a consequence of this moral vision two central features of investigative journalism as moral discourse recur, namely the innocence of citizens who are made into victims as a consequence of some systemic problem, and the guilt of the perpetrators of civic vice that are responsible for the problem. The innocence speaks to obvious injustice and so invokes moral indignation and outrage. Innocent victimhood can only exist in the face of its binary opposition, guilty enactment, and to establish guilt requires that the narrated events are located within a moral order.

There is an important point to be made about how guilt is determined however. The standards by which investigative journalists evaluate the conduct of the miscreants or guilty parties are those self-declared by the miscreant. Investigative exposés typically judge the people they expose against their own expressed values, their own moral order in fact. The nature of the exposure makes it clear that the actions are indeed transgressions of the offender’s own professed moral order. The moral claims made in investigative journalism draw on the accepted standards of conduct which might include those legislated by law, formal regulations, codes of ethics or accepted guidelines, socially accepted fair and common practice, and as evident from statistics and statistical comparisons (Ettema and Glasser 1998). (These conditions of accepted practice will be relevant to this study.) Moreover, journalists have access to and make use of (for example) the President’s stance in his State of the Nation address as indicative of his personal vision, intended programme, and political intentions. The actions can be evaluated against the oaths of public office they have taken or their moral vision pronounced in speeches. In this way the press are conserving of the dominant social and moral order for they do not merely expose wrongdoing.

The reports that emerge from investigative journalism are the result of practices that differ in some ways to general news reporting. They require greater time for following leads and do not rely on official press releases in the same way as other reporters might. In fact, while they report on official

releases, they do so with a degree of scepticism and hold them up for deeper scrutiny. They seek sources outside of the official channels and have to be mindful that their stories or reporting require careful verification and skilful narration.

It is the narration that enables judgement to be invoked while it appears to and claims to describe events. Virtue (fair play and common decency) is protected by telling stories about terrible vice. The moralising impulse endows the facts with relevance. By invoking such a moral order, the reader is invited to take part in that moral order and in this way investigative journalism is a summons to participate in a moral universe. Clearly such reporting, like any other, does discursive work. It cannot be neutral in relation to the perceived villainy or considered to be acting as an impartial arbiter. Small wonder then that the responses of those who are the objects of such scrutiny are marked by defensiveness and hostility!

5.3 Narratives of scandal and social drama

The narration of any mediatised conflict or scandal that is the focus of investigation has been described as unfolding as a social drama and following a particular sequence. Anthropologist Victor Turner suggests that social conflict can be analysed as a social drama and presents a four-stage model (1988). Similarly Thompson (2000) describes the sequential nature of political media scandals, a structure that is referred to in the analysis of the Nkandla coverage. A media scandal is considered a distinctive kind of event that unfolds over a period of time and is sequential in structure, with one phase following the other. Often it is a very complex phenomenon and the outcome is essentially unclear while it unfolds, fuelling various speculations.

The four sequential phases begin with the pre-scandal phase. This is the time when the alleged transgression or breach occurs before it is actually the focus of the media scandal. At this stage there might be some publication of information that has particular relevance later or some kind of disclosure that gets picked up on subsequently. The phase of the scandal proper is dependent on some revelation or disclosure that triggers the events. This is accompanied by a “distinctive pattern of revelations, allegations and denunciations” (Thompson 2000:74). As these are played out in the news media, the news producers and news organisations are important actors in the social drama. It is they who frame the issue and focus attention on the various stages of the revelations. The revelations then get followed by denials and Thompson points to how this is waged as a strategic battle that can be accompanied by threats of libel among other strategies that seek to ensure silence about the issue.

Thompson makes significant points about those that stand accused, quoted below in full:

The individuals at the centre of the scandal may believe that if they firmly and repeatedly deny their involvement in the alleged activities and if they (should it be necessary) plug any leaks and prevent any incriminating evidence from emerging, then the public will eventually grow weary of a story that increasingly seems trumped up. They may seek to close down the line of enquiry and cut off the flow of information, hoping that the scandal, deprived of fresh disclosures which would fuel suspicion, will gradually die out. They might also seek to turn the tables on the press, accusing journalists of muck-raking, or adopting unethical practices or lowering the standards of public debate, thereby hoping to gain the upper hand in the struggle for public opinion (2000:75).

He similarly recognises the work that journalists engage in. Their conviction of wrongdoing can lead to particular strategic moves. For example, they can maintain the pressure by presenting new disclosures, suggesting new connections and linkages between social actors, expressing opinions, etc. with the intention of maintaining the pressure so that “the scandal will acquire a momentum which will become irreversible, eventually forcing the individuals to admit their culpability and to

accept the consequences” (2000:75). He makes the point that the unfolding of a media scandal is littered with retellings, by various participants and commentators who can access the media and “are continuously refined and revised” in the retellings.

The third phase consists of a culmination where events come to a head, possibly as a consequence of an investigation or court case. This might result in an admission, a resignation or a collapse in the case brought forward. The final phase of the aftermath consists of reflection which can take various forms and might result in certain actions or enquiries.

6. Methodology

The research of the news coverage is qualitative in nature and located in the fields of Cultural and Journalism Studies. News coverage can be analysed using either primarily a quantitative or a qualitative approach. Quantitative research that takes the form of Content Analysis is valuable in terms of performing an audit of how frequently particular events or actors or terms appear in the coverage and making quantitative conclusions based on that audit across a range of texts. It is however a fairly blunt instrument and skates across complex and varied processes of meaning-making within a text. It consequently disallows contextual and nuanced readings, and it is for this reason that a qualitative approach is considered appropriate for this study with Critical Discourse Analysis (CDA) deemed particularly appropriate as approach and method in this case. CDA makes it possible to look for structural and textual patterns and to identify sets of discourses as inscribed in a body of texts over a period of time (Fairclough 1995; Janks 1997; Richardson 2007).

The central question noted in the “Aim of the research” section identified the broad question that drives the study: How is the contestation surrounding the expenditure on President Zuma’s Nkandla home narrated?

The study focuses in depth on the investigative reporting of the *City Press* and the *M&G*, while *Ilanga* is considered briefly to enable broader insights. The sample period of this study of the investigative coverage of the Nkandla expenditure runs from 30 September 2012 to 30 September 2013. The saga “broke” on 30 September 2012 and is consistent with what Cottle describes as an “exceptional, high-profile, media phenomen[on]” that “culturally reverberate[s] throughout society” (Cottle 2006:54). Initially it was envisioned that the sample period would be of shorter duration and that the case would come to some form of resolution sooner. However, the events have not been brought to a conclusion during this period. It is arguably more than an adequate sample for identifying the patterns and trends of the coverage in relation to the various social actors within the media, within Parliament, and in broader society as reported on in these articles.

The texts that formed the data base were sourced online and the criteria for their inclusion required that they should deal directly with the expenditure on Zuma’s private home at Nkandla and responses to it.⁶ The sample of texts includes the reports, editorials, and commentary in the *Mail and Guardian* and *City Press*, as both newspapers played a central role in bringing the question of the expenditure to public attention and maintained this investigative focus over a sustained period. Initially the intention was to draw on the *Sunday Times* as well, as these three newspapers are collectively the most frequently cited ones and produce “breaking big, attention-grabbing stories”. The three weeklies have been described as having the “most powerful investigative teams in the country” (de Waal 2012). However the *Sunday Times* was ruled out as they lack a dedicated online

⁶Coverage of ‘Zumaville’, the development of a rural town in the vicinity, for example, was excluded from the sample.

presence and form part of the TimesLIVE presence.⁷ As the point is to undertake a generalised analysis of the investigative analysis, the sample of two is adequate. Because the intention is not to compare and contrast the separate titles but to look at the investigative coverage as a whole and to avoid endless repetition, they are analysed as one sustained saga and the focus is on the investigative journalism around the Nkandla property. The sample of texts amounts to 300 articles, editorials, and commentary in the *M&G* and in the *City Press* together. The texts that are identified for close reading were selected following a process of immersion by reading all the coverage numerous times to identify the structure, the sequence of revelations and the nature of the response. The texts were selected for moving the narrative forward and for presenting particular arguments that enable the broad picture and sets of contesting discursive positions.

The *City Press* with an approximate readership of 1 704 000 targets is read primarily by a black audience.⁸ The *M&G* has a smaller readership at 459 000, which they describe as a “niche market, interested in a critical approach to politics, arts and current affairs. Large numbers of readers among professionals, academics, diplomats, lobbyists, non-governmental groups”. They describe their online readership as a “Broad-based readership of South Africans and Africans who prefer their daily news to be in-depth and insightful” and as a “generally argumentative bunch”.⁹

The form of the CDA analysis undertaken is an eclectic one. While CDA is most frequently informed by linguistic analytic strategies, here it draws on those informed by media studies, rhetoric, and critical linguistics. As a moral enterprise the investigative reporting incorporates dimensions of narrative and argumentation and the analysis necessitates looking at both dimensions of story and rationalisation. This requires close attention to narrative structure and to the choice of words. The latter, the lexical analysis, looks to both the naming and referencing of people and actions, and to the actions (or transitivity processes.) While these analytic tools are used, the report refrains generally from expressing the analysis in the terminology characteristic of the academic fields. It sets out to also consider the structure in order to identify patterns of meanings and the discourses that are validated by different groups and at different times. The nature of this qualitative research necessitates meticulous attention to small details in order to provide empirical evidence from which the conclusions are drawn. It therefore tends to be lengthy in its descriptions of how the stories and arguments are narrated. The structuring of the mediated event (Cottle 2006) serves here as a structuring device.

While the Nkandla story emerged gradually, with coverage relating both to a high concentration of development in the area surrounding Zuma’s rural home, and to the expenditure on his own home as early as 2011, it “broke” later. This constitutes the pre-scandal stage. The “breach” is established in the first revelation and the pattern of revelations, responses, and denials is tracked in the analysis incrementally. The saga is structured in three larger sections:

SECTION 1:

Pre-scandal when *M&G* begins its probe

Revelation / responses 1: The breach - excessive public expenditure on Zuma’s Nkandla private home.

Revelation 2: Nkandla land ownership and legality of improvements

Revelation 3: Contracts and tenders

⁷TimesLIVE includes the reporting of the Times daily and it is not possible to deal with the *Sunday Times* separately.

⁸<http://www.saarf.co.za/amps-readership/2012/AMPS%20DEC%202012-20READERSHIP%20SUMMARY-with%20Non%20Pay-for%20SAARF.pdf>

⁹<http://mg.co.za/page/about-us/>

Parliamentary interventions

The DA march on President Zuma's private home in Nkandla

Revelation 4: President Zuma has a bond

'Potboilers'

Stage 4: Culmination: Report withheld

Aftermath: The scandal has not closed

M&G get access to Nkandla files (05.07.2013)

While these broad headings serve as a structuring device the analysis examines the range of responses in terms of the discourses they articulate. This is consistent with how a media scandal works for it generates expressions of moral outrage and rebuttals from a range of social actors. In the course of the telling, both newspapers regularly restate the details they have uncovered previously and this serves as a reminder to the reader of the history and background. This retelling is noted here and not referred to throughout the analysis.

As the analysis will show, this saga presents the gradual exposure of details accompanied by layers of refusals by government to provide information in relation to how the money for the Nkandla property was used, sourced, and approved. This runs counter to citizens' rights to information and the media's rights to freedom of expressions as ensured by the Constitution.

This analysis also includes a brief overview of the reporting in the *Ilanga newspaper*, published in isiZulu, for part of the same period. The decision to include this alongside the wider analysis was motivated by a sense of the importance of considering what is being published in an isiZulu newspaper, as it differs from the other two publications in significant ways. While it is bi-weekly and not weekly, it serves a large sector of society with a readership of 937 000¹⁰ and, it is claimed that of those, 474 000 read no other weekly paper. Importantly, as it is in isiZulu it reaches a different readership to the other papers that are analysed here and certainly, its footprint extends into the Nkandla district of KwaZulu-Natal. Moreover, research into the news in South Africa neglects the isiZulu newspapers. The readership is identified as entirely 'black' (implying black African) and tends to be a more conservative Zulu nationalist one as is suggested by then managing director, Andy Stanton, who describes it as "a true custodian of the Zulu language, custom and culture" whose purpose was the "uplifting and informing the Zulu people in 1903 as a 100% black owned product, and today continues to remain true to this mission".¹¹ The coverage is additionally very different from the other newspapers considered in this study, partly because the Nkandla expenditure was reported on more routinely according to conventional news values, and not as an investigative focus. The *Ilanga* coverage was obtained from *Ilanga's* library and depended on their system of filing. There were only 5 texts in total in *Ilanga*. The texts were translated from isiZulu by a research assistant. The intention was to perform a general analysis as a contrast because of the differences in language, target audience, and identity politics. *Ilanga* is not among the newspapers known for its investigative journalism. It would be inappropriate to compare its coverage with that undertaken as an investigative focus. However it exists as part of the news media South Africans have access to and it provides a useful contrast in its coverage and in terms of providing a fuller picture. It is, however, a limited study for various logistical reasons, including issues of translation.

¹⁰ Also sourced from <http://www.saarf.co.za/amps-readership/2012/AMPS%20DEC%202012-%20READERSHIP%20SUMMARY-with%20Non%20Pay-for%20SAARF.pdf>, accessed 05.11.2013. This is comparable to the readership of the isiZulu tabloid, *Isolezwe* with a readership of 943 000 and estimated 2.7% of the population.

¹¹ "Ilanga makes a real connection with readers and advertisers" (23 January, 2007), <http://www.fmcg.co.za/default.aspx?tabid=2118>

7. Analysis of the *City Press* and *M&G* coverage of President Zuma's private home in Nkandla

7.1 Pre-scandal

The *M&G* had followed legal procedures to acquire access to the information on the expenditure on Zuma's Nkandla home in 2009 through a Promotion of Access to Information Application (PAIA) requesting financial and procurement information for the Nkandla upgrade in September 2012. It was refused and they subsequently appealed against the decision.

7.2 Revelation 1: the "breach" – expenditure from the public purse

On 29 September 2012 the *City Press* began what was the beginning of a sustained investigation and exposé of the state expenditure on Zuma's private home in Nkandla, which had allegedly been funded from the public purse. "R200m splurge on Zuma homestead" (*City Press*, 29.10.2012) was the first article in this renewed saga or mediated scandal (Thompson 2000). Its gradual revelations, denials, and further revelations picked up on earlier concerns and requests for information which form the pre-scandal phase. The lengthy 33 paragraph report presents a four stage argument and as this is the opening revelation its argument is presented and analysed in some detail. It first establishes the issue of excessive and secretive expenditure, thereby introducing the funding as an issue of public concern. Second, documentation of a memorandum to Public Works is referenced to establish that this expenditure was recognised as irregular. Third, it turns to the refusal to give more information relating to the Nkandla property expenditure by the representatives of the Department of Public Works in whose ambit such work falls; and, fourth, provides a more detailed background of the work on the Nkandla property.

The opening paragraph of the report makes three points. First, the work being undertaken on Zuma's private home is cloaked in secrecy as it is a "very hush-hush revamp"; second, this work is "extensive" and very costly at R203 million; and, third, it is to the cost of taxpayers, not Zuma. In this first sentence the *City Press* in effect presents the grounds for moral outrage on the part of the public that drives this investigation and so presents it for public debate. It effectively positions itself in a watchdog role or as Ettema and Glasser's (1998) "custodians of conscience" that seek to hold public figures and institutions accountable. This role is made more explicit in the next paragraph, for the *City Press* are positioned as the forensic agents who "can reveal" the first point of misinformation or wrongdoing: despite the Public Works Department's claim that Zuma was financing the project in his personal capacity, they in fact approved the budget 18 months earlier with the requirement that Zuma pay a mere 5% of the costs. This misinformation is thus held against a consensual standard within democracies—public figure are required to be accountable to the public and access to information in relation to public expenditure is presumed.

Apart from the two opening paragraphs the article is generally factual or more detached in tone. The information is based both on official Public Works "departmental documents" that have been "seen by the *City Press*" and on interviews or responses to requests for information from certain public figures involved. The details of the documents are specified and thus the tone is authoritative: "a Public Works memorandum sent to former Public Works minister Gwen Mahlangu-Nkabinde on March 28 last year" identifies that the work includes "installation of security measures" including a helipad, underground bunkers, and fencing. The article is explicit that it is concerned with duplicity. If Zuma was meant to "foot the majority of the bill", the memorandum they have accessed "tells another story". It is the detail contained in the memorandum sent by Durban-based Public Works regional manager, Kenneth Khanyile, to the former departmental minister that is most revealing. The purpose of the memo was to clarify the apportionment of costs between the state and the owner or the "principle" (Zuma). He points out that much of the work fell "outside of security measures" (the article mentions extensive landscaping), suggests this be discussed with the

“principle” (presumed to be Zuma), and requires “written instruction” about work outside the mandate. Khanyile’s memorandum is relatively detailed with actual amounts given to inform his superior. In doing this, he identifies expenditure that falls outside of the ambit of the state and seeks instructions in order to address it. Yet it is the extent of the expenditure that is additionally an issue for the *City Press*: Zuma’s responsibility was R10.6 million (5% of costs), while the state’s portion was put at R203 079 677.18.

The *City Press* detail their attempts to get access to information about this expenditure. First, their attempts to get Khanyile to speak to them were rejected. Then, the Presidency’s spokesperson referred them to the Public Works Department’s acting director-general. This was similarly unfruitful as she (Mandisa Fatyela-Lindie) refused to provide information about the amount spent, justifying it on the grounds that the residence is a “national key point”, thereby explicitly deploying the apartheid legislation of the National Key Points Act (NKPA) and the 1982 Protection of Information Act. This is the first of several news articles in the current saga that reports on the run-around journalists get sent on to acquire official comment and the refusals of access to information. This run-around is of significance not because of its irritation factor for the journalists, but because of its refusal to give access to the public and its deliberate flouting of the public’s right to access information.

The background information presented in this first article enables a rough timeline to be created. In doing this, the *City Press* flag the issue of corruption as they reference Schabir Shaik’s corruption trial in which Zuma was implicated. At this stage they do not explicitly pass judgement on this connection.

- In 2000 the Nkandla “compound” was built by Mr Zuma. Schabir Shaik’s corruption trial revealed that Thales money was used to fund the initial building.
- In 2009 the *M&G* first questioned the upgrades as excessive: they would (then) cost R65 million and include 3 sets of underground living quarters with 10 air-conditioned rooms, a clinic for Zuma and family, 10 houses for security personnel, helipad, houses for air-force and police units, underground parking, playgrounds, and a visitor’s centre. Public works declined to give information at this early stage, claiming ignorance.
- In 2010 work was begun by contractors, including helipad, bunkers, and fencing.
- On 10 March 2011 a meeting was held at the department of Public Works head office about apportionment of costs: Zuma was to pay R10.6 million, only 5% of costs while the state’s portion was R203 079 677.18.
- On 28 Mar 2011 the Public Works memorandum by Durban regional manager Kenneth Khanyile to Public Works Minister, Gwen Mahlangu-Nkabinde, sought to clarify the “apportionment of cost”: the state had already spent more than R203 million of which Zuma was responsible for R10 million. He notes that R205 000 of Zuma’s costs had already been covered by the department and he seeks guidance from Mahlangu-Nkabinde on how to proceed. The *City Press*’s request for further information is refused.
- In November 2011 Mac Maharaj, the Presidential Spokesperson, as quoted in the *Mail & Guardian*, reiterated that the state would be covering security-related costs and that the President was funding the renovations in his personal capacity.
- By June 2012 more than R43 million had been paid by Public Works for the security costs.

If this account describes the opening salvo in what becomes the ‘Nkandlagate saga’, what is notable here is a degree of detachment in the tone of the articles – they are gathering evidence in relation to perceived wrongdoing. While the *City Press* do inhabit a position, as is evident in their description of the expenditure as a “whopping” amount, and their concern is to bring this to public attention, they refrain from being overtly evaluative. (They speak of the government and its representatives, for example, not refusing but of “declin[ing] to comment”). Rather than express it directly, they plant

the seed for moral indignation and the anticipated criticism following this exposure. These responses do occur, as do the subsequent defences that emerge in reaction to the outrage.

7.3 Responses to the expenditure

7.3.1 Democratic Alliance (DA) response

First, a swift riposte comes from the opposition party. Both articles, “Nkandla: Zuma, cancel ‘lavish personal enrichment’ – Mazibuko” (*City Press*, 1.10.2012) and “DA won’t let Zuma’s R203m homestead revamp ‘go unanswered’” (*M&G*, 30.09.2012) report how the DA Parliamentary leader Lindiwe Mazibuko, who spoke at University of the Western Cape, discusses the expenditure in order to criticise Zuma and to call for a probe into the alleged spending. The DA attempts to mobilise the state machinery available by invoking the Office of the Public Protector to act on behalf of the public and to “investigate whether the money for the project had not been transferred from other projects that needed the funds” (*M&G*, 30.09.2012). It further report on two aspects of Mazibuko’s criticism: she identifies the Public Works Department as weak and inadequate by describing them as a department “that is failing in almost every other key responsibility”, and as a department confused as to “what the pressing priorities of South Africans are”. Her second concern pertains to the fact that the high expenditure is for a private home that would not remain a state asset. The strong modality of Mazibuko’s statements (“[We] *will not allow* this to go unanswered”) presents her as an active and concerned agent which is rendered more noticeable in the light of an absence of any response on Zuma’s part.

The *City Press* focuses more specifically on the argument Mazibuko deployed to discredit Zuma’s actions. His “lavish” spending provides the occasion for her to take the moral high ground and in effect to define appropriate behaviour for a president. If Zuma is acting for personal, unreasonable gain (“lavish personal enrichment”), this is discordant with “what his high office demands”. She proclaims that he should “do what is right”: he should recognise his acts, apologise, and then “correct his wrongdoing”. He should “cancel his upgrade”. The use of taxpayers’ money for this project is described as a “social injustice” considering the need for “clinics, hospitals and ‘decent’ classrooms” across the country. Her argument thus constitutes him as dishonourable on account of his actions, an inductive argument that is augmented through comparisons (Richardson 2007:162): for example, rather than one private home, 3692 RDP houses could be built worth R55000 each, (thus 3692 entire families could be housed.) In summary, her tone is one of moral outrage and her argument relates to concern for the public good and serves to expurgate Zuma, and to define “what is” the case, what should be, and what the President might do.

7.2.2 Presidential defence

The second response is the presidential defence published the next day in answer to both the *City Press*’s exposé, and more particularly, to the criticisms of the opposition party’s Parliamentary leader Lindiwe Mazibuko. “Zuma’s Nkandla upgrade needed – Maharaj” (*City Press*, 02.10.2012) reports on the justifications of Presidential Spokesperson, Mac Maharaj. His statement does not pertain to Zuma, for he deflects attention from him by arguing the necessity of the expenditure on the presidential house on behalf of others—the President’s staff and guests. Nor does he address the issue of the level of expenditure, but argues the need to house foreign dignitaries, a very different argument to Mazibuko’s reference to housing for South African citizens. He argues by analogy when he poses the rhetorical questions of where other significant leaders (“President Obama or another African head of state”) should be accommodated and where “Prime Minister Cameron’s security staff” stay: for “you can’t put them in the same house as the family”. Just as discourse operates by what it excludes, Maharaj’s argument is based on certain presuppositions: First, it accepts a standard of practice set in different contexts, namely that the level of luxury granted to leaders of the wealthy

industrialised countries should be automatically the yardstick for South Africa; and, second, it fails to question its appropriateness there or in other places. Additionally, his argument is based on the omission of other relevant information. By not acknowledging the Presidents' three other official residences in urban areas and by ignoring that there is already adequate provision for hosting such dignitaries at these places, his argument presumes its own reasonableness. In the same vein, he presumes that "on principle" the President should not pay for his security or guests. The principle is not clarified, but merely serves to foreclose further argument. Generally, he responds to the questions posed not with information but with (rhetorical) questions and his tone is markedly defensive and dismissive.

The *City Press* article includes a further statement that is defensive of Zuma. Journalist Karima Brown, described as a "political commentator" characterises the revelations as the "media ... targeting Zuma", a criticism consistent with the ANC's position about the news media. Hers is an attack that again does not confront the issue, but rather dismisses this criticism without argument as being mere prejudice in terms of race and class from a group she disparagingly terms "South Africa's chattering class". She suggests Zuma challenges "them" in terms of their expectations of being black and middle-class rather than any concern with the expenditure from the public purse. She does not explain the grounds for her conclusion, a common defensive strategy for addressing criticism that simultaneously evades the issue and insults those that draw attention to it. It also introduces the discourses of racism and elitism, discourses that exist as an undercurrent in these debates.

7.3.3 Nxesi introduces the Ministerial Handbook and National Key Points Act (NKPA)

A further defence of the spending on the President's private home comes from the Public Works minister Thulas Nxesi. In "Nkandla: Minister calls for *City Press* probe" (*City Press*, 02.10.2012) and "Department to probe Nkandla documents leak" (*Mail & Guardian*, 02.10.2012) his complaint is not related to the amount of money spent but that the details of spending have been made public, rather a "shoot the messenger" approach. His twofold argument relates to secrecy, with the first strand concerning the legality of the *City Press* accessing the documents related to this expenditure, which are described as "top secret". The possession of them is constituted as "unlawful" and Nxesi threatens an investigation into how they acquired them. He uses the threat of illegality on the grounds that this property is declared as a national key point to disallow any probing of the issues raised. His tone is officious—he claims, for example, that the information is "protected from disclosure" (where the use of the passive works to obscure who acted to prevent it from disclosure and makes it appear as an indisputable fact in terms of the NKPA). The Public Works department is thus rendered unaccountable: it "will not be in a position to divulge details of security improvements carried out at the president's private residence". In effect, he does not entertain the possibility that access to this information should be considered.

He then disclaims knowledge of the amounts referred to by *City Press*. Ignorance becomes his defence, one that Zuma also uses to deflect any sense of accountability. On 05.10.2012, the *M&G* report, "Nkandla's costs: Trapping the mole in the bunker" presents Nxesi's criticism of the media as devious and conspiratorial. He accuses them of timing the coverage to negatively influence Zuma's chances of being re-elected ANC party president at the Mangaung conference in December 2012. He is determined to identify those who provided the information. The whistle-blowers are termed "moles" in the department. His determination to ferret out this information stands in contrast to his reluctance to provide the information requested by the media. He does not refuse it, but delays it by insisting they wait for the 2011-2012 annual reports to be presented to Parliament.

Second, Nxesi defends the expenditure as consistent with "the Ministerial Handbook on the grounds that it relates to security arrangements for private residences of the President", an argument that is premised by reference to precedent: "normal practice for the former presidents of South Africa".

This justification however turns out to be inaccurate a few days later. The expenditure is further justified as being informed by “scientific” knowledge (“scientific security analysis”), thereby rendering it as authoritative and unquestionable. Thus begins a pattern of obfuscating information by government figures through recourse to apartheid legislation such as the National Key Points Act (NKPA) and the Ministerial Handbook.

In summary, the responses to the breaking of the saga and the first revelation include one of moral indignation on the part of the opposition party, who take the moral high ground in relation to the irregular spending. The revelation and the response are rebutted by the representative of the Presidency and Public Works Department. The rebuttal tends to consist of acerbic attacks on the press and on whistle-blowers, while no consideration is given to granting access to information. From this it is evident that, from the outset, the question of the level of expenditure is side-stepped by recourse to regulations and the secrecy justified by recourse to the NKPA.

7.4 City Press and M&G on Ministerial Handbook and NKPA to prevent disclosure

The *M&G*'s detailed investigative journalism into the issue (through its amaBhungane centre) results in two lengthy responses to Nxesi's claims. In “Nxesi contradicts handbook on Nkandla upgrade”(03.10.2012) they address the justification of the expenditure with reference to the Ministerial Handbook and in “Nkandla upgrade: Last-minute bid to hide costs” (05.10.2012) they consider the use of the NKPA as a strategy to withhold information from the public. If investigative journalism can be construed as a quest linked to information pertaining to issues of social justice or morality, these pieces are clear examples of how the quest is narrativised with protagonists and those that obstruct their cause.

Responses to “Nxesi contradicts handbook on Nkandla upgrade” present a rebuttal to Nxesi's reasons for withholding information about the Nkandla property expenditure in the form of a detailed deductive argument supported by evidence and reasoning (Richardson 2007:161). This 25 paragraphed article is structured so that it addresses the Ministerial Handbook and the Key Points defence, then returns to the Handbook, before discussing state expenditure on Zuma's private home as “a penchant for luxury”. It establishes its focus in its opening, namely that the Ministerial Handbook is being invoked to prevent access to information. It is being deployed “again” to “veil” the spending of state officials on “private luxuries”, notably Zuma's Nkandla property. These actions implicitly work outside of expected democratic procedures. It then details how Nxesi has acted in this regard. His refusals to give the requested information are expressed with words that suggest he is defensive rather than accommodating. He “defended” the plans, he “states categorically”, “criticised” the *City Press*, “warned” about the possession of documents, and “called for an investigation”, all verbal acts (as a transitivity analysis (Janks 1997) reveals) by someone who is deemed authoritative. They are viewed as hostile by the journalists as the comment, “threats against whistle-blowers aside” indicates.

Nxesi's justification that the expenditure is consistent with the handbook is refuted: a mere “look” at the handbook reveals that “this is not the case”. His justification is also described “as paper thin”. The argument is different in tone to the statements by Nxesi. It avoids direct accusations or criticism of the person and his actions, thereby leaving any explicit moral outrage to the reader. Rather it relies on reference to the document itself to make two points.

First, according to the Ministerial Handbook referenced by Nxesi to justify the expenditure, while members of Parliament might designate their private residence as their official one, the Public Works Department's responsibility is limited to general cleaning services as “members are responsible for all costs related to the procurement, upkeep and maintenance” of those private residences. This would exclude the levels of expenditure that Nxesi seeks to justify. The *M&G*'s further question of whether Nkandla is designated as the President's official residence “in addition

to his other three official residences” inserts the issue of reasonable and unreasonable levels of provision for Zuma. While the handbook does allow for expenditure relating to security measures for these privately-owned residences, there is a cap on this at R100 000. The reader is directed to a link in order to be able to read the policy document, a gesture to the people’s constitutional right to access to information.

By returning (after discussion on the National Key Points Act) to how the Ministerial Handbook has been expediently used by public officials to justify “questionable expenditure”, the article makes the point that it open to abuse. This has been acknowledged by the Public Protector who advised that it should be reviewed, and specifically that it “set standards for domestic accommodation of ministers”. Her sense of its urgency is indicated in her request that it be “expedited” in order “to provide clarity on ethical considerations”, thereby indicating improper expenditure on the part of public officials. By drawing attention to the wider problem of this irregular spending without making specific accusations of dishonesty, the reader is invited to consider the Nkandla defence in this light as well. The article closes by recounting the high levels of expenditure on Zuma’s homes, with the sums of R200 million, in addition to R13.9 million, R1.9 million and R50 million being detailed in relation to his three other official residences, so providing further grounds for moral indignation on the part of the public.

“Nkandla upgrade: Last-minute bid to hide costs” (*M&G*,05.10.2012) more explicitly criticises the expedient use of the apartheid legislation of the National Key Points Act in order to prevent access to information. Government have created a “blanket” of secrecy to evade answering questions about the expenditure. They are described as having “ratcheted up attempts ... to suppress the information”; Public Works minister Nxesi has “defended the enormous expenditure”, but is described as “postur[ing]”, and his director-general Fatyela-Lindie “refused to comment”. Additionally, “the department misled the *M&G*” and made “glaring omissions”. The *M&G* argue that Nxesi’s “claims” that the information obtained by the *City Press* is top secret “could be a recent construct designed to prevent embarrassment for Zuma”. First they point to how Fatyela-Lindie’s briefing to Parliament’s National Council of Provinces made the information public in a document accessible online. They also use the costs listed in this official document to make certain points. The consultants’ fees are assessed as extremely high by engineers consulted by the *Mail & Guardian*. Then, several upgrades for ministerial private residences have conformed to the allowed R100 000, with two notable exceptions. Mandela’s upgrades were R23 million, while Zuma’s comes in at ten-fold that amount at an estimated R238 million. Additionally, the department misled the *M&G* journalists when it said it was only spending R36 million on Nkandla for this was the cost of consultants alone for the year. The department is described as “obfuscatory”.

The argument they make is a deductive and provisional one. The Nkandla property was first referred to as a Key Point only when the *M&G*’s amaBhungane centre for investigative journalism asked for financial and procurement information, “emphasising” that it was not seeking “technical detail of security-sensitive improvements”. Fatyela-Lindie’s refusal to give information premised on the NKPA is described as “misplaced”; the withholding of information ensured by the Act is confined to security measures or “any incident that happened there”. Their argument is that Fatyela-Lindie acts beyond the law: “Clearly, she could have given details on the amount of money spent”. Quoting the Act in their riposte to the governmental statements indicates familiarity with the documentation that regulates access to information and thus endorses the position taken by the *M&G* as authoritative and knowledgeable.

In their role as narrative protagonists, the journalists continue to pursue other official strategies: the amaBhungane lawyers’ first application for information was refused, but they have appealed this

decision relating to the refusal of information with reference to the provisions of the Promotion of Access to Information (PAIA).

Their argument becomes very pointed. If information was available in August 2011 and in 2012 Fatyela-Lindie provided information publicly to the National Council of Provinces, they question when Zuma's Nkandla private home was declared a Key Point. They thus deduce that it could have only been given this status after May 2012, raising what they term "the disturbing possibility" that its designation as such was a "conscious attempt to hide information after questions arose about the huge expenditure". The article thus accuses the government of subterfuge, in effect throwing down the gauntlet, one reluctantly picked up by Nxesi as his defence below details.

7.5 Responses to press coverage on Ministerial Handbook and NKPA

7.5.1 Nxesi blames "misperceptions"

Zuma's Nkandla home's expenditure has been labelled a "controversy" which Nxesi insists is based on "misperceptions" ("Nkandla controversy based on misperceptions – Nxesi", *City Press*, 05.10.2012). He now admits the need for giving the public access to more information—"as many details as possible" without compromising security, but grudgingly premises it as not being common practice. His somewhat authoritarian stance permeates his responses and is evident in his reluctance to give the public information, and the public are thus treated in a patronising manner, more like unreasonable children that need crisis managing rather than having any rights to information. They are defined by him as "certain parties" who "will continue to make allegations about this project". He constructs himself as "refut[ing] misperceptions" and he will do so with "facts". He also justifies the expenditure as "not just something done by Public Works on its own", but he claims it is based on "scientific security analysis". Curiously no detail is then given at this stage although he is effectively coerced into an investigation into the expenditure. On its completion he will then present the public with the facts. As one is aware in retrospect that this does not happen, it serves merely as a delaying tactic, for in 2013 the "facts" and information he assures the public of at this stage are disallowed.

Further evasion on the part of government figures is reported in the *M&G's* article sourced from SAPA, "Cronin: Public works will watch Nkandla process" (10.10.2012). Cronin's statements are a consequence of questions asked by the DA MP Dreyer in a Public Works portfolio committee meeting. Again, Cronin provides no detail on the expenditure, saying "that's one of the things we need to look at" and acknowledges the need to ensure the tenders "were done cleanly". They report that he also refuses to give any indication when this might happen. It is not stated by the reporters but it does seem surprising that these public officials have not seen fit to check the figures and have a ready response for the public. The following day, in a report in the *City Press* ("Nkandla: Zuma claims ignorance") Cronin is reported to recognise that the Public Works department had received a disclaimer from the state Auditor-General that is an acknowledgement that tenders were irregularly awarded and that "this could well imply" that this was the case with the Nkandla property ("Public works ducks questions on Zuma's Nkandla upgrade", *M&G*, 12.10.2013). His response does acknowledge that "We need to know and are very determined to find out" about problems in projects the department is involved in, but is unable to comment on Nkandla yet. In addition, the *M&G* remark on other withholding of information by a government official. The Auditor-General is reported as withholding a report with "detailed information on Nkandlagate" from the Parliamentary Public Works committee on the grounds it had not yet been tabled in Parliament.

In contrast to these positions from ANC figures, in "Minister must explain R203 million Zuma upgrade – Cosatu watchdog" (*City Press*, 05.10.2012), it becomes evident that the labour movement in the form of Cosatu, part of the ANC tripartite alliance, is also troubled by the expenditure and the

discrepancy between the permissible amount of R100 000 allowed by the Ministerial Handbook for security arrangements and the R202.9 million being spent on “Zuma’s sprawling rural home” is questioned.

7.5.2 Legal responses: de Vos and Milo on Ministerial Handbook and NKPA

While constitutional lawyer Pierre de Vos made the point on the *Daily Maverick* website that that the law used to provide for security of national key points did not apply in the Nkandla case, he publishes a lengthy opinion piece in the *City Press* titled “Nkandla 2.0 (million)” (07.10.2012). His position, which he argues inductively and systematically, is clear. He considers the expenditure inordinate (“whopping” and a “splurge”) and as criminal (“looting of public funds”) and questions its legality and whether, if illegal, it will be investigated by the Hawks. Before he begins to evaluate the issue of legality he poses the question as to how Zuma would be able to pay his 5% (R10.6 million) share even if it were legal, thereby suggesting irregular financial behaviour on Zuma’s part. This is characteristic of a mediated scandal whereby those at the centre of the scandal are held accountable to the codes of ethics and regulations presumed by their office.

De Vos systematically considers the provisions of the Executive Members Ethics Act that regulates the conduct of members of Parliament through the code it gives effect to, the Ministerial Handbook, and the NKPA. In an exact legal register he argues that the Ethics Act “prohibits” the president from acting in a manner that is “inconsistent with his office, using his position to enrich himself, or acting in a way that may compromise the credibility or integrity of his office ...”. He adds that it further “prohibits” him from “making improper use of any allowance or payment properly made to him, or to disregard the administrative rules”. The expenditure on his Nkandla home thus is in contradiction of these provisions and therefore “unlawful”. De Vos supports this argument by reference to the administrative rules of the Ministerial Handbook, citing “Annexure F” which limits the provision of security measures to a non-recoverable amount of R100 000, the balance to be borne “by the public office bearer”. He thus deduces that any amount above R100 000 is “not in accord with the provisions” and “must be deemed unlawful”.

De Vos further considers the use of the National Key Points Act which does provide for the use of funds to protect so-called national key points, but has to be paid from a particular account and on the instruction of the minister of defence. As this has not been the case, he argues it as inapplicable. He contends that invoking this piece of legislation is an attempt to hide “unlawful expenditure”. Again he defers to the legislated acts and clauses. While section 10(1)c does prohibit giving information relating to security measures in respect of a key point, again this does not apply as the issue in contention here relates to information about the expenditure and not the security measures. His argument is articulated within a discourse that endorses democratic governance, and which is enabled legally by means of the Constitution (of which he is a legal expert) and concern for the public good. Expressing his concern for South Africa as a constitutional democracy, he expurgates those who attempt to use legislation to hide “unlawful conduct” as “shameful” and contemptuous of the “50 million South African citizens who are footing this bill”.

Attention to the use of laws is the focus of Dario Milo’s address at a SA Media Forum event and is reported on in “Nkandla: Apartheid-era laws being used – Milo” (*City Press*, 19.10.2012). The tone of the address as quoted is disparaging of the government’s actions. That they had to “dust off” apartheid-era security legislation to justify their refusal to answer questions posed by the exposé, a suggestion that renders it as outdated, authoritarian, or both. Billing Milo as a “media law expert” serves as an ethotic argument that proposes his knowledge and experience are grounds for trust. That this authoritative figure considers this a dubious way to address the issue is articulated in his assessment of Public Works Minister Nxesi’s recourse to this legislation: “This is hardly the type of legislation I would want to be relying on if I were in the minister’s position”. Its use is constituted

here as undemocratic: “a current threat to media freedom” that “stifle[s] transparency and accountability”.

7.5.3 Editorial responses in the *City Press*

If the legal arguments confine themselves to the law, the acts, and regulations to make the legal case, then the editorials undertake different work in relation to articulating judgement and indignation. “How to use your moral suasion” (*City Press*, 06.10.2012) and “Echoes of DRC’s Mobutu in KZN” (*City Press*, 13.10.2012) share a similar approach to the issue of the Nkandla expenditure. They set up a forensic argument that looks to the past of African post-colonial countries. In terms of rhetorical argumentation, forensic arguments refer to the past actions of particular social actors in terms of their relation to justice or injustice, and seek to either accuse or defend such actions (Richardson 2007:156). However, the two narratives are recounted differently. “Moral suasion” begins with a laudatory and respectful account of the birth and rise of the ANC in its struggle for justice while “Echoes of DRC” recounts the transformation of the Zairean village of Gbadolite by “one of its sons” who was to become known as Mobutu SeseSeko, one of “a band of looters” and African dictators.

“Moral suasion” works then by contrasting the past and the present, the then and the now. More than half of the sixteen paragraph piece presents the ANC’s past as a robust moral movement concerned with justice. The modest beginnings “in a tiny Free State church” (which subsequently contrasts with the immodest Nkandla property) were the work of committed activists: it “was built” by them and its moral stance is expressed as “on the side of light”. The leaders are validated as at war against evil forces in that they “mustered the forces of right” and “fought for justice”. Sustaining the war metaphor, the ethnic, tribal and racial divisions are deemed as “moats” that they however organised across, while the foes consisted of the “might of the colonial and apartheid forces”. The ANC actors in the past are recognised as “the lead intellectual force” and “ahead of their time”, and the evidence for this lies in the drafting of the Constitution and its progressive nature. Underpinning this portrayal runs the insistence of their rationale as informed by “democratic and just opinion”. Its attraction lay in its leverage off “moral capital” and a “lofty vision”. This glowing retrospective of the ANC is halted by the brief imperative: “But look at the party now”.

The details of the present portray the ANC’s defence of the excessive spending (“splurge of R200 million”) as its “final loss of moral authority”. Effectively moving the argument from reviewing an illustrious past to considering the present character of the ANC, it censures and expurgates it. The ANC is described as giving in (“succumbing”) to “life lived large” and defending it with reference to the Ministerial Handbook. The points made include the spending being unjustifiable; Nxesi’s defence that the expenditure on previous presidents’ residences was similarly large is dishonest (“simply not true”); and having recourse to apartheid legislation to obscure information (“casting a dragnet over”) is symptomatic of its moral fall. In contrast to its morally driven rise over a century and its ability to attract people into its ranks through “lever[ing] off moral suasion”, the ANC “is fumbling” now and it “has lost its edge to serve society from the bottom up”. As the ANC document accused the press of being hostile to the ANC, it is interesting to note that this editorial and subsequent explicit moral evaluations are explicit in their support and concern for the ANC, rather than to the contrary. They are explicit it is the immoral actions of the present that concern them. Additionally, they speak precisely to the concern raised by the document in relation to personal greed, enrichment, and conspicuous (capitalist) consumption, here however that of, or on behalf of, the President. Ironically the press in this instance are acting precisely in accord with one of the concerns expressed (item 83): they arguably are acting “in a manner that adds value to the national endeavour and reflect on the broader questions about how our souls are being poisoned by the spirit of conspicuous consumption in a socio-economic formation that encourages greed”.

The question of morality is revisited in “Echoes of DRC” again using a forensic argument that looks back further in history and more widely across the African continent in order to argue an analogy between the looters of then and now. The first fifteen of forty-two paragraphs details Mobutu’s excessive expenditure on his own home. The tone is sarcastic and therefore derisive, for in his rural village of Gbadolite he had a runway sufficiently long to accommodate a Concorde, “three luxurious castles”, “nice-to-haves” such as a huge “nuclear bomb-proof bunker”, and a hospital. If Mobutu is the villain of this piece, the victims are the Zairean people. If he “chartered flights for exorbitant shopping sprees”, the “sweat and blood” of Zairean people paid for these amenities. They “waged a daily struggle for survival” with poor access to healthcare and employment. Mobutu’s behaviour as a national leader is thereby rendered “shameful” and criminal—he is one of “a band of looters of his generation” who “looted state coffers”. The wall of shame is then extended to include Omar Bongo of Gabon and “strongman” Felix Houphouet-Boigny of Ivory Coast and their inappropriate spending on their villages “to benefit themselves, their families and close friends”.

This forensic account serves as the springboard to “fast forward to 2012” and to the village of Nkandla and the “colossal” expenditure there. The luxuries, reminiscent then of Mobutu’s, are listed as “Astroturf clad sports fields, underground bunkers, a private clinic and two helipads”. Again the victims are the people, the “taxpayers” who have to “fork out for the excesses”. The responses to the media are recognised as “worrying” too for if Nxesi’s response to the exposé of the expenditure has been to threaten to track down the whistle-blowers, this is seen as symptomatic of the tyrannical reigns of Mobutu and others who “dealt less than magnanimously” with those who exposed this conduct. The vilification of Zuma’s actions is further argued by analogy with “good” South Africans. Nelson Mandela’s leadership is described as “true, selfless and moral”. As with “Moral suasion” the ANC founding fathers come in for acclamation. They are selected for the ways in which they contrast with the Nkandla splurge and in relation to their concern with public good. J.L. Dube used his influence “to empower others”, “for the benefit of his people”, and Sol Plaatje acted “selflessly” to educate people about injustices. Malawian President Joyce Banda joins the wall of fame here in relation to her austerity measures and her 30% salary cut. The conclusion is in essence an argument that deliberates about the future for it argues there are “lessons to be learnt”. It presents a deliberative argument which acts to caution the leaders. The caution flags what has happened to the “Mobutus, the Mubaraks and the Ben Alis” in terms of how the people will rise up when they have “had enough of carrying the ruling elite on their overworked backs”. The comparison of Zuma with corrupt leaders leaves no doubt as to the position of this article as it speaks to Mobutu’s rebirth: “Happy birthday, Mobutu, your legacy lives on.” Both editorials are explicitly not hostile to the ANC per se, but expurgate those leaders who now act corruptly, undemocratically, and with scant regard for the public good.

7.5.4 President Zuma’s defence: ignorance and misinformation

While the controversy had been raging for some days, Zuma’s first direct response occurs at a business breakfast at Midrand hosted by the *New Age* (a newspaper owned by his close friends, the Gupta family) presumably a non-antagonistic gathering. In “Nkandlagate: Zuma claims ignorance” (*City Press*, 11.10.2013) ignorance serves as his defence or thus functions as an excuse not to respond or at least serves as an effective stalling tactic. He presents himself as ignorant (through two mental and one verbal process, but all articulated in the negative). He is quoted as saying “I don’t know how much it costs”, but defers to Nxesi who would know the cost: “I don’t question when government decides to put in security measures for MECs, ministers”, thereby presenting this as something other functionaries attend to and that he places trust in them. Similarly, when questioned as to whether greater transparency is needed, he “couldn’t judge” but again deferred to his ministers and officials as responsible. He does partially defend the expense in that he argues that security measures come at a higher cost in rural areas. His defence also protests at misrepresentation by the media: “People think when they see my home on television that government does that for me, but a lot of things

done to the homestead was my family". He is reported as laughing and declaring, "Well, I'm blamed for everything every day", self-identifying as the reluctant, albeit jovial, victim here.

What is significant about this defence in relation to issues of democracy and access to information is Zuma's attitude. He exhibits no concern about the possibility of improper spending. His state of ignorance does not appear to impel him to remedy it and to provide the access to information required and which the public are entitled to. There is no statement of concern about the possible misuse of the public purse in terms of the public good. It thus can only appear as a smokescreen to obscure information and to delay or find an effective way to refuse disclosure. In effect the public do not receive the respect for their dignity and the rights presumed in his oath of office or in his public statements. If the slogan of the ANC has been "a better life for all", it is to this sentiment that many of the responses hold the President of the ANC and South Africa.

7.6 Revelation2: Nkandla land ownership and legality of improvements

The issue of land ownership and tenure in tribal lands, first flagged in "Zuma doesn't own Nkandla land" (*City Press*, 05.10.2012), becomes the next item in the Nkandla saga. It reports on a new fact in the case, namely that the land is part of communal land owned by Ingonyama Trust and thus the state expenditure is for a homestead on leased rather than privately owned land. This disclosure complicates the issue further, for the Ministerial Handbook allows spending on the President's "private" residence, designated as a "privately owned house", whereas Zuma only has tenure rights on this Nkandla land. *City Press* cites "several legal experts" that note that the beneficiary of the "massive upgrades" ultimately becomes the Ingonyama Trust. This introduces further uncertainty in relation to both ownership and the legality of the upgrade. However, the "Presidency, department of Public Works and police ministry" did not comment on this when requested to by *City Press*. While the *M&G* did not pick up on this at this stage, the issue of Zuma's mortgage bond gets picked up in various media forms and is revisited below when the issue of the mortgage bond is discussed in more detail.

7.7 Revelation 3: Contracts and tenders

At this stage of the investigative process, the scope of the scrutiny begins to widen beyond the public officials responsible to include those businesses and people who were commissioned to undertake the work of the upgrade. It is noteworthy that the construction industry as a whole is not being challenged, but the focus is confined to those who were appointed to undertake the work and so introduces issues of patronage.

The framing of the lengthy article, "Nkandla pay shock" (*City Press*, 20.10.2012), which presents factual evidence of expenditure, seeks to invoke moral indignation. The word "shock" in the headline indicates it as cause for alarm and the article opens with an uncomfortable contrast. It establishes that Zuma called on executives to tighten their belts, but that five days prior to that "millions of rands" were approved by the Public Works Department to pay various contractors on his home in Nkandla. The article establishes that the information is reliable as they have internal Public Works documentation in their possession. It recounts the extent and cost of various elements of the construction noting that of an estimated R248 million cost to date, R54 million was spent on consultants. As further details begin to emerge about who received tenders at Nkandla, verifiable information is difficult to obtain on account of the layers of secrecy. Those who received them refuse to comment on account of confidentiality clauses, while Zuma claims that his family paid for part of the construction.

Thandeka Nene's Bonelena Construction Enterprise is one company chosen to undertake the costly upgrade, "the biggest beneficiary of the Nkandla upgrade by far". It is established that she "scored" two building contracts of R33.4 million and R66 million. The term 'score' implies good fortune rather

than standard contractual processes. The second contract was for 25 new buildings at R2.5 million each” which are assumed to be for bodyguards. Her reluctance to give information about the contracts and whether she employed Zuma’s niece sets the pattern for the other fifteen contractors, most of whom “declined to comment” about their involvement. It is reported that Moneymine 310, owned by Pamela Mfeka, also undertook work, but again no detail is available.

This account provides some exposure of the amounts spent under the controversial “prestige portfolio” programme that Public Works official Fatyela-Lindie had attempted to keep secret. She denied its existence, a further attempt at secrecy and refusing access to information on behalf of the public. Previously, (in “Madiba, Mbeki got far less than Zuma”, 07.10.2012) the *City Press* quoted a public works “insider” as describing the prestige programme, backed by the national key points act, as “notorious for circumventing procurement rules and not putting work out to tender”. Although there is a certain degree of exposure for those given the tenders, no further reports of detailed investigative journalism into these corporate figures are forthcoming.

7.8 Parliamentary interventions in relation to the Nkandla revelations:

7.8.1 Opposition responses

The opposition parties, specifically the DA, kept up the pressure in the face of incomplete responses and assurances by Parliamentary figures or bodies in order that the issue would continue to receive attention. These are covered by the two newspapers and this coverage is considered before the responses by the ANC are presented.

In “Zuma, explain Nkandla – Zille”(City Press,25.10.2012) it is reported that the DA have followed a formal procedure by, in writing, seeking an account and explanation of the Nkandla home expenditure from the Ministers of Public Works, Defence, Police, and Public Service and Administration. Zille’s outrage is articulated at the expenditure which she renders “morally wrong and unjustifiable given our country’s social needs, but ... also possibly illegal”. Zuma and the government’s actions are made questionable in her description of them “dodging” the questions on Nkandla. That the narrative is explicitly one of misdoing and improper behaviour becomes more evident as more public officials are unprepared to comment.

Further interventions by the opposition party are reported on (“DA seeks changes to law to prevent another Nkandlagate”, *City Press*, 29.10.2012). The interventions include private members’ bills and debate requests to Parliament. Mazibuko intends to submit amendments to the NKPA to prevent its use on the basis of “expediency” rather than national security. Trollip is reported as intending to resubmit changes to the Executive Ethics Act on the grounds of accountability and transparency, to enable “greater access to the president’s declaration of interests”. On 15.11.2012 the various non-ruling parties tabled a motion of no-confidence in the President in Parliament which was initially rejected out of hand. Mazibuko intends to challenge the decision by the Deputy Speaker to disallow debate in Parliament concerning the Nkandla issue.

7.8.2 Coverage of ANC reactions to interventions

In “ANC backtracks on no confidence vote” (*M&G*,19.11.2012) it is reported that the debate would be allowed. The announcement comes a day before a court ruling was to be made on the issue in terms of an urgent interdict made to the Western Cape High Court. The call for the debate is treated with disdain by the ANC who label it a “playful, silly publicity stunt” that “belongs to the rubbish bin”. Similarly, as with the DA’s attempts to visit the Nkandla site, the ANC state their resolution “to quash any frivolous and narrow publicity-seeking gimmicks masquerading as motions in the National Assembly by some opposition parties”. This disdainful and disrespectful response ensures that any

intervention be disregarded on these terms, not on the grounds of rational argument. At the same time the reluctance to act is evident in Gwede Mantashe's defensive insistence ("we will not be frogmarched") that is not "an urgent matter". The nature of these responses is relevant to the focus of this study. In the face of accusations in the ANC document of a lack of concern for the right to dignity, it is interesting that many of the responses are highly adversarial and framed with the intention to belittle. The attacks that render the interventions of opposition parties in Parliament as mere gimmicks are in effect attacks on the dignity and serious nature of the opposition's attempts at procedural interventions. Mantashe's statements similarly evade the issues at hand rather than addressing the concerns relating to providing access to information. This attitude to the opposition is further developed in the discussion below.

While various commentators outside the ANC are making their positions and concerns clear through the media, it is noteworthy that various powerful parliamentarians such as Deputy President Kgalema Motlanthe, when questioned in Parliament ("Motlanthe silent on Nkandla too", *City Press*, 24.10.2012), and Pravin Gordhan, Minister of Finance, when asked by journalists, ("Gordhan, too, dodges Nkandla", *City Press*, 25.10.2012) do not articulate concern. They deflect the questions, do not respond or refer questioners to Public Works Minister Nxesi. One ANC parliamentarian does acknowledge the public's right to know in that Jeremy Cronin recognises the need for Public Works to be transparent: "At the very least we need to make sure, without revealing the details [of the] nature of security ... as far as the tenders issued by public works [are concerned, that] those were done cleanly, there were no inexplicable overruns on costs" ("Cronin: Public works will watch Nkandla process", *M&G*, 10.10.2012). He states that when he has those details, "he would do his best to be transparent". This recognition is exceptional in relation to the responses proffered by the public officials enmeshed in the expenditure scandal. It did not expedite any of the information requested.

7.9 The DA march on President Zuma's private home in Nkandla

The various attempts at intervention that were covered in the press are followed by a further attempt to get the Nkandla issue taken up, this time through enacting a media event. From 2 November 2013, the coverage focuses on the planned and thwarted "inspection" led by DA leader, Helen Zille, of Zuma's private home. The inspection march is treated in this analysis as a discrete stage in this particular saga.

The different frames of interpretation of the DA and the ANC are of interest here, particularly that of the ANC in that it relates to access to and transparency of information in relation to public spending. This specific mediated event is preceded by an opinion piece in the *City Press* by the DA's Parliamentary leader Mazibuko, which can reasonably be assumed to be a statement of the party's position. In addition, the article, "DA probing Nkandla is like 'puppies barking at the moon'" (29.10.2012) presents a response that is indicative of the ANC's response to the DA's attempts to acquire access to information through formal means. The contesting positions are considered before the coverage of the DA inspection attempt.

7.9.1 Background articles prior to the march: the DA

In "The symbol of Zuma's presidency" (03.11.2013), Mazibuko presents an argument that portrays herself and the DA as protagonists in a struggle against corrupt leadership and abuse of the public purse, and that contends that the inappropriate expenditure on the president's personal home symbolises the personally indulgent nature of his presidency. She argues that a certain re-imagining of South Africa from its "exceptionalism" in relation to other African countries (associated with "graft and plunder") has been effected during Zuma's presidency, sarcastically described as a more "modest" vision for a leader, for (she argues) it is confined to "personal

indulgence”, and “his personal vanity”, albeit “funded by South African taxpayers” in the form of “a luxurious private home perched on a hill in one of the country’s poorest regions”. Her argument is a riposte to the responses by a range of commentators who have rejected the criticism of the Nkandla expenditure (“legitimate questions”) as “latent racism”. The argument that she seeks to counter (made by both Maharaj and Nxesi) endorses the expenditure by arguing Zuma’s right to dignity, the same “dignity” attributed to his Western counterparts with all the trappings of luxury and privilege assumed to be evidence of their dignity. She describes this defence as a “desperate smokescreen” and states that the DA’s attempts to get transparency have been “stonewalled”, thereby employing metaphors relating to obscuring visibility and creating barriers to access.

By presenting an argument that talks to the existence of “laws and regulations” and the “extent of the South African people’s financial responsibilities” to any president, she establishes her position as respectful of due process and the public good. In contrast, she renders the ANC which she recognises as “one of Africa’s oldest liberation movements” as now invoking the legal provisions enacted “at the height of apartheid” in the form of the NKPA, originally passed in 1980. By deferring to this legislation in terms of the unexplained public expenditure on Nkandla, she argues that it “makes it almost impossible to determine who authorises a project and how it is paid for”. This secrecy is unacceptable for the DA who is thereby validated as “determined to get to the bottom of” all the “unanswered questions”.

The second point made relating to the laws and regulations that the ANC defence has cited pertains to the Ministerial Handbook. She contends that this argument “holds no water” on account of the limit of R100 000 placed on such expenditure. The lack of transparency as a consequence of their requests being “stonewalled” results in a lack of access to information. Using repetition Mazibuko emphasises the lack of access to information as a consequence of this secrecy, “We still do not know” what fund the money is then coming from, and “We don’t even know” in fact whether Zuma’s house is officially a national key point because the law allows such secrecy.

Mazibuko constructs the DA as engaged in proactive work in contrast to the ANC’s refusal to disclose information. It “requests” information from the Minister in the Presidency; as its representative Mazibuko will “introduce a Private Members Bill” to amend the NKPA as the implications of secrecy bills will enable “a situation not unlike that of South Africa under apartheid”. Moreover, the DA “will be resubmitting our legislative proposal” in relation to the code of ethics for government procedures and propose “to establish an oversight committee”.

If, as Mazibuko proposes, the DA engage actively in ensuring accountability and thus demonstrate leadership, she is unequivocal about Zuma: “our president lacks the humane qualities to lead”. She judges him in accordance with his public duties and responsibilities and the ethics code public officials should comply with. He will not “consider the ethical dimension of public service”; “will get away with” whatever he can; and his government’s responses are “framed in dubious procedural terms”. Her condemnation of the President points to him as “insulated from public opinion”, as demonstrating “a monumental lack of judgement”, with his “extravagant lifestyle and callous indifference” to South Africans who exist in a “sea of grinding poverty”. Her expurgation of this mode of leadership is then argued by what it has in common with the lifestyles of assorted African tyrants (that she flagged in the opening sentence). He is in the “mould” of Kenya’s Daniel arap Moi and Equatorial Guinea’s Teodoro Obiang Nguema Mbasogo. In contrast Joyce Banda is framed as active in setting out to engage in “ambitious domestic reforms” that are people-focussed. Mazibuko closes the piece by describing the Nkandlagate debacle as “symptomatic of an existential crisis in the ANC”.

7.9.2 Background articles: the ANC’s reaction to the DA interventions

In “DA probing Nkandla is like ‘puppies barking at the moon’” (29.10.2012) the *M&G* recounts the response by Moloto Mathapo, ANC chief whip spokesperson, in an interview with journalist Nickolaus Bauer. Mothapo’s broad position is established before three aspects of the controversy are dealt with under the headings ‘Attempts to modify legislation’, ‘Public scrutiny’ and ‘Disallowing debate’:

Mothapo sums up his response to the DA’s actions in his dismissal of them as immature and slightly lunatic: “like puppies barking at the moon”. He calls for “concrete proof of alleged impropriety” and articulates a position that contrasts with that of the DA, namely that “the president has done nothing wrong”, consequently suggesting wrongful accusations on the part of the DA. If challenging the NKPA legislation is key to the DA’s ability to get the concrete proof he demands, Mothapo dismisses the attempt as “political point scoring” and further confidently notes that the ANC majority would block any such attempt. Further, in relation to the issue of “public scrutiny” of national key points in terms of knowing which are deemed keypoints and getting access to information about the running costs, Mothapo evades the issue and defines the request for information as a strategy, “not to strengthen democracy but simply grab headlines”. He further dismisses an attempt to have it discussed in Parliament as “frivolous”.

The article concludes by listing procedural attempts that disallow debate, namely the refusal to allow debate in the National Assembly on Nkandla, and the refusal on the part of the Standing Committee on Public Accounts (Scopa) to investigate the Nkandla expenditure. It is with these positions clearly articulated that the DA march unfolds.

There is a significant point to make in relation to the nature of the coverage of the controversy that ensued around the march. In the ANC’s criticisms of the news media, the accusation of their serving other interests can be construed as support for the opposition party. It must be noted that there are particular circumstances in which both the opposition politicians and the press might have similar intentions. In this instance, the DA’s desire to acquire information about the expenditure is shared by investigative journalists of the two newspapers – both they and the opposition party seek access to information about the costs of and source of funding for the Nkandla property. However, to conflate the interests of two sectors based on their agreement on a single case in order to propose it is symptomatic of all coverage is a flawed deductive argument (Richardson 2007:161).

7.10 Coverage of the DA’s inspection visit to Nkandla

Both the *M&G* and the *City Press* covered the DA’s visit of a delegation of seven people, headed by party leader Helen Zille, to inspect the Nkandla property. The coverage included attention to the DA’s actions, the resistance they encountered, and the arguments made by both DA and ANC commentators. Despite having obtained permission, their passage to the property was disallowed by the police who argued that this was to ensure their safety in the face of a crowd of 800 to 1000 ANC supporters bent on preventing their access. Many of these supporters had been bussed in, indicating an organised resistance on the part of the ANC. Zille’s objection to not being allowed to continue with her delegation resulted in a charge being laid at the local police station.

The visit was responded to prior to and post the attempted “inspection” (in Zille’s words) by accusations and sharp invective from a range of ANC spokespeople. These responses belittled the action and expurgated the DA actors on a range of grounds. Few of them addressed the primary issue that Zille sought to foreground, namely the irregularity of the expenditure on the Nkandla property, but were articulated as *ad hominem* attacks which do not provide the grounds or reasons for the accusations.

7.10.1 ANC responses to Zille's thwarted march

If "politics is the continuation of war by other means" as Foucault (1997) suggested¹², this warring is picked up in the metaphors of combat is sustained in the responses that opposed the "visit". In "DA may face violence at Nkandla" (*City Press*, 02.11.2012) the unnamed KZN ANC spokesperson speaks of the DA as the enemy: the DA "invade their home"; the visit is constituted as "provocative", and a "direct attack on the president and his family". This is used as justification for aggressive responses on the part of ANC followers "to defend themselves" and for the possible violence the DA might encounter. The potential for violence on the part of Zuma supporters is thereby legitimated, using the argument that if the DA were injured in the Cosatu march in May in Johannesburg, this is the likely outcome of this delegation. What this argument omits is any recognition of violence being inappropriate or the possibility of calling for respect for the DA march (as the ANC were granted when they marched to the Goodman Gallery in support of the Zuma). What underpins this argument is the sense of the Nkandla property which has been funded to the tune of R230 million of public money as private, "not a public place", and the "inspection" as unwarranted or a violation of personal privacy.

Similarly, the "eastern Cape ANC" similarly consider the visit warlike by likening it to "raids [on black people] conducted by the [white] apartheid government" ("DA visit to Nkandla 'unnecessary and unwarranted' says ANC", *M&G* 03.11.2012). Jackson Mthembu, ANC national spokesperson reiterates that it is an "invasion" and "an action of provocation". That it was construed by the ANC as an attack on Zuma was made evident by the placards reading, "Stop attacking Zuma", the wearing of t-shirts displaying support for him, and the playing of Zuma's signature song *Awulethu Mshini Wami (Bring me my machine gun)* ("Cops line road to Nkandla ahead of DA visit" *City Press*, 04.11.2012).

If "mischievous" can signify either impish or malicious, it is the latter meaning that Maharaj, the Spokesperson for the Presidency, means to imply when describing the visit (in "DA's Nkandla visit is mischievous", *City Press*, 03.11.2012). This attribution alongside calling it a "publicity gimmick" becomes definitive of the situation and other ANC commentators subsequently repeat this interpretation. The consequent blockade by the ANC is also legitimated as appropriate by Thulani Mashaba, local ANC chairperson. He in fact acknowledges that the issue at stake pertains to inappropriate expenditure of the public purse, for he rejects Zille's actions on the grounds that as there are children "dying from poverty in her own province", she has "no business pointing fingers at the president" ("Zille barred from Nkandla inspection 'for own protection'", *City Press*, 04.11.2012). That the DA's decision to "visit" Nkandla is not unanimous among DA members is also made explicit in this article and while Zille's actions are reported on, they are not championed or covered in much detail. More editorial space is given to the ANC responses in fact.

In a statement SACP's Malesela Maleka condemned the visit by reiterating it was part of "the ongoing DA cheap publicity stunts" ("SACP: DA visit to Nkandla 'racist', 'right wing' and a 'publicity stunt'", *M&G*, 03.11.2012). Political expedience and recklessness are attributed to the DA and the visit is discursively constructed within the customary/traditional discourse that has become common. It proposes that criticism of leaders or others are attacks on their dignity. They are often countered with accusations of racism or lack of respect for one's culture, as happens here. Maleka describes the DA's actions as "reckless attempts to score political points". In addition to this reiteration of political point scoring, their action is constituted as racist, as part of a "racist right wing agenda". It is deemed to be dangerous for it "threatens the country's reconciliation between races". He calls on residents to protect Zuma's dignity and, although espousing warlike rhetoric, he ironically

¹² This is his corrective of Clausewitz's position that "war is the continuation of politics by other means" (Foucault 1997: 48).

legitimizes it as humanitarian: “the values of *ubuntu* cannot be sacrificed at the altar of political expediency”. The construction of the DA’s visit as about race and thus as racial warfare is additionally indicated in the singing of the anti-apartheid protest song, *Dhubelaibhunu* (Shoot the boer). The issue of Zuma’s dignity is again promoted and thus draws on a customary discourse, as does the deference to *ubuntu*.

The leader of Nelson Mandela Metropolitan University (NMMU) South African Students’ Congress (SASCO) branch is also reported as having tweeted about the visit as “mischievous” and reiterated the wartalk: the DA were the “enemy” and “must die like cockroaches”, intertextually invoking the Rwanda genocide; their visit “incite[d] violence”. Despite this position, he legitimizes his position by attributing a lack of morality to them: “the DA acted against all morality by going to Nkandla”. This is reported in the article, “DA Youth complain over ‘die like cockroaches’ tweet” (*City Press*, 05.11.2012).

7.10.2 Zille’s response to the thwarted march

The responses to the thwarted visit and to the criticisms by the various ANC commentators is contained in the statements Zille makes, which are also covered in the press. She denies her actions were a “publicity stunt” (“Nkandla was no publicity stunt – Zille” *City Press*, 05.11.2013) but feels her intention to draw attention to the expenditure was achieved. The arguments she presents foreground the DA’s actions in relation to Nkandla as both procedural and legally acceptable. She has made requests for information from the ANC; she obtained permission for gathering on a public road in the Nkandla area; she has laid a charge against the ANC under the Gatherings Act. Her response to the criticism that Nkandla was a private residence is that Zuma had unequivocally “lost the right to call his home a private residence” on the basis that it has been paid for by public funding, further arguing that the money has worked to the detriment of South Africans. They are constituted as the victims of this expenditure who had to “sacrifice the basic services they need”. Similarly she finds the expenditure inappropriate considering that the government refused to pay for “the relatives of the victims of the Marikana shooting” to attend the Farlam hearing.

In “Zille, Mac go at each other over Nkandla” (*M&G*, 05.11.2012) Zille similarly justifies her visit on the grounds that accepted procedures for acquiring information by asking questions had not provided the information sought and that instead apartheid legislation was evoked. Accordingly, “inspections” as “a standard oversight method” undertaken by members of Parliament provided the DA with a chance “to see for ourselves”, “to see what R248 million buys you”. She responds to the accusation of provocation by inverting the issue and describes the spending of R240 million as a provocation. For Zille, her actions are vindicated in that they attracted public awareness.

The use of the media by politicians, who seldom engage publicly without ensuring a media presence, is framed hereby the ANC as publicity stunts. Although Maharaj dismisses Zille as employing “cowboy tactics” in her approach and not following proper channels, his position is a selective one as he ignores the requests for and denials of information on the part of the Public Works Department and the Presidency. Again his response is defensive, accusing Zille of racism for referring to the property as a ‘compound’, which is constituted as racist use of language.

7.11 Revelation 4: Zuma’s response: I have a bond

A number of reports recount Zuma’s statement in Parliament in which he argues that he is paying off the Nkandla property building costs (for the five family buildings) and has a bond on his home, a revelation that results in further intrigue and investigations. As the reports relate to the same statement they tend to repeat his words. In Zuma defends his Nkandla “family home” (*M&G*, 15.11.2012) he is described, using a combat metaphor again, as “managing to duck” an

impromptu discussion in Parliament on his fitness to hold office, but “came out fighting” about the Nkandla property. He suggests that the Public Protector’s Office should be “screened” before investigating his Nkandla property. He defends the construction by declaring that “all the buildings and every room we use” are built by the “Zuma family”. He states categorically that “Government did not build a home for me” and that he was paying off a bond. With this justification, he then constructs himself again as victim: this treatment of him is “unfair”. He accuses his questioners of arrogance when he says “you believe people like me can’t build a home”. The DA’s attempted visit to Nkandla is deemed malicious and intended “to make a laughing stock of me and my family”.

In “Zuma: I take exception to being called first-class corruption man” (*City Press*, 15.11.2012) the focus is on how Zuma responds in Parliament. The construction of himself as “aggrieved” is made explicit. As in the case of other statements Zuma has made when he presents himself as mistreated, he emphasises his family as sharing the humiliation and pain he considers himself subject to. He states that he and his family are victims of the close scrutiny he has been subjected to. The DA “have made a laughing stock of my family”; and he presents himself as wrongly judged and innocent: “I have been convicted, painted black, called the first-class corruption man on facts that are not tested”; “people are speaking without knowing. It is unfair”; “I have never asked government to build a home for me”; he claims he took out a bond for the upgrade. Importantly, he does not present any information to counter the accusations in relation to the expenditure. His defence is that the state is only paying for security costs.

Mazibuko is reported to have followed this up by noting it is precisely these costs that are being scrutinised and questions him whether the “air-conditioning systems, the lifts to the bunkers, the gyms and the visitor centre were part of security enhancements”. Zuma’s answer is vague for he responds that they were not part of the home he built. He states that action would be taken if any tenders were inappropriately awarded.

7.12 *City Press* and *M&G* responses to revelation of home loan

Zuma’s claim to have a bond led to investigation on the status of his bond. As no bond history could be identified it was reported that “Zuma has no bond” (*City Press*, 17.11.2012) and “No bond registered on Zuma’s Nkandla home” (*M&G*, 18.11.2012). While this information turns out to be inaccurate, the newspapers concerned investigated the deeds office and drew a blank there. The question of the bond is framed as another moment in the scandal: his claims as to the financing of his home “raised more questions than they answered”. The revelation was expressed factually as follows: “*City Press* can reveal that no bond is registered against the Zuma family’s property, titled portion 27 of reserve 19 of farm number 15 389, Nkandla”. The lack of records of the bond and the information from the Ingonyama Trust’s property manager that there was no bond on the property as far as she knew led to this conclusion.

Post this revelation accompanied by a heightened degree of indignation at Zuma’s information as “misleading”, it is established that there is a registered bond for R900 000. However, it is not a straightforward affair and the *M&G* point to irregularities that suggest preferential treatment. Five points are made. First, the bond was granted when Maharaj was a director of First National Bank (FNB). Second, it is on leased and not privately owned land and therefore against bank policy to grant the loan. Third, the “numbers still do not add up”. Fourth, it was bankrolled by business man and friend of the President, Vivian Reddy, standing surety. The detail of the surety was first brought to public attention in the fraud trial of Zuma ally, Shabir Shaik. Finally, Zuma’s lease of the land was only finalised in 2009, although the loan was granted in 2002. The *City Press* (“Presidency’s Zuma bond claim leaves unanswered questions”, 20.11.2012) uses the information that has been circulating that Zuma would be responsible for 5% of the upgrade costs which amounts to R10

million. As the president's salary is a matter of public record, the question is asked how he would be able to service a loan of that magnitude.

What is interesting here is that FNB clearly gave Zuma preferential treatment. This collusion of powerful players (for in the Shaik trial evidence was led that an FNB housing loan official is reported to have said in an e-mail: "I'm convinced the appropriate authorities will help us bend the rules slightly") is noted but does not become the object of significant scrutiny.

If the *City Press* reported that Zuma had no home loan, the loan becomes a further issue that suggests procedures that are not straightforward ("Zuma has a home loan", 20.11.2012). Maharaj dismisses their suggestion as "speculations and rumour-mongering". His tone is authoritative and he states, "We reaffirm that Zuma does indeed have a bond with one of the national banks and he is still paying it off monthly". He addresses the media using a measured tone: "We urge the media to respect the various aspects of security enhancements ...", inferring that the media are disrespectful on such counts. The article indicates the support Zuma receives in the form of applause and the singing of praises, including from ANC supporters in the public gallery.

Further details emerge gradually in relation to the bond: "Different sources paid for Nkandla – report" (*City Press*, 21.11.2012) recalls the connection between Zuma and Schabir Shaik (with his conviction for corruption), and businessman Vivian Reddy. That Zuma received a bond on tribal land would have been irregular in relation to FNB's regulations and presents further complications in relation to how he secured one. This is answered in the same newspaper the next day: "Strange circumstances allowed Zuma loan" for the R1 million home loan. In spite of the Deeds Office showing no record of the loan, the fraud case documents include Zuma's application form and certificates relating to the Nkandla property.

The unusual circumstances are listed:

- Reddy's bank account being provided as the account from which the monthly loan repayments were to be debited (he paid Zuma's monthly instalment of about R12 000 for at least two years);
- A hand-written note by a bank official questioning whether FNB could actually provide a bond on tribal land;
- The loan was secured a year after the buildings had already been built;
- The original loan application was for R650 000 but later increased to R900 000—despite the bank's valuation of the buildings only being worth R650 000;
- An additional R180 000 was later added to the loan amount for "contingencies", and Two certificates of "permission to occupy" being granted to Zuma by the KwaZulu-Natal government – after he applied for finance and which were then ceded to the bank to secure the loan ("Different sources paid for Nkandla – report", *City Press*, 21.11.2012).

7.12.1 Corporate rot

What becomes evident is that this series of revelations and denials are concerned with improper expenditure of the public purse by those who are entrusted with the tasks of government. What is less frequently addressed is the extent to which the corporate sector is implicated in these corrupt practices. While the two newspapers do not give much attention to this dimension, one response does precisely that, and while it is an exception in this coverage, it is a relevant and necessary argument to include. In the opinion piece, "Songezo Zibi: Nkandla exposes corporate rot" (*M&G*, 14.12.2012), both the title and the lead paragraph provide the kernel of his argument: "It is fashionable to blame politicians for a lack of ethics, but they are abetted by business". Zibi's billing

as belonging to the Midrand Group of social and economic commentators proposes a degree of authority in relation to the topic of corporate and political corruption.

He first identifies what he considers inappropriate banking action according to the banking institutions' own rules when he refers to the decision by "some of South Africa's major banks" to lend Zuma money. He views them as irresponsible, corrupt and "cavalier". He defines their actions as "scandalous". They "break their own rules ... to service the egos of the elite"; they "accommodate powerful people" but are punitive to others "who do their best to play by the rules"; they "put the bank's money at risk" for these powerful figures. He also points to a selective form of justice. While Schabir Shaik went to "prison hospital" for "bending the rules with Zuma", there was no repercussions for the banks or their officials that enabled this by "bending" them.

This expurgation is not confined to the corporates and the politicians too are denounced as "godfather politicians" produced in "our degenerative political culture". They have a "god complex" and their functionaries or lackeys seek to "please their bosses". They are signified through the use of a disease metaphor, as a "cancer" that permeates the social body. The banks defer to them: they "bent over backwards to provide huge credit facilities to an insolvent client they should not have touched with a barge pole". He denigrates this "reverence" accorded to politicians, justified by "their role in the struggle" and the banks who then act improperly in the hope of securing "greater business opportunities from the state's lucrative procurement pond". His deeply critical argument moves to discussing the ANC's 53rd conference at Mangaung where he argues that the "cracks" will be papered over. The leaders are described as delusional in their belief that this could "form the foundation of a more prosperous society".

In closing he criticises the banks who "promote nepotism and cronyism"; their behaviour is therefore rendered destructive of democracy; and he returns to the starting point of his argument that it "is easy to blame the politicians, but they cannot complete their handiwork without willing accomplices in the private sector". What is significant about this argument is that it flags how corporate corruption is not the focus of the news media, neither in terms of frequency nor depth of attention as is the case with politicians.

7.13 General responses to the Nkandla expenditure in press

During the course of the saga there has been a greater range of differing responses by various South African groups or individuals than has been referred to thus far. These are introduced herein order to include a sense of the diversity of voice in the coverage, which is fairly limited. It includes responses solicited from non-elite sources, public figures in civil society, a call for a dignity law, and an article that addresses party loyalty.

7.13.1 Non-elite solicited responses

While the coverage tends to seek opinions and ideas from elite sources a small amount of attention is given to the local voice. While it is slight, it is included in the analysis as one of the criticisms against the press related to limited attention to and access by non-elite people. Early in the saga, in "Nkandlagate: the astro-nomical upgrade" (*City Press*, 06.10.2012) a host of details of the upgrades are presented. They include "two astro-turf soccer pitches", "an entertainment area", "a series of houses ... some of which are linked by underground tunnels", "the family's private clinic, the on-site fire department", staff quarters and "the double heli-pad" among others. The voices of "local residents" are sought for their responses to the development – probably for the first time in the coverage. The tuck shop owner who wishes to be anonymous values the development that has occurred since Zuma took office. Those close to his private home anticipate employment, while those in the nearby Magwaza tribal area lament the lack of any money from Public Works to help

them with their comparatively modest requests for measures to counter land erosion by paying for tree saplings for planting, a telling contrast that the *City Press* includes.

The *M&G* "Nkandla upgrade: Last minute bid to hide costs" (05.10.2012) reports on a trip to Nkandla and the interviews with the people outside Zuma's private home. The journalists' questions solicit certain responses. The workers were asked about who paid for the sports complex and the answer was that it was for the children of the homestead. The question about who would benefit from the chicken coops in the homestead grounds brought the response "Jacob and his wives". The more salient point perhaps relates to their reporting on the attitude of the people about the homestead. Unlike the moral outrage articulated by the legal and editorial articles, the respondents "were similarly unconcerned" about the exact financial arrangements behind the new development "in their backyard". The point is made that he is not held in awe, but certainly a sense of loyalty pervaded. One resident states that he will not speak badly of Zuma who he constructs within kinship terms: "a son of Nkandla", a fact that leads to his declaration, "We are proud".

In contrast, a survey released by a consumer insights company and reported on in "Nkandla money can be put to better use – survey" in *City Press* (08.10.2012) claim that 4 out of 5 young South Africans feel the money spent on Zuma's house could have been put to better use. It is not clear where they sourced the respondents, whether urban or rural, etc.

7.13.2 Party loyalty and democracy

What the attempts to get access to information have revealed is an impenetrable cloak of party loyalty that arguably works as a deterrent to realising this right. This is expressed by the SACP position and is critiqued in "Madonsela: The thin blue line of government" (*M&G*, 09.10.2012).

SACP and the "dignity law"

Zuma has faced criticism before and frequently the defence by the ANC has been one that decries the lack of respect. "Respect" becomes a floating signifier bearing different meanings within the different discourses, and generally when it has been used in Zuma's defence it implies unequivocal deference. This meaning is often invoked as African tradition too, expressed as "in our culture" and lack of due deference becomes equated as attacks on the person's dignity. This links to the ANC discussion document's concern that freedom of expression needs to be moderated in respect to dignity. Arguably though, invoking "respect" and "dignity" can serve simply as a defence against examining the grounds for criticism. It is perhaps unsurprising then that the SACP introduce this strand of argument in this Nkandla saga.

In "Law needed to protect president's dignity – SACP" (*City Press*, 12.11.2012) the KZN SACP provincial secretary calls for a law "to protect the dignity of the president". Mthembu's declared position is that Zuma has "been the subject of a barrage of attacks" and he describes these as "unfair" and "lacking in truth and fact". His remedy for these perceived insults is to create a law. The purpose of the law is to protect the dignity of the Office of the President. He allows that "they can criticise" but must not "insult and undermine the head of state". This authoritarian approach does not attempt to explain what is good or bad criticism, nor does it explain how to differentiate between personal and presidential conduct. It does speak to a perceived need for deference in dealing with the president. This is not something that Zuma would be averse to either as his subsequent statements made clear. He warned the congregants at the Presbyterian Synod in Giyani, Limpopo, of a curse on those who lack "respect": "If you don't respect those in leadership, if you don't respect authority then you are bordering on a curse," said Zuma ("Cursed if we criticise Zuma? Think again" *M&G*, 07.10.2013).

In contrast, a position of blind loyalty and unquestioning deference is criticised for working against democratic practices and principles. In an opinion piece, "Madonsela: The thin blue line of government" (M&G,09.10.2012) it is argued that recourse is frequently made to the Public Protector, the courts and NGO's as the "thin blue line" between public faith in state processes and "outright graft and incompetence", whereas it should be the role of Parliament within democratic dispensations and its elected representatives to "hold the state to account". It is a critique of parliamentary politics as it operates in South Africa at present in terms of not holding those in power accountable. It is question time, the article argues, that should enable oversight over executive actions. Yet, probing questions are not asked by the ANC. Instead they defer to some loyalty code. In effect, question time in Parliament is described as "smattered" with 'sweetheart questions'" in a "self-congratulatory tone". Moreover Zuma's attitude to the leader of the DA when she poses questions is viewed as disrespectful and dismissive. Instead of the anticipated "honourable member", he has referred to her as "my dear" and "ntombazana" (girl) in question time.

If the responses by government figures have been marked by a tendency to declare ignorance of the expenditure details and to refer it to Public Works Minister Nxesi, the Standing Committee on Public Accounts' (SCOPA) response similarly is marked by a lack of urgency or enthusiasm to provide detail. The request by the DA to investigate the expenditure is not refused, but the committee are unprepared to "launch a separate investigation"; it will receive attention "when the Department of Public Works presents its financial report to the committee ("Scopa to query Nkandla – report", *City Press*,31.10.2012). Deference to power is described as an "accountability deficit" (according to Adam Habib then at the University of Johannesburg) that undermines democracy.

7.13.3 Other responses: SABC

Jimi Mathews, head of news at the SABC, declared his allegiance and approach for he too is concerned with issues of respect ("Calling Nkandla a 'compound' is racist –SABC" *City Press*, 07.11.2012). He considers the word, "compound" used to refer to the large homestead consisting of several buildings and land as a whole a racist term, a criticism that gets responded to in various ways, many dismissive and some speaking of a need for greater sensitivity. On 10 November, Mathews justifies this position further by arguing, "I wanted reporting, not comment", expressing the assumption that news reporting evades judgement or evaluation ("Apartheid language lives on", *City Press*,10.11.2012).

7.13.4 Civil society responses to Nkandla expenditure

Civil society also engages in this controversy on the side of democracy and access to information. In "Nkandla: Courts have little power if Zuma won't play ball" (M&G,05.11.2012) Mark Heywood, executive director of civil rights NGO Section27 argues that the prima facie evidence of the amount of money spent on Nkandla is at issue and that it should not merely be the DA who opposes it. He argues the culpability of all members of Parliament as they have not taken issue with it. His point relates to democracy, the Constitution, and the obligations of members of Parliament. This goes beyond blind loyalty and deference: "Fulfilling a constitutional duty is not a hostile act to your own party."

In the same article, Alison Tilley, executive director of the Open Democracy Advice Centre, considers tactics such as using the NKPA to withhold information as "dubious" practice. She also expresses concern in terms of transparency. She argues by analogy with other countries who are attempting to improve transparency through access to information, but argues "little is being done" in South Africa and government's failure to even implement the transparency policies in place here was "troubling".

7.14 Pot boilers – coverage persists

During the period of waiting for the Public Works Department into 2013, the two newspapers keep Nkandla on the agenda through a range of coverage which is in the same vein as that which has been described thus far. The issue of moral outrage infuses the coverage in particular circumstances, and when it is a very respected social actor it acts as an ethotic argument because of the respect s/he invokes.

7.14.1 Morality issues

Archbishop Desmond Tutu's reputation for integrity and high moral standards and his very public role in the Truth and Reconciliation Commission have established him as a credible, authoritative, and influential public figure. Known for his outspokenness during apartheid, the reporter quotes his chastisement of the Zuma government as being similar to the apartheid one. Because of his reputation, his expurgation of Zuma holds considerable weight. In the article, "Who in their right mind could have approved Nkandla? – Tutu" (*City Press*, 12.12. 2012) he is reported to have asked a series of rhetorical questions that in effect vilify both Zuma and those officials who have enabled the expenditure on the property.

Its inappropriateness is indicated in the question that forms the title of the article. It is further rendered as insensitive and unfortunate in "that area" where there is such "squalor and poverty". That he asks "What is the matter with us?" makes the point that something is very wrong. He accentuates the point that government are acting badly by suggesting to National Planning Minister, Trevor Manuel, that he does not belong in such a government. He addresses him familiarly as "Trevor" and gives him a message for Zuma: "Tell your boss this old man who said he was retired, I am going to come back". He declares that he will "pray like he prayed for the Nats". He implicitly positions the ANC leaders as being as much in need of prayers as the apartheid government were, that is they are just as corrupt.

City Press editor Ferial Haffajee picks up on Tutu's response in her editorial, "Three conferences; three scandals" (16.12.2012). Her focus is on the allegations of corruption that have shadowed Zuma. She uses three ANC conferences in terms of the "pall of the corrupting influence of power". In Stellenbosch 2002, the allegations of corruption surrounding Zuma and the bribe he allegedly sought through Shaik were "shrugged off" and the journalists asking these questions were denigrated as "rude". In 2007 at the conference in which he was elected as president again, Haffajee argues, no mention is made of "the hundreds of charges of corruption, fraud and racketeering he faces". Third time round in 2012, the question of the scandal surrounding the Nkandla property is the elephant in the room. Her argument speaks to a series of corrupt deeds and her lament is that "we" (South Africans) are "now inured to corruption". She questions the figures – if R100 000 is legally acceptable expenditure on security measures, the balance of R247 900 000 needs to be accounted for. Her description of the development as "a feudal castle" in the poor region of KZN speaks to her moral censure thereof. She argues that the money is now "directly from the public fiscus to politicians via tenderpreneurs". She uses Desmond Tutu's response, one of deep disappointment and disapproval by an elderly, respected churchman, "another wonderful old man" alongside Nelson Mandela, to support her argument. She argues that the ANC "are corrupt and living in the past".

"Nkandla results 'soon'" (*City Press*, 13.01.2013) keeps the topic in the public eye. The report by the Public Works Department is complete and Nxesi had committed to sharing it "in due course". The reader is reminded that the Public Protector and the Auditor-General were also probing the spending. While there is no indication when the public might have access to the report, Sabelo Mali, Nxesi's spokesperson reiterated Nxesi's commitment to making it public. It is reported again on 27.01.2013 that Nxesi was preparing to release his report that day.

7.15 Withholding the report

“Wait for the report ... This will help you to ask more intelligent questions” was Zuma’s comment when he sharply criticised opposition MPs for “continually hammering on about Nkandla” (“Nkandla tender man a state favourite”, *City Press*, 24.03.2013). Jackson Mthembu criticised Zille’s march on the grounds that the “DA had no faith in institutions that have been created to enhance accountability and transparency” (“DA visit to Nkandla ‘unnecessary and unwarranted’ says ANC”, *M&G*, 03.11.2012). Similarly, Nxesi and other ANC figures deflected questions about the expenditure on Nkandla during 2012 on the grounds that the internal investigation into the decisions and expenditure was in progress and would be shared once done.

On 27 January 2013 Nxesi made an announcement relating to the investigation (“No evidence public money spent on Nkandla – Nxesi”, *City Press*, 27.01.2013). After all the fanfare, the report is, contrary to all the previous statements by the public officials, not to be “shared” and this withholding of information is justified again on security grounds. The article presents the report findings as communicated by Nxesi. He begins with the statement that the investigation set out to “absolve the president of any wrong-doing”. He declares that there was “no evidence that public money was spent to build the private residence of the president or that any house belonging to the president was built with public money”. There is recognition of certain tender and procurement regulations being “flouted”. He provides a rough breakdown of the spending. R71 million plus went to security upgrades, of which R20 million was on consultancy fees, and that more than R135 million went to “state departments’ operational needs”.

7.16 Responses to the withholding of the reports

“No evidence ...” then presents the contrasting responses by the ANC and the opposition. The ANC welcome it and argue that Zuma has been “incorrectly attacked”, that he is hereby “vindicate[d]”, as has been “our belief in the innocence of the president in this regard”.

The *City Press* remind us the Public Protector is still undertaking an investigation and they record DA parliamentary leader Mazibuko’s response to the refusal to present the promised report. She describes the investigation as a “whitewash”, “a poor attempt” to protect the President from being held accountable “for this exorbitant waste of public money” on his home. She identifies how it is more lowly officials that tend to take the fall. That it has not been made public therefore renders it as highly questionable: it “brings into question its independence and casts a further shadow on the entire scandal”. She makes it clear that she will be pushing for it to be made available to members of Parliament.

While readers are not privy to the details, the Public Works Department have acknowledged corruption is signalled in the headline “Public works being revamped to curb corruption – Nxesi” (*City Press*, 06.03.2013). At this stage, Nxesi has still not presented any concrete details, the President continues to deny any knowledge of the expenditure, and he still states he feels it inappropriate to comment.

In response to the protestations of Zuma’s ignorance of the expenditure, the *M&G* give online access to the detailed progress report for presentation to the President, dated 5 November 2010, from the then Public Works Department Minister, Gwen Mahlangu-Nkabinde. Zuma’s defence remains that he did not see the correspondence (“Nkandla: The letter that shows Zuma was aware of the upgrades”, 27.01.2013).

7.17 Aftermath: The scandal is not over

In mediatised scandals generally, it is at this stage that a scandal generally is resolved and comes to termination, but not so here. By 29 January 2013 *City Press* reports that Mazibuko announced her intention to submit a PAIA application to gain access to the secret Nkandla report. Reporting continued to keep Nkandla in the headlines in relation to the secrecy cloaking the report. Moreover the acquisition of the Nkandla files by the *M&G* and the attention they give to the files keeps focus on the issue. The anticipated Public Protector's report similarly has kept the pot boiling.

The responses to the veil of secrecy around the report do nothing to calm the moral indignation. The news reporting includes the responses of moral outrage by many figures. Some of these are mentioned to give a sense of the range of responses included in the coverage. Mosiuoa Lekota, leader of the Congress of the People (COPE) expresses moral indignation by comparing the spending on Nkandla to Adolf Hitler's expansion of his Berghof, to argue how that amount could have been used to alleviate social ills ("Lekota: Zuma's Nkandla home like Hitler's Berghof", *M&G*, 19.02.2013). DA MP Anchen Dreyer argues by analogy about the inappropriateness of the expenditure on Nkandla by comparing the costs of R45 million spent to secure a new jail in Kimberley with the R117 million used to provide security to Zuma's private home. When Lindiwe Mazibuko asks Max Sisulu, the Speaker of the House, to have the document made available to Parliament, he refers it to the security committee ("Public works's Nkandla report to be kept secret", *M&G*, 13.05.2013). She is critical of Sisulu for he has merely "passed the buck" ("Public works's Nkandla report to be kept secret", *M&G*).

On 9 June 2013, the revelation that Zuma's lease for his private home as part of the Ingonyama Trust is pegged at R800 per month for 8.9 hectares for forty years provokes varied responses, of moral indignation and of loyal support for Zuma ("Zuma's R800 rent deal" *City Press*, 12.05.2013; "Zuma's R800 Nkandla lease agreement" *M&G*, 09.06.2013). The suggestion of this being a shady deal is implied in describing it in terms of Zuma "secur[ing] a 'modest' deal" as the scare quotes imply, an issue that is roundly criticised in a flurry of tweeting. On this occasion the *City Press* failed to verify their interpretation of community land leases. The *City Press* backtracks on this the following week as it needed to be recognised to work within a different economic scale, one that has its history in the apartheid land control regime ("Nkandla land lease debate", 17.06.2013).¹³

The single ANC voice that does address the amount spent rather than mere procedure is the Deputy Public Works Minister Cronin in an interview on Talk Radio 702 who allows that "It is clearly outrageous, it's clearly hard to justify" ("Zuma's R800 lease agreement", *M&G*, 09.06.2013). There is also dissatisfaction in the union ranks as made evident in the news reports ("Cosatu: Nkandla security spending is 'grotesque'", *M&G*, 29.01.2013; "Numsa: Declassify the Nkandla documents", *M&G*, 12.07.2013). In the former Cosatu questions the irregularities in service providers in Nxesi's report.

7.17.1 *M&G*: the Nkandla files (05.07.2013)

¹³ Again in retrospect, it is difficult to understand these processes. Concern was expressed at a bond being awarded on community land, and yet the state has since purchased a huge amount. The confusion is an outcome of a lack of access to information on the part of the Public Works Department. On 14 November 2013 the ANC Chief Whip announced that "52% of security upgrades were made on the state-owned land, not on the President's private property. The state land, which is not owned by the Zuma family, had to be acquired as the property of the President was too small to incorporate all the recommended security measures".

The most significant follow up emerges as a consequence of *M&G*'s earlier PAIA application. They received 42 files consisting of over 12 000 pages relating to "bid evaluations, needs assessments, contracts awarded and their values", and other documents that throw some light on costs whether allocated for public or private accounts. The documents released to amaBhungane are assumed to have formed the basis of the task team report commissioned by Public Works Minister Nxesi and the reasons for their being withheld are now more questionable.

The issue of an "obsession" with secrecy is identified ("Secrecy obsessions betray political sensitivities").¹⁴ One of the reasons proffered for this relates to an attitude of suspicion of the press in a top-secret memo from Durban regional manager Kenneth Khanyile dated 15.03.2012, that argues that is necessary to keep the project out of the public eye for the "information ... may be used by the enemies of the state to engineer an attack", noting "these projects are further targeted by journalists in an attempt to discredit the government in general".

Their position after examining the documents is summarised in the headline and lead paragraph: "Nkandla: An orgy of kowtowing" (*M&G*,05.07.2013); and "Documents obtained by amaBhungane on Nkandla show how costs ballooned tenfold as officials scrambled to please President Jacob Zuma". Even those marked top-secret "appear to be designed more to protect the government and the president from embarrassment than to ensure security". The government's determination to keep these files secret is thus more evidence of officials deferring to win the President's favour. The *M&G*, quoted below, describes it as painting "an unedifying picture of how senior officials and politicians:

- Scrambled to meet deadlines set by Zuma, taking short cuts on tendering processes;
- Shifted money from other programmes to accommodate the unbudgeted spending;
- Implemented the Nkandla project with few proper cost controls and no allocated budget or limit on spending;
- Were mainly concerned with delivering to Zuma (referred to as "the principal") at a speed and level of quality befitting a "prestige project";
- Were reluctant to allocate costs to Zuma, including for the building of a new cattle kraal, a plant nursery, a road network and other improvements that will benefit Zuma's family long after he ceases to be president and
- Paid out an underperforming contractor at least partly because threatened court action could cause "political fallout that could possibly influence the principal's political position very negatively: ('Nkandla: An orgy of kowtowing', *M&G*, 05.07.2013).

They outline an account of how the initial R27.8-million plan in 2009 escalated to a projected total of about R270-million in October 2012 ("The Nkandla files"¹⁵) and expose the irregular appointment of the key contractors. The *M&G* reports include responses from various public figures, including Mosiuoa Lekota, Zwelinzwe Vavi, and Mamphela Ramphele.

Other *M&G* articles on the topic include "The Nkandla documents", "Nkandla: Number One emerges a clear winner", "What did Zuma know about the Nkandla project?", "The Nkandla files: Project railroaded from the start", "Long battle to get hold of redacted Nkandla documents", "The Nkandla files: Secrecy obsessions betray political sensitivities". The report, "Inside President Zuma's cow-a-bunker" (*M&G*,12.07.2013), identifies one of the lines of expenditure, by considering the cattle enclosure that "cost tax payers R1 million". Its understatedness and ironic tone work to evoke indignation, and, while the poverty of the surrounding area is not referred to, this awareness is

¹⁴<http://amaBhungane.co.za/article3/2013-07-05-secrecy-obsessions-betray-political-sensitivities>

¹⁵<http://amaBhungane.co.za/article/2013-07-05-the-nkandla-files>

assumed. These cows “spend the night safely ensconced behind multiple layers of high-tech security”. The opinion of a local cattle breeder is used to evaluate the expenditure, “Sjoe, that’s a lot of money to spend on just a kraal ... for something everyone else does with tree branches”.

“Nkandla: How IDC splashed R10 million on bailout” and “Ex-teacher chalks up the contracts, builds Nkandla” (M&G, 12.07.2013) consider the curious case of Thandeka Nene at Nkandla. It charts how she as the owner of Bonalela Construction CC was contracted to do the work on Zuma’s property, how she failed to deliver, how the IDC intervened to prevent her liquidation by cancelling a R20 million debt, how she used the threat of speaking to the media, and still received a settlement of R7 million.

Moneymine and its sole director Pamela Mfeka was “Zuma’s handpicked private contractor” reported about in “Nkandla’s money mine” (M&G, 12.07.2013) and paid R56.3 million at that date. That the work for the second tender did not go out to tender is reportedly legitimated as “to eliminate risk”. The reports make two points: Moneymine has several other “lucrative contracts from public works” and Mfeka’s husband said neither he nor Pamela Mfeka were “allowed to talk to the press”, thereby alluding to potential preferential treatment for Moneymine and an insistence by the state departments on secrecy and non-disclosure. While these exposures do begin to deal with corporate involvement in the expenditure, apart from indignation at these two contractors, the focus remains on the President and other public officials.

The final revelation in the saga should be the Public Protector’s report, but at this moment it is with the security cluster before being made public. She had been asked to investigate whether Zuma’s family improperly benefited from the upgrade to his home. That the ANC is highly defensive is explicit in the attack on Madonsela by Sizani Stone, ANC chief whip. After she queried due process in terms of where to submit the report when it involves the President, she was accused of attempting to judge the President and his executive in the court of public opinion. Stone declared that the “president’s dignity has been unfairly harmed by all these inferences in the media. This does not augur well for fairness and justice”. In this attempt to pre-empt any criticism as biased, he arguably fails to respect the Office of the Public Protector and to give her due respect.¹⁶

8 The *Ilanga* coverage between September 2012 and February 2013.

While there was broader coverage on Zuma and on Zumaville in *Ilanga* during a five month period, from September 2012 to January 2013, the research confined itself to the coverage on the President’s Nkandla home expenditure. The sample consisted of only five articles, two in October 2012, two in November 2012, and one in late January 2013. The nature of the coverage is very different in that the genre of reporting is one of hard news, not part of a dedicated investigative project. An interview with the editor, Eric Ndiyane, provided a sense of his priorities for the newspaper that then impact on the nature of the coverage.¹⁷

Ilanga retains its original focus on conserving Zulu heritage. While owned by Mandla Matla, the investment arm of the Inkatha Freedom Party (IFP), Ndiyane is insistent that this does not impact on his editorial independence. He describes the focus of *Ilanga* as less on national politics, but more with “bread and butter issues” that impact on its readership. Its investigative journalism is directed to regional issues including municipal delivery. Additionally, Ndiyane expressed his conviction that a focus on ANC and IFP politics merely serves to exacerbate an old conflict and thus he avoids doing that. Certainly *Ilanga* does report on these issues, but one gets the sense that there is sensitivity in

¹⁶<http://www.iol.co.za/news/politics/anc-slams-madonsela-over-nkandla-dilemma-1.1599923>

¹⁷ Interview with Eric Ndiyane, editor of *Ilanga*, 05.11.2013

relation to this form of politics. He views the coverage of *Ilanga* as critical within the terrains they focus on.

As the analysis is of a translation of the articles, no attempt is made to undertake a CDA as too much is lost in translation, particularly in terms of the metaphoric language. The focus here is on what is reported on and the general tone in order to have a broad overview of the coverage, more as a contrast to the other newspapers than as a detailed analysis. The titles are also presented in translation only. The coverage touches on five significant moments in the scandal.

In “Upgrading of President Zuma’s homestead heavily criticised” (*Ilanga*,04-06. 10.2012) it reports on the revelation that exposed the breach and the responses to the revelation. It gives the grounds for the criticism of what is referred to as an upgrading of Zuma’s Nkandla property. Although Nxesi tried to keep the information pertaining to the spending secret, other newspapers got hold of files that provided information about the expenditure. Nxesi is reported as being angry with the whistle-blowers who leaked the documents. He has since been criticised for misdirecting his investigation because it is not with the leaks that the investigation should start, but with the issue of the money. The article gives a summary of De Vos’s argument about the illegality in terms of the executive members’ Ethics Act. It also quotes Mazibuko’s criticism of Zuma for expecting others to tighten their belts while he allows the expenditure on Nkandla, while clinics and schools are needed. Finally it returns to Nxesi’s defence presented in terms of the NKPA and the President’s security. Typical of such reporting, it seeks to present an overview that appears balanced, here through including the positions of elite figures on both sides of the controversy.

Ten days later in “Investigating Zuma’s homestead” (*Ilanga*,11-13.10.2012), consistent with the news value of continuity (Harcup & O’Neill 2001:273), this follow up is a sixteen paragraph article. The lead paragraph suggests that the wait for information is almost over as the Public Protector will be undertaking an investigation. The article lists particular items on which money has been spent, specifically the bunkers, helipad, “playground for his grandchildren, children and nephews”, a family clinic, security accommodation, and accommodation for visitors. Consistent with its focus on the KZN area and its readership, the construction of roads to Nkandla and the town of ‘Zumaville’ are reported on too. However, the last six paragraphs move abruptly to a statement by the IFP secretary who expresses his hope that those who killed two IFP councillors will be arrested soon, as happens when it is an ANC person. It is difficult to connect the two discrete issues. Attention to the IFP concerns does follow on a description of the developments being attributed to the ANC government and it might be intended as journalistic ‘balance’.

The DA march is the focus of the next article (“ANC member arrested for drunkenness at iNkandla”*Ilanga*,05-07. 11.2012), although the title foregrounds a drunken ANC member who was arrested. It is the subtitle: “the DA came in their numbers” that provides an abstract of the focus of the article. The DA are described in highly metaphorical language that describes their performance in terms of *dassies* being led by a white one.¹⁸The report details Zille opening a case for being refused access, the response by ANC members, and the arrest of two men, one for drunkenness and one for possession of an unlicensed firearm. Zille’s pronouncements relate to the Nkandla property being a public space funded lavishly with public money, while the lack of funding for the families of the Marikana miners’ attendance at the Farlam Commission is lamented. The actions of the ANC marchers and the police are described, and the report closes with a reminder that the DA came into bloody conflict with COSATU earlier in the year. It thus provides a broad picture of the events and conduct of the opposing parties.

¹⁸ The *dassie* (hyrax) has come to serve figuratively as an unsuccessful quest in Zulu folklore, for he failed to get a tail when he tried to. The reference here is to Zille’s failed attempt at an inspection.

“Tough questions about President JG Zuma’s ‘palace’” (*Ilanga*, 12-14 11.2012), speaks to the broad interest in this case. No particular newsworthy event gives rise to the report which points to the lack of information about the expenditure. Nxesi’s reason for withholding information is related to it being a national key point. Yet, the reporter notes, this did not stop the press from revealing the level of expenditure. The cost of six freestanding dwellings estimated at R8 million each is questioned. It is argued that anyone who reads the property sections in the press would realise something is amiss here. The costs of the accommodation of the guards are also flagged as excessive, and therefore it is argued to be understandable that people believe that this is a waste of taxpayers’ money. They close by noting that since they do not have any access to precise information, they see fit to use these calculations. This report thus does make a stand in relation to the amount being spent and recognises the needs of the poorer section of the population, in fact the *Ilanga* readers. Yet it is gentle and almost apologetic in the use of figures that have been estimated by the press and certainly neither Public Works nor Zuma is berated.

The final article, “Truth about president’s homestead” (*Ilanga*, 28-30.01.2013), accepts Nxesi’s statements about the lack of proper procedures being followed, but argues that there was nothing improper about upgrading the President’s home to ensure safety. Nxesi’s position is reported on in some detail, including the figures he presented. His position is not responded to with any scepticism. The report refers to the opposition’s desire for a vote of no confidence and reference to the DA march. Thus the saga ends consistent with how a scandal is generally presented. The legal investigation brings it to a close, at least for *Ilanga* for the time being.

A few points can be made in relation to this coverage. The audience *Ilanga* addresses ensures greater diversity in terms of access and reaches a different audience to the ones English newspapers access. The issue of diversity of content is also at stake.

What is very striking is how dissimilar it is to the investigative journalism of the *M&G* and the *City Press*. This difference must be contextualised in terms of *Ilanga*’s vision of its role in Zulu society and conserving Zulu heritage, but what is highly significant is that the “media” which are the object of the ANC’s criticism identified in the beginning are simply not homogenous. *Ilanga* is not playing a watchdog role in relation to this large national and public issue. While it does pose questions relating to the expenditure, it does not take a deeply held moral position and accepts Nxesi’s account in terms of the little information he concedes, while he continues to withhold information.

Access to information is not a specific concern of this set of reports. The broad issues of democracy, freedom of the press, and freedom of expression are incidental. The general tone is deferential, courteous and non-confrontational. Even when making critical points it does not make a bid for the rights of the citizenry it targets in this case. Such reporting is consistent with a discourse of the customary, while not flagging it explicitly. It is no doubt considered “respectful” of leadership and takes Nxesi’s statements at face value. No mention is made of the way Zuma obtained his bond, or of the corruption charges from which this information emerged, or his monthly lease for the land. Generally, the reporting appears to be concerned for consensus and is arguably the kind of coverage the ANC desire.

At the same time there is a tension in relation to how it addresses Zulu politics. It reports on the IFP’s perceived frustrations yet does not come down in favour of them explicitly. In “Investigating Zuma’s homestead”, a fair amount of attention is given to the expenditure but the inclusion of the IFP dissatisfaction about policing that is added, seems to be a riposte to the focus on ANC issues, a kind of balance on party lines. The statement by the editor that *Ilanga* avoids politics along national and party lines is of interest. His rationale that the national issues are of less interest to the

readership possibly has relevance. However, an “apolitical” stance fails to interrogate the circumstances and events; it is a form of consensus. The avoidance of dealing with ANC and IFP politics too was justified on the grounds of a concern with reconciliation and addressing bread and butter issues. A more sceptical view would also recognise that the readership has language and culture in common and this is the readership the newspaper seeks to hold. To serve the interests of the IFP as *Ilanga* once did explicitly would divide the readership along party lines and work against the profit imperative of the newspaper.

This partial and incomplete account does speak more to the need for rigorous research into *Ilanga* and the other isiZulu newspapers.¹⁹ The nature of the news produced in isiZulu needs probing. Certainly radio and TV are the sources most Zulu speakers will access. It is fair to say that neither the SABC with its renewed focus on sunshine news nor *Ilanga* with its more deferential approach that is conserving and respectful of Zulu culture are deployed as public spaces where questions of democracy and the improper conduct of leaders are interrogated. The form of the news is arguably collaborative and deferential to the ruling powers.

9 Concluding thoughts

What can be concluded from this analysis of the complex and multi-layered mediatised scandal? This study set out to examine how the scandal has been narrated in the selected newspapers. While the focus is not on policy as such, it contributes to the broader **Media Policy and Democracy Project** which was conceptualised to undertake research that would usefully contribute to policy discussions. The broad question asked was *How is the contestation surrounding the expenditure on President Zuma’s private home in Nkandla narrated?* It sets out the research intention which has been to analytically track the narration of the mediatised controversy, and to do this in relation to the criticisms the ANC has made of the media. Specifically, it responds to the criticism and points made in the ANC 2010 discussion document, which referred to their relationship with the media as “the battle for ideas” in its final clause (item 152).

The framing of the study is informed by the literature on investigative journalism and the coverage of scandals. This literature provides an account of media scandals and mediatised events as structured sequentially, and the analysis utilises this as its organising principle. The points made below first address the coverage of the *Mail & Guardian* and the *City Press*, which has formed the main focus of the research, before moving to *Ilanga* briefly.

9.1 Coverage of the *Mail & Guardian* and the *City Press*

The contestation has related to the expenditure of public money on Zuma’s private home in a remote area of the country where state business would rarely be carried out. It can be viewed as part of the ANC’s “battle for ideas” or the contestation whereby they seek to make their position the defining one. In effect what is in contention are opposing positions. Position one: the amount of money spent is justified in terms of ensuring Zuma’s security; to question it is impertinent; and the motivation for asking these questions of these authorities is highly dubious. Position two: the amount of money spent on Nkandla is scandalous; access to information about it in order to hold public figures accountable has been denied; the expenditure has been non-procedural; and this money should have been used for the benefit of the public, not of one powerful figure. The first position is reflected in the official and public statements made by ANC spokespersons. They would choose to have consensus about the issue and to be able to define what this consensus would be.

¹⁹ The isiZulu tabloid, *Isolezwe* has similar readership numbers to *Ilanga*. No comment is made here about *Isolezwe* as it falls outside of the sample and there is little to no research to refer to.

The press speak from the second position which is one of dissent and moral outrage. The saga is summarised briefly before dealing further with aspects of the contestations.

From the breaking of the scandal or the first revelation, the ANC government officials who acted as the spokespersons refused access to information about the costs of the Nkandla upgrade. Their and Zuma's defence was that he was funding the personal building costs; the state was covering security costs. Revelations that followed included the extent of the expenditure and the scale of the construction that includes a range of non-security related luxury items. Zuma's access to a bond was also revealed to be non-procedural and serviced by various benefactors. Additionally, the press exposed the fact that the bond for Zuma's Nkandla house is sited on land owned by the Ingonyama Trust. They criticised the range of regulations the ANC deployed which obscured any chance of transparency, specifically the NKPA as part of the armoury of the apartheid government to ensure its secrecy and to protect those who wielded power in an unjust regime. The ANC respondents also relied on other regulations such as the Ministerial Handbook, although the expenditure in fact flouted the letter of the regulations. Who enabled the spending, why they did it, what sources of funding they used, and how they managed to justify it in relation to the regulations remains obscure and has been the consistent focus of the investigative reporting on Nkandla.

Various responses to the early revelations came from the DA as the opposition party, Public Works Minister Nxesi and Presidential Spokesperson Maharaj. The responses of the Public Works Minister were more concerned about the leaks than the substance of the accusation of malpractice. An investigation was instituted by Public Works, a reluctant response to the public exposure. The justification for the secrecy then and now was that it is necessary to ensure Zuma and his family's security and has been used expediently by the ANC officials throughout. The investigating journalists have meanwhile been at pains to emphasise that their focus has been confined to the expenditure and not the technical details of the security measures, for there was recognition of the need for discretion in relation to them. This has been the approach since the pre-scandal period. However, information continues to be withheld and the criticisms of expediency have merely escalated for the secrecy begs the question about precisely what is being hidden. The inappropriateness of security as a defence for withholding information has become increasingly evident as large quantities of the withheld information have been received by the *M&G* subsequent to the Public Works investigation, itself a reluctant response to the public exposures. That journalists were compelled to follow lengthy processes to command some of the information through PAIA applications and through appeals to decisions, speaks to the determination of the ANC to resist and delay. The *M&G* note that the information which was withheld and subsequently acquired does not compromise security. Its prior withholding can therefore be considered obstructionist and intended to prevent access to information to the news media and therefore the public. Additionally, the deployment of the NKPA remains contentious as presidential residences appear to have been declared national key points recently, in fact once the probing by the press had begun. Even if due process had been followed, the level of expenditure would be scandalous and outside the moral parameters set by the constitution and the Oath of Office of the President. Astro turf, expensive cow accommodation, etc. can simply not be justified as security measures.

The journalistic process has been a dogged one and is consistent in structure and intention with media scandals elsewhere. The initial revelation planted the seed for moral outrage about the spending of excessive amounts of money on the home. It is a scandal that has been taken up by the opposition parties, Cosatu, and articulate members of the public at large. The responses came from the opposition party through statements in Parliament, speeches and interviews in other public venues, and through the Zille-led march. The latter was designed as a mediated event to get coverage. The coverage of the statements of moral outrage from them and other public figures

alongside the editorials constituted the resistance articulated within a discourse of democratic rights and responsibilities.

It is noteworthy that the issue of morality has not been addressed by the ANC officials involved or by the beneficiary, President Zuma. Consequently, in spite of the series of revelations and moral outrage articulated within a rights discourse, Zuma, Nxesi, and other officials repeatedly deflected the call for information by telling people to await the findings which the public and journalists were assured they would have access to. However, it is now evident that since the report itself was withheld by Nxesi and the Public Works Department that this was intended as a delaying tactic. The withholding of information about the spending of the public purse is indicative of an attitude that is dismissive of the rights to information enshrined in the Constitution which the ANC officials have recognised by taking office. It is also indifferent to the responsibilities with which they are entrusted in relation to ensuring access to information and freedom of expression.

This is the battle of ideas then. The investigative journalists have declared themselves on the side of right, the self-appointed protagonists of a quest, fighters of a just war. They view the extraordinarily high level of spending from the public purse for the incumbent president and his family's personal comfort as acting outside the morality of a democratic dispensation; certain ANC officials have enabled this expenditure and obscured it from public scrutiny. On the other hand, the ANC have made their mark in the sand too and they have the power to do this, albeit that the exercise of this power is outside of the roles they are constitutionally obliged to carry out. The persistence of the journalists in gaining access to information has been matched by the determination of the ANC officials and others behind the scenes in withholding information about the spending. The ANC have in effect declared their position as one based on might. They choose recourse to rules and acts to withhold information from the public for they are in power and have a large parliamentary majority. This is most explicit in comments made by ANC figures like Mathapo, ANC chief whip spokesperson, who dismissed the opposition party's attempts at interventions as "puppies barking at the moon". He is able to conclude this as the ANC have a large parliamentary majority and the implication is that they cannot be challenged as no dissent is permitted along party lines in Parliament.

The promised Public Works report was publicly withheld in late January 2013. Nxesi saw fit to give the population a summary that exonerated the President, although it allowed that procedural malpractice in relation to tenders and payment was evident and that those responsible would be held accountable. Zuma's defence of ignorance is upheld, albeit that he travels regularly to and from Nkandla by helicopter²⁰ and can see the astroturf, the expensive cow accommodation, and the extent of the buildings. The focus of the Public Works report appears, as far as one can tell without access to it, to remain on procedure and regulations. The inappropriateness of the spending is unexamined. Instead, the public are left to make do with Nxesi's word that certain people will be brought to book.

What remains inescapable is that R240 million has been spent for one home that will not remain the property of the state, but benefit a single office holder and his family. As noted earlier, the saga is not over, but the comments made here speak adequately to the nature of the coverage of the Nkandla saga.

²⁰See "Flying Zuma home eats up rescue budget", <http://www.news24.com/SouthAfrica/News/Flying-Zuma-home-eats-up-rescue-budget-20130730>, (2013-07-30 10:12 accessed 09.11.2013).

Against these broad brush strokes, the particular criticisms of the media identified at the outset are revisited. First:

- *Are the media hostile to the ANC?*
- *Do they attack the dignity of ANC politicians?*
- *Do they operate to the detriment of the public interest?*

The issue of perceived hostility of the media to the ANC needs to be understood in relation to what the ANC would desire from the media and what the media see as their role. As the ANC made clear in their discussion document they desire what they term developmental media that advocates for consensus, consistent with their particular interpretation of nation-building and patriotism. They claim to allow the possibility of criticism. In fact ANC public office-bearers themselves at times do admit to levels of corruption and incompetence in the state that troubles them. However it seems there is a general reluctance to accept criticism from others. They need to define the issues, not the press or the opposition parties.

In the case of Nkandla we have witnessed a dogged determination on the part of ANC public officials to protect those who are implicated. Criticism is unwelcome when it comes to scrutinising the conduct of politicians or the ANC. According to this stance, a non-hostile media ideally plays a collaborative role in relation to the agenda of government within that framework. The media are also viewed as being hostile to individual politicians, a refrain that is picked up on frequently when the behaviour of a particular politician is scrutinised and criticised. When such personal impropriety is reported on, it is quickly construed as hostile, frequently accompanied by accusations of racism. For example, Zille's march and the DA followers were labelled as racist by the SACP for presuming to inspect a property which was paid for by the public purse and whose expenditure was being contested. Too frequently the grounds on which something is construed as racist are not made explicit, a pity as this disallows serious reflection on a serious concern. It easily becomes an *ad hominem* attack that ignores the substance of the contestation and feeds into simplistic stereotypes. The accusations of hostility towards these politicians are readily constituted as an attack on the dignity and privacy of the person or office-bearer. Certainly the SACP's call for a "dignity law" feeds into this defence of ANC politicians. Maharaj's indignant and defensive responses to requests for information are indicative of this attitude. While he does not articulate it explicitly, his rhetorical questions presume that Zuma requires the level of luxury that the public purse is paying for. When it comes to his response he reacts to the criticism defensively: "you believe people like me can't build a home" ("Zuma defends his Nkandla 'family home'", *M&G*, 15.11.2012). Reading between the lines, through underestimation of his abilities, his dignity is attacked, and he is not respected. The accusation of being disrespectful accompanies these accusations of attacking the person's dignity. It becomes a circular argument: if you criticise, you are hostile; consequently, your hostility is an attack on the person's dignity; and this implies you do not respect him/her. To criticise is to be disrespectful.

It is important to note that the emphasis on respect is frequently an element of Africanist or customary discourse. However, deference to authority is also frequently used expediently and thereby serves as a smokescreen when attempts are made to hold certain public officials accountable. It also runs counter to the principles of equality which democratic countries hold to.

The analysis of the editorials in particular, but also the reporting in general, identifies that the investigation takes a clear moral position and both sows the seeds for, and articulates moral outrage at the expenditure and the cavalier way that information is obscured by defaulting to Acts considered shameful. While they are highly critical of these actions, they do not attack the Office of the President, but his conduct. In fact, the President is being held to the letter of his oath of office and to its moral imperative as well. The coverage expurgates Zuma and those who enable this spending through analogies with cruel and selfish dictators. They are not deferential and maintain a

stance of “custodians of conscience”. This however cannot be conflated with hostility to the ANC per se, for some of the editorials are at pains to recognise the heroes of the struggle and the leaders who have been concerned with the public good.

Similarly, to argue that in this instance the media have attacked the dignity of the ANC politicians involved would require that the politicians have been wrongfully accused. The news media did not cause the disrespect and the loss of dignity. To deride authoritarian behaviour cannot be conflated with attacking the dignity of the person who acts in that way. Care is generally taken in the coverage to argue the points logically and not to engage in *ad hominem* attacks.

There is no clear evidence of undue hostility, but rather detailed and constant analysis and calls for access to information in order to hold officials accountable. There were two moments in the reporting where the criticisms of the press as biased against Zuma have touched on issues that arguably could have been dealt with using greater sensitivity. The reporting on the R800 per month lease for Nkandla as unreasonable is the one instance when insufficient background knowledge was sought. It resulted in a flurry of angry tweets, before a form of retraction emerged. Second, the ruckus around calling Zuma’s private home a compound constituted a node of disagreement for political point scoring and was argued to be racist. The sensitivities in relation to South Africa’s racial history come clearly to the forefront at such moments.

One would have to hold a very patronising and non-democratic position to accept that informing the public of inappropriate spending of public money raised from the taxes of the public is to their detriment. The question of the news media operating to the detriment of the public good simply does not hold in this case. To the contrary, the news media have acted in the public interests by calling for the access to information that they are constitutionally entitled to. The reporting frequently draws attention to what the expenditure on the property has been and contrasted this with the pressing needs of housing, education and health, among others. Analogies have been made to highlight what this cost to the public purse might have rendered in services for the citizenry at large, for example between 3000 and 4000 low economy houses, in contrast to only one. If the security for an entire prison came to R45 000, the amount spent ostensibly on the security of the single property was five times that amount.

This then introduces the reverse questions. In this mediatised scandal, were the ANC spokespersons hostile to the media; did they respect the dignity of the journalists or the public; and did they act against the public good? The analysis has shown that both Maharaj and Nxesi’s responses for requests were reluctant, impatient, and the tone tended to righteousness and arrogance. They felt no obligation to provide information that was requested and even when more people responded with moral outrage and calls for access to the information requested, they held their ground. Zuma at no stage saw fit to address the issue or reassure the public of South Africa. His defence remained one of ignorance as was that of several other ANC politicians. That this remained his defence over the time span of the coverage is scarcely becoming but also unconvincing. Why, it must be asked, did he not address his ignorance in order to make a public statement consistent with the responsibilities of his office? Zuma’s other defence was to present himself as aggrieved and lament his status as a victim blamed for everything. That the ANC were hostile to the media and their democratic intentions in this instance is more the case that the other way around. This defensive and suspicious attitude was evident in Kenneth Khanyile’s statement that projects like Nkandla are “targeted by journalists in an attempt to discredit the government in general” (“Secrecy obsessions betray political sensitivities”, *M&G*, 05.07.2013).

By moving to the issue of dignity and respect, again reversing the question allows different conclusions to the assumptions made in the ANC document. Zuma, Nxesi, and Maharaj in particular

engage in this battle of ideas by a “shoot the messenger” approach. Nxesi’s anger at the revelation of the extent of the expenditure was limited to the fact that the information had got out and he threatened legal action. The impatience with requests for information on the part of these ANC officials, their reluctance to provide information, and a frequently hectoring tone point to their attitude toward the news media and indirectly to the public. That the news media and the public were guaranteed access to the report on the investigation by the Public Works Department on several occasions and then summarily denied this access similarly speaks to a highhanded attitude on the part of the ANC. After all, Public Works undertook the investigation and needed to ensure that the details were written in ways that did not compromise Zuma’s security. Their conduct constitutes disrespect not merely for the journalists but for the citizens of the country who have the right of access to information and freedom of expression.

While on the point of public good, the ANC document also argued that the media encouraged greed. It is deeply ironic that the ANC endorse the Nkandla expenditure, when they require that the media report “in a manner that adds value to the national endeavour” and reflect on how “our souls are being poisoned by the spirit of conspicuous consumption in a socio-economic formation that encourages greed” (83). The ANC’s responses to the expenditure give the lie the moral high ground they seek to claim. The excessive expenditure on the ‘nice to haves’ in Zuma’s private home are blatant exemplars of greed, personal enrichment, and conspicuous consumption. The point about the news media not working to effect nation-building can similarly be reversed, as the investigation seeks to hold politicians accountable and expose corruption. In this way their coverage in this instance bolsters due democratic process, a patriotic act.

As the ANC officials were not acting in the public interest in ways that are consistent with a democratic dispensation, it must be concluded that withholding the information was intended to work either in their own interests or of those from whom they might receive patronage, or both. A further question was posed by the ANC criticisms:

- *Is responsible and ethical reporting not treated as important as the protection and promotion of media freedom?*

Clearly, the Nkandla saga has been an occasion when the news media, at least the *M&G* and *City Press*, have acted in the interests of the press’s right to freedom of expression. The entire controversy has centred on the right of access to information. Nxesi expressed his anger over the *City Press*’s publication of information that broke the scandal, not the substance of the scandal. His position would be that this is irresponsible and unethical. It is a position that holds with a code of practice marked by deference to rules and authority.

In contrast investigative journalists have historically been bound by a different set of ethics and if they are concerned with the illicit use of political power and are intent on finding out the truth in relation to it, they do not rely on press releases and “the debilitating constraints of daily journalism” (Ettema and Glasser: 10). Watergate is frequently referred to as illustrative of a modern political scandal exposed by the news media. It involved the Office of the President, hidden levels of power that were unaccountable and at times illegal, and its revelations also depended on going beyond the press releases handed out by government. Investigative journalists would argue theirs is a quest for truth and accountability, a different position in relation to ethics and morality. Undoubtedly, Nxesi views the exposure of information they acquire as irresponsible, but Nxesi’s insistence on following a particular code of journalistic practice would not serve to promote media freedom or provide access to information when public officials are determined to prevent it.

The final two questions posed were:

- *Are they biased towards other sectional interests?*
- *Whose voices do they include and how are they positioned?*

The issue of bias toward other interests is a broad issue and not one that his study does justice to. That the oppositional parties picked up on the moral outrage that the press planted the seed for was to be expected. That both the press and the DA sought to get the information is obvious as well. Yet to conflate this with an automatic bias towards the DA would be far too easy. Certainly, the editorials in the *City Press* were very explicit of their admiration for the ANC's struggle histories and actors who brought about political transformation.

While there is no reason to suggest that the coverage indicated any bias towards a particular political party, it is significant that the press was particularly effective in their investigative role, enabled no doubt by their doggedness, in getting information about the political aspects of the Nkandla expenditure. They kept up the pressure and ensured the issue was kept on the agenda. The same is not the case in relation to probing corporate involvement. The single piece that did address this in a clear way was an opinion piece, "Songezo Zibi: Nkandla exposes corporate rot" (*M&G*, 14.12.2012). Those who were granted contracts and paid millions of Rands were identified in the *M&G* coverage of the Nkandla files. Yet nothing like the fervour to uncover the political aspects of the Nkandla saga goes into investigating the corporate interests. Little of the moral indignation underpins it²¹. The question must be posed whether the interests of capital are open to the same scrutiny as those of politicians. It has not happened in this instance and because of the specific focus of this study it cannot be commented on adequately here. This does however remain an important area for research. Few corporate scandals have received the same investigative depth and determination that goes into political scandals by the news media. One can only pose questions about why this is the case and it would need detailed and contextualised research of its own. Is the information more difficult to obtain as a consequence of corporate confidentiality clauses? To what extent do the form of ownership and the interests of capital impede such scrutiny? What, in fact, is the common-sense position held by journalists in relation to a neoliberal policy such as GEAR?

Finally, the coverage is considered in terms of diversity of voice. The focus has been on politicians, both ANC officials, and office-bearers, and opposition members of Parliament, and leaders. Occasionally professionals such as engineers were asked for their opinions. Basically, the coverage has been confined to the voices of the social elite, politicians, lawyers, leaders in civil society organisations, and public intellectuals. The voices of ordinary South African citizens are infrequently sought and when they are, it is more to add a splash of colour, a one-liner, than to present different takes on the issue. There remains a lack of diversity of voice throughout the reporting. While the press considered here play a monitorial role they arguably play less of a role in this coverage which is facilitative of civic democracy through promoting dialogue (Christians et al. 2009). Such a role envisages communication which both engages the readers and in which they participate.

At the point of closing this research report, there has been no justification for the spending and what we do know has emerged because of the investigation the press undertook.

9.2 Coverage of *Ilanga*

The inclusion of *Ilanga* serves as a useful contrast for viewing the coverage of the *M&G* and the *City Press*. *Ilanga* did not cover the Nkandla controversy as investigative journalism but within the genre of conventional news reporting. The five reports identified also skirt taking a position and there is no sense of burning moral outrage. Although the reporters operate in the Nkandla area and the rest of KZN in contrast to the other two newspapers that are based in Johannesburg, they do not add any

²¹Ivo Vegter disputes this point in 'Do we tolerate private sector corruption?' <http://www.dailymaverick.co.za/opinionista/2013-11-26-do-we-tolerate-private-sector-corruption/>

information or present the voices of local people in relation to the Nkandla property. The most significant article in relation to the focus of this research was the final one in the sample, which accepted the “truth” about Nkandla as defined by Nxesi when he withheld the report.

Ilanga operates in a very different way to the other two newspapers. It works to conserve Zulu heritage. The reluctance to be overtly critical of Zumas linked to the tendency to deference of authority, an element of traditional Zulu social structure consistent. On the other hand, the avoidance of giving attention to Zuma’s home could be impelled by the avoidance of dealing with party politics in KZN where the IFP and ANC contest each other, and where the IFP have lost much of their following to the ANC in the last decade. This could also be driven by profit imperatives as much as anything else. Certainly the scarcity of critical research into the isiZulu press calls for redress. However, that there is such limited reporting cannot be construed merely as apolitical. What is selected for inclusion and exclusion is a conscious act and deference to power is as much a political act as resistance. Significantly, as the last report indicates in particular, *Ilanga* has played a collaborative role, one which is supportive of government, and which does not push for democratic rights to be ensured. This stands in marked contrast to the monitorial role that the *City Press* and the *Mail and Guardian* have done.

What this does demonstrate is that the news media are not a homogenous whole. They have different target readerships and are differently placed as a consequence thereof. The ANC’s 2010 criticisms are unlikely to have been targeted at *Ilanga*, but at the kinds of news media who rattle them.

9.3 A final word: policy implications

This analysis has enabled a composite picture to be created of the coverage of Nkandla as mediated scandal. The events and discoveries were relayed to the public piece-meal, meaning that the patterns consequently became less obvious. In the face of politicians hurling accusations at the news media, and vice versa, this research was undertaken in order to find out what is actually being represented in the news media. It was shaped by criticisms from the ANC in a document that was intended to inform media policy and has identified areas of strength and weakness in terms of democratic process and coverage, and has essentially concluded that the ANC is guilty of what they accuse the media. This is not a whitewash of the news media. The analysis has focussed on an area that the investigative teams in the *City Press* and the *Mail & Guardian* do well. Yet it has pointed to areas where the same critical acumen is lacking, specifically around corporate collusion and improper conduct. It similarly has identified a lack of diversity of voice, an aspect that could easily have been addressed under the circumstances.

There is need for deep concern. The ANC 2010 document articulates resentment for the media and ends with the rallying cry that they need to win this “battle of ideas”. The media is constituted as an opponent. Its vision of how the news media should function is evident in their document and the nature of their interaction with the news media, which becomes explicit in the analysis of the Nkandla saga. It is blatantly hostile and defensive and goes to extraordinary lengths to attempt to define what counts as truth. The recourse to undemocratic measures on the part of the ANC government has been traced. Their refusals to give access to information and to enable freedom of the media to impart ideas works against democracy and the democratic dispensation in which it exists. Rather than deepening and extending democracy, they advocate for a form of news media that serves their interests rather than the interests of a democracy, for it to play a collaborative role and defer to their authority. Getting the media “to shape up” on these terms does not speak to media transformation and diversity, but to authoritarianism.

The ANC are operating in relation to the news media from a position that does not endorse democracy and plurality of ideas as enshrined in the South African Constitution. It is important that the ANC reconsider the implications of their 2010 document in terms of their implications for democracy and the rights enshrined in the Constitution. Importantly, the idea of the media producing consensus in all things is unrealistic. It is perhaps useful to refer back to the two opposing notions of the public sphere introduced early on. The one position understands the public sphere as helping achieve consensus through rational debate. The other position speaks to “agonistic pluralism” as articulated by Mouffe (1999) and insists that consensus is unachievable and that a range of separate publics will always co-exist; there will be contestation. At the same time the media cannot simply serve as a space for a free for all battle, nor should it oppose rational debate. However, as Mouffe suggests, it can be recognised that the positions that people take and what they hold as truth are a consequence of histories and lived experiences in particular contexts. The media needs to be able to engage with this plurality. It is important to consider how to constitute forms of power that are consistent with democratic values. This approach is in keeping with the call for media diversity and transformation. The following points emerging from this analysis need to receive further thought:

- South Africa with its history of apartheid functioning to evade democratic process and insisting on a singular racialised truth is an example of an attempt to force a consensus. Ultimately, it did not work and other publics emerged regardless. An acknowledgement of South Africa as comprised of a plurality of publics needs to underpin policy. This recognition of plurality is consistent with the principles of *ubuntu*.
- The impulse to nurture national unity does not depend on everyone thinking alike. Importantly, the national interest must not be conflated with the interests of any ruling party or of powerful figures in the ruling party.
- Questioning the conduct of public figures and institutions is central to a vibrant democracy in order to ensure its survival. The monitorial role of the press is an important aspect of the news media and needs to be protected.
- Policy discussions and documents have focussed on what would count as appropriate measures to be taken for inaccurate or false reporting. There is insufficient attention given however to the falsehoods fed to the media by politically or socially powerful people who would prevent access to information.

Considering that the ANC have blatantly demonstrated hostility to criticism from the press, it is important for them to reflect on the righteous manner which characterises how many ANC public officials deal with the news media and therefore, by extension, the public. It is possible to envisage guidelines for communicating with the public which are more respectful. Similarly the news media might look to the areas of insensitivity, to the lack of diversity that their coverage does contain. Although the imperatives of profit in the news industry might be responsible for particular sets of journalistic practices, putting the issues of diversity and plurality on the agenda can enable them to think of new ways to approach diversity in editorial content. A more facilitative role might even increase their readership. The question then remains whether the politicians are prepared to consider the implications of the findings and whether the press are able to shift their practices in the interest of greater diversity of content and voice.

Postscript

Since this study was undertaken, the ANC government’s strategies to block access to information have continued relentlessly with threats to the Public Protector and the news media. The measures that they are taking are a blatant rejection of the rights enshrined in the Constitution. The clauses that protect media freedom, access to information, and free speech are enabling of the genre of

investigative Journalism. If the ANC are adversarial and hostile to this form of reporting, then it must be asked if they are committed to the form of government encoded in our Constitution. The Nkandla saga has not closed.

10 References

- African National Congress (ANC).(2010). "Media transformation ownership and diversity." Retrieved 10.10.2013, 2013, from <http://www.anc.org.za/docs/discus/2010/mediad.pdf>.
- Andersen, B. (1983). Imagined communities. London, Verso.
- Bell, A. (1994). Telling stories. Media texts: authors and readers. D. Graddol and O. Boyd-Barrett. Clevedon, Multilingual matters.
- Christians, C., T. Glasser, D. McQuail and R. White (2009).Normative theories of the media. Journalism in democratic societies. Urbana, University of Illinois Press.
- Cottle, S. (2006). Mediatized conflict. Maidenhead, Open University Press.
- Dahlberg, L. (2007). "The Internet, deliberative democracy, an power: radicalizing the public sphere."International journal of media and cultural politics3(1): 47-64.
- De Waal, M. (2012). The shootout: *City Press* vs. *Sunday Times*. Daily Maverick.
- Ettema, J. S. and T. L. Glasser (1998).Custodians of culture. Investigative journalism and public virtue.
- Fairclough, N. (1995). Media discourse. London, Arnold.
- Fiske, J. (1987). Television culture. London, Routledge.
- Foucault, M. (1977).Discipline and Punish: the Birth of the Prison. Harmondsworth, Peregrine.
- Foucault, M. (1980).Power/Knowledge. Selected Interviews and Other Writings 1972-1977. Brighton, The Harvester Press.
- Foucault, M. (1981).The Order of Discourse. Untying the Text - A Poststructuralist Reader. R. Young. London, Routledge: 48-78.
- Foucault, M. (2003)."Society must be defended". New York, Picador.
- Fraser, N. (1992). Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy Postmodernism and the Rereading of Modernity F. Barker, P. Hulme and M. Iversen. Manchester, Manchester University Press: 197-231.
- George, C. (2013). "Diversity around a democratic core: The universal and the particular in journalism." Journalism 14(4): 490-503.
- Habermas, J. (1989). "The structural transformation of the public sphere: an inquiry into a category of bourgeois society". Cambridge, Mass, MIT Press.
- Harcup, T. and D. O'Neill (2001). "What Is News? Galtung and Ruge revisited."Journalism Studies2(2): 251-280.

- Janks, H. (1997). "Critical Discourse Analysis as a research tool." Discourse studies in the cultural politics of education18(3): 329-341.
- Kapoor, I. (2002). "Deliberative democracy or agonistic pluralism? The relevance of the Habermas-Mouffe debate for Third World politics." Alternatives27: 459-487.
- Mamdani, M. (1996). Citizen and subject. Contemporary Africa and the legacy of late colonialism, Princeton University Press.
- Mouffe, C. (1999). "Deliberative democracy or agonistic pluralism." Social research66(3): 745-758.
- Prinsloo, J. (2009). Textual analysis: narrative and argument. Media Studies. P. J. Fourie. Pretoria, Juta. 3: 204-253.
- Richardson, J. E. (2007). Analysing newspapers. An approach from critical discourse analysis. Basingstoke, Palgrave Macmillan.
- Sen, A. (1999). "Democracy as a universal value." Journal of democracy10(3): 3-17.
- Tehrani, M. (2002). Peace journalism: negotiating global media ethics. Peace Culture and Communications Commission, IPRA General Conference in (July 2002) Korea
- Thompson, J. B. (2000). Political scandal. Power and visibility in the media age. Cambridge, Polity.
- Turner, V. (1988). The Anthropology of Performance. New York PAJ Publications.

News articles referenced in the analysis

The articles have been listed in the order in which they are referred to in the analysis. This idiosyncratic arrangement has the benefit of following the unfolding of the narrative as recounted.

- "R200m splurge on Zuma homestead", *City Press* 29.10.2012
- "Nkandla: Zuma, cancel 'lavish personal enrichment', – Mazibuko" *City Press* 1.10.2012
- "DA won't let Zuma's R203m homestead revamp 'go unanswered'", *M&G* 30.09.2012
- "Zuma's Nkandla upgrade needed – Maharaj", *City Press* 02.10.2012
- "Nkandla: Minister calls for *City Press* probe", *City Press* 02.10.2012
- "Department to probe Nkandla documents leak", *M&G* 02.10.2012
- "Nkandla's costs: Trapping the mole in the bunker", *M&G* 05.10.2012
- "Nxesi contradicts handbook on Nkandla upgrade", *M&G* 03.10.2012
- "Nkandla upgrade: Last-minute bid to hide costs", *M&G* 05.10.2012
- "Nkandla controversy based on misperceptions – Nxesi", *City Press* 05.10.2012
- "Cronin: Public works will watch Nkandla process", *M&G* 10.10.2012
- "Nkandla: Zuma claims ignorance", *City Press* 11.10.2012
- "Public works ducks questions on Zuma's Nkandla upgrade", *M&G* 12.10.2013
- "Minister must explain R203 million Zuma upgrade – Cosatu watchdog", *City Press* 05.10.2012
- "Nkandla 2.0 million", *City Press* 07.10.2012
- "Nkandla: Apartheid-era laws being used – Milo", *City Press* 19.10.2012
- "How to use your moral suasion", *City Press* 06.10.2012
- "Echoes of DRC's Mobutu in KZN", *City Press* 13.10.2012
- "Nkandlagate: Zuma claims ignorance", *City Press* 11.10.2013
- "Zuma doesn't own Nkandla land", *City Press* 05.10.2012

"Nkandla pay shock", *City Press* 20.10.2012
 "Madiba, Mbeki got far less than Zuma", *City Press* 07.10.2012
 "Zuma, explain Nkandla – Zille", *City Press* 25.10.2012
 "DA seeks changes to law to prevent another Nkandlagate", *City Press* 29.10.2012
 "ANC backtracks on no confidence vote", *M&G* 19.11.2012
 "Motlanthe silent on Nkandla too", *City Press* 24.10.2012
 "Gordhan, too, dodges Nkandla", *City Press* 25.10.2012
 "Cronin: Public work will watch Nkandla process", *M&G* 10.10.2012
 "DA probing Nkandla is like 'puppies barking at the moon'", *City Press* 29.10.2012
 "The symbol of Zuma's presidency", *City Press* 03.11.2013,
 "DA may face violence at Nkandla", *City Press* 02.11.2012
 "DA visit to Nkandla 'unnecessary and unwarranted' says ANC", *M&G* 03.11.2012
 "Cops line road to Nkandla ahead of DA visit", *City Press* 04.11.2012
 "DA's Nkandla visit is mischievous", *City Press* 03.11.2012
 "Zille barred from Nkandla inspection 'for own protection'", *City Press* 04.11.2012
 "SACP: DA visit to Nkandla 'racist', 'right wing' and a 'publicity stunt'", *M&G* 03.11.2012
 "DA Youth complain over 'die like cockroaches' tweet", *City Press* 05.11.2012
 "Nkandla was no publicity stunt – Zille", *City Press* 05.11.2013
 "Zille, Mac go at each other over Nkandla", *M&G* 05.11.2012
 "Zuma defends his Nkandla 'family home'", *M&G* 15.11.2012
 "Zuma: I take exception to being called first-class corruption man", *City Press* 15.11.2012
 "Zuma has no bond", *City Press* 17.11.2012
 "No bond registered on Zuma's Nkandla home", *M&G* 18.11.2012
 "Presidency's Zuma bond claim leaves unanswered questions", *City Press* 20.11.2012
 "Zuma has a home loan", 20.11.2012
 "Different sources paid for Nkandla – report", *City Press* 21.11.2012
 "SongezoZibi: Nkandla exposes corporate rot", *M&G* 14.12.2012,
 "Nkandlagate: the astro-nomical upgrade", *City Press* 06.10.2012
 "Nkandla upgrade: Last minute bid to hide costs", *M&G* 05.10.2012
 "Nkandla money can be put to better use – survey", *City Press* 08.10.2012
 "Madonsela: The thin blue line of government", *M&G* 09.10.2012
 "Law needed to protect president's dignity – SACP", *City Press* 12.11.2012
 "Scopa to query Nkandla – report", *City Press* 31.10.2012
 "Calling Nkandla a 'compound' is racist –SABC", *City Press* 07.11.2012
 "Apartheid language lives on", *City Press* 10.11.2012
 "Nkandla: Courts have little power if Zuma won't play ball", *M&G* 05.11.2012
 "Who in their right mind could have approved Nkandla? – Tutu", *City Press* 12.12.2012
 "Three conferences; three scandals", *City Press* 16.12.2012
 "Nkandla results 'soon'", *City Press* 13.01.2013
 "Nkandla tender man a state favourite" *City Press* 24.03.2013
 "DA visit to Nkandla 'unnecessary and unwarranted' says ANC", *M&G* 03.11.2012
 "No evidence public money spent on Nkandla – Nxesi", *City Press* 27.01.2013
 "Public works being revamped to curb corruption – Nxesi", *City Press* 06.03.2013
 "Nkandla: The letter that shows Zuma was aware of the upgrades", *M&G* 27.01.2013
 "Lekota: Zuma's Nkandla home like Hitler's Berghof", *M&G* 19.02.2013
 "Public work's Nkandla report to be kept secret", *M&G* 13.05.2013
 "Zuma's R800 rent deal", *City Press* 12.05.2013
 "Zuma's R800 Nkandla lease agreement", *M&G* 09.06.2013
 "Nkandla land lease debate", *City Press* 17.06.2013
 "Zuma's R800 lease agreement", *M&G* 09.06.2013
 "Cosatu: Nkandla security spending is 'grotesque'", *M&G* 29.01.2013;

"Numsa: Declassify the Nkandla documents", *M&G* 12.07.2013
"Secrecy obsessions betray political sensitivities", *M&G* 05.07.2013
"Nkandla: An orgy of kowtowing", *M&G* 05.07.2013
"The Nkandla documents", *M&G* 05.07.2013
"Nkandla: Number One emerges a clear winner", *M&G* 05.07.2013
"What did Zuma know about the Nkandla project?", *M&G* 05.07.2013
"The Nkandla files: Project railroaded from the start", *M&G* 05.07.2013
"Long battle to get hold of redacted Nkandla documents", *M&G* 05.07.2013
"The Nkandla files: Secrecy obsessions betray political sensitivities". *M&G* 05.07.2013,
"Inside President Zuma's cow-a-bunker", *M&G* 12.07.2013
"Nkandla: How IDC splashed R10 million on bailout", *M&G* 12.07.2013
"Ex-teacher chalks up the contracts, builds Nkandla", *M&G* 12.07.2013
"Nkandla's money mine", 12.07.2013

ILANGA

"Upgrading of President Zuma's homestead heavily criticised", *Ilanga*, 04-06.10.2012
"Investigating Zuma's homestead", *Ilanga*, 11-13.10.2012
"ANC member arrested for drunkenness at iNkandla", *Ilanga*, 05-07.11.2012
"Tough questions about President JG Zuma's 'palace'", *Ilanga*, 12-14.11.2012
"Truth about president's homestead", *Ilanga*, 28-30.01.2013