

There is no state capture â€” Zuma

In the wake of startling evidence at the Zondo commission of inquiry into state capture of how corruption and abuse cost the state billions of rand, former President Jacob Zuma has told students: 'There is no state that is captured.' **Legalbrief** notes that **Zuma's denial of the existence of state capture comes hot on the heels of his decision not to cross-examine key witnesses** who have made damning allegations at the commission, saying that he does not believe he has criminally or ethically been implicated by the testimony of former Deputy Finance Minister Mcebisi Jonas, former ANC MP Vytjie Mentor and former government spokesperson Themba Maseko or his deputy Phumla Williams. All three testified about how the Hawks had allegedly tried to sabotage criminal state capture investigations involving Zuma or the Guptas. Among other claims, Jonas told the commission the Guptas tried to bribe and threaten him into taking then Finance Minister Nhlanhla Nene's job. Mentor alleged that she, too, was offered a position by the brothers. She was allegedly offered the role of Public Enterprises Minister late in 2010, just before then-Minister Barbara Hogan was removed during a reshuffle.

Zuma said he did not believe the state had been captured, according to a **City Press** report which notes the former President was delivering a lecture on free education at the Walter Sisulu University's Nelson Mandela Drive Site Campus in Mthatha yesterday (Wednesday). Zuma said it was only if all three arms of the state – the judiciary, the legislature and the executive – were captured that the phenomenon of state capture could be true. 'Not a single one of the three is captured. The judiciary is not captured. Is Parliament captured? Is the executive captured? So where is state capture?' Zuma reportedly asked. 'My view, and I am not disagreeing with anyone, is that **these are politically decorated expressions**. Absolutely,' Zuma is quoted in the report as saying. 'There is no state that is captured.'

Deputy Chief Justice Raymond Zondo is expected to deliver his decision on applications for leave to cross-examine witnesses at his judicial commission of inquiry into state capture today (Thursday). Last week, Zondo expressed concerns over the Gupta brothers' applications from abroad to cross-examine witnesses. This, notes a **News24** report, was after Advocate Mike Hellens SC, for Ajay Gupta, said his client was willing to testify and wanted to cross-examine witnesses from a location outside SA. **Hellens claimed that the Gupta brothers were worried about possibly being arrested if they returned to SA**, labelling the Hawks and the NPA as 'recklessly incompetent and a national embarrassment'. Hellens also told the commission that Ajay Gupta has a 'powerfully contrary version' to Mentor's version of events. Meanwhile, the public hearings are scheduled to continue on Monday with the testimony of representatives of banks regarding the closure of Gupta-related accounts.

President Cyril Ramaphosa, meanwhile, has committed to appearing before the commission with 'a great deal of pleasure' if called to do so. He was answering questions in the NCOP where DA MP Cathy Labuschagne told him: 'It is impossible that you didn't know about the extent of state capture, especially as the DA was bringing it to your attention every time you, as Deputy President appeared before Parliament.' According to a **News24** report, **she pointed out Ramaphosa was in charge of state-owned enterprises while state capture flourished, and he did nothing to stop it**. When she asked if he would appear before the commission if called, he said: 'As far as I'm concerned, if the Zondo commission asks me to appear before it, I have no difficulty, I have no opposition. I will go with a great deal of pleasure if the Zondo commission says: "President, come and appear," because it is important that the people of SA get to know exactly what was happening in the state. To the extent that any of us has a story to tell, has something to put forward to the Zondo commission, we should never hide. We should go forward.'

In an about-turn, the former President's son, Duduzane Zuma, will now testify at the state capture inquiry, says a **TimesLIVE** report. Advocate Paul Pretorius said Zuma's lawyers had written to the commission's legal team informing them that he would come to testify in relation to evidence given by Jonas, who alleged that Duduzane Zuma was at a meeting where the Guptas had offered him the job of Finance Minister and a R600m bribe. **At first Zuma informed the commission he would not testify because he was facing charges in the Specialised Commercial Crime Court on the same matter**. He made his first appearance in court earlier this year and is expected back in court next year.