

ADDRESS BY DEPUTY CHIEF JUSTICE DIKGANG MOSENEKE
AT THE INAUGURAL LOT NDLOVU ANNUAL LECTURE
HOSTED BY THE
BLACK MANAGEMENT FORUM AND THE LOT NDLOVU LEGACY TRUST
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Introduction and salutations

The president of the Black Management Forum, Mr Bonang Mohale and your national executive, distinguished members of this progressive formation, ladies and gentlemen. I am most grateful for this invitation to call to memory our departed brother, comrade and leader, Mr Lot Ndlovu. It is a privilege to be here talking about him and his leadership.

Every life is worth remembering. But not every legacy is worth memorializing in the public space. We do not pay tribute to people only because they have passed on – sad as it is. We conjure up their memory so that we may live. For a life well lived poses cutting questions about our own life. As we marvel at it we reinforce or alter our own convictions of what it is to be good. We find that rare room to interrogate the principles that should animate our individual lives and the broader social condition. As we remember, we find time to contemplate where we are and where we could be in the public space.

President Zuma Inkosi Shaka - a remarkable story

I want to start my tribute to Lot Ndlovu by relating to you a remarkable story told to me by our President Jacob Zuma. The story is about Inkosi Shaka. The king's

mother, queen Nandi, died. This was a big tragedy, not only to the King but also to all his subjects. A period of mourning took hold of the Zulu people. Many cried out loudly particularly in the presence of Inkosi Shaka. As the days went by the tears started to dry up. Many within the community learned that it would be helpful to induce tears. Women would place snuff under their eyelids so that they could produce tears on demand. The King ordered that during the period of mourning none of his subjects may slaughter cattle, sheep or goats or go hunting for meat. No one was allowed to harvest the fields for grain. Starvation began to set in. Babies and adults alike began to starve as they continued to pretend that they were mourning. A thriving Zulu nation began to be impoverished in many ways.

Here President Zuma paused for a while and continued to relate this remarkable story: One of the elder warriors (let's name him Sokhulu) asked for audience with the King. Before the King he knelt and said: "Bayethe wena we Ndlovu you may have to put a spear through my heart once I have made my humble plea to you. Your people have been hurt by your mother's death, but Inkosi, your people are now dying, because they may not milk or slaughter their cattle, they may not slaughter their sheep. They may not hunt. They may not harvest their grain and have no food. Please Inkosi; free them from this extended mourning. I fear to say, you are the King, but only if you have people to rule over. Should they all die you will no longer be King. Bayethe."

Two of the King's trusted warriors leapt up with their assegais in hand to kill the elder warrior, for his unseemly disrespect for King Shaka. Inkosi Shaka took a deep breath and shouted: "stop. It is you my inner core warriors who I should kill and not the senior warrior, Sokhulu, who had the courage to tell me the truth. You often lied to me that my people wanted to mourn for my deceased mother forever. Place a royal ring of honour on his head as the mark of my respect for him."

I truly thank President Zuma for the remarkable tale drawn from our proud history. I assured the President that I would share this insightful story with my children,

grandchildren and other citizens. It is worth sharing with you. To it I will revert shortly.

Brief biographical account

15 August 1951 to 22 August 2013

This month (22 August 2014) a year ago, Maduke Lot Ndlovu died at the age of 62. His beginnings were humble as he grew up in Kriel, Bethal, Mpumalanga. He went to farm schools around Bethal for his early education. The odds were stacked against this rural child. He nonetheless matriculated at a Seventh Day Adventist Institution, Bethal College in the Eastern Cape, at the age of 19 years, in 1970.

It is difficult to imagine a young Lot Ndlovu working as a clerk at the Bantu Affairs Commissioner in Witbank in 1972. This is so because we know that he turned his back on his impoverished farm upbringing and began to take himself seriously. He was inspired by the teachings of Steve Bantu Biko, Onkgopotse Tiro, Barney Pitso Moseneke and Harry Nengwenkulu. I met him during the 1970s. I had just come out of Robben Island. He had a yellow T-shirt on with an image of muscular black arms breaking chains apart. He kept a large afro hair-do and wore bell bottoms. He was young, gifted and black, as Donny Hathaway sang. He was as fiery as those young black consciousness activists of the 1970s. We should thank that generation of black consciousness leaders for the incredible bravery and activism they displayed at a time when the African National Congress and Pan Africanist Congress were banned and many of its leaders were in prison or in exile. The only good thing we can say about his stay at the Bantu Affairs Commission was that he met Zanele Nkosi whom he later married in 1976. They were blessed with five children, Vuyelwa, Thembeke, Thandeka, Zoleka and Monde.

Lot later studied business management at distinguished business schools, including UNISA, North Western University (USA) and Harvard Business School. He also holds an honorary doctorate. So we may legitimately call him Dr Lot Ndlovu.

He graced many corporate boards, too many to mention, the most significant ones being when he served as Chief Executive Officer of People's Bank Ltd and later as Executive Director and Vice-Chairman of the Nedbank Group. His leadership extended to many non-commercial board roles like the Banking Adjudicator, Business Trust, the National Engagement for Ethics Development. He was the patron of the Midrand Graduate Institute and Milpark Business School. Special to me was the five years he served with me on the Commission for the remuneration of Public Office bearers from 2002 to 2008. For years we together debated on the appropriate remuneration for the President, his cabinet, MP's, judges, mayors and councillors.

In all of his life pursuits, the Black Management Forum (BMF) stood out. Nearly 33 years of his life, from 1980 to 2013, he dedicated to the BMF. He was not only a founding member but he also occupied various office-bearer positions until he was later appointed its Managing Director and ultimately elected as President. His obsession with economic transformation led to the affirmative action blueprint that evolved into the current Employment Equity Act. It was during his presidency when the BMF resolved that there should be a Black Economic Empowerment Commission to address the imbalances of apartheid and drive for the inclusion of black people in the mainstream economy. That initiative culminated in the Broad-Based Black Economic Empowerment (BBBEE) Act which is the policy of our country today. He was a founding member of the Black Business Council and became its first Deputy President. He was indeed synonymous with the BMF and its avowed mission to lead and transform.

Courage of Principle

When I was asked to speak to pay tribute to Lot Ndlovu, Sokhulu, the seasoned warrior of president Zuma's narrative came to mind. It seems to me that people who are bent on changing their world require courage of principle. Courage of principle

implies three fundamental and inter-connected patterns of behaviour. The one is a vision, the other entails concrete steps to pursue and realise the vision. The third is preparedness to pay the price for a rigorous pursuit of the vision.

For one thing, the primal starting point of individual or collective change must be a vision. A vision must be formulated and articulated. It is that internally coherent statement of principles that imagines idealised or desirable social, political or cultural outcomes. In the context of a political or revolutionary movement, a vision may consist of only minimum demands or rise to the level of ideology, suitably supplemented by strategy and tactics. At different times in our long struggle, we have seen the movement of the people stake the claim for freedom, equality and democracy. One of the earliest articulations of these values occurred in 1912 with the formation of the African National Congress and thereafter, they were consistently followed in a variety of charters such as the Atlantic Charter, the Freedom Charter, the Ten Point Programme of the Unity Movement, the Africanist Manifesto and the socialist humanism of black consciousness movement. Even as a continent we have adopted the African Charter on Human and Peoples' Rights. We have no shortage of statements of intent. Thus a vision is that lodestar that lights up the way to a just society.

Our vision is uncomplicated. For starters we have to shut the door firmly on apartheid, brutality and inequality. We have inducted a democracy. We have chosen the rule of law not the rule by people. We are striving for an inclusive and prosperous economy. We have committed to look after our children, to teach them. We have undertaken to create access to housing, to healthcare, to social security for vulnerable people in our society. We have vowed to banish patriarchy and to treat women with equal worth and respect. We have made laws to achieve equity at the workplace. We have fashioned programmes to transform unequal relations within the economy. We have undertaken to pursue spatial and land equity. We have chosen for ourselves an open and free society with vital freedoms within which we can individually and collectively fulfil our potential. We have envisioned and created vital institutions to protect our democracy. We want representatives of people in

Parliament to make good laws; hold the Executive to account and to deliberate on matters of national importance. We entrust the executive with the purse and the sword to implement laws and to pursue the vital interests set up in our Constitution. As we do so, we expect the executive to treat the public purse only as authorised by the law. We expect our courts to work to ensure that everyone acts within the remit of our vision as expressed in laws. In all this, every public official's conduct must be accountable, responsive and transparent. That is our national vision in a few words.

Concrete steps to make the vision real

Beyond a vision, concrete and credible steps are required to make it real. That much is true for all arms of the state. Courage of principle would require public servants to do what is to be done. Much like other social activists who are expected to take practical steps to realise the vision, all public functionaries must show absolute fidelity to our collective covenant. I suggested at the beginning that the inevitable consequence of courage and principle must be a willingness to bear the consequences. We are a proud democracy. In many respects, we have established an admirable state and proud nation. We have picked much of the low-hanging fruit.

Many intractable challenges still remain. I am not going to go down the route of rehashing all the things we must do to accomplish our vision of a good society. Nor am I going to engage in the blaming game. Allow me to mention three significant threats to our democracy. The first is an economy that is not growing at a pace and degree big enough to create new jobs and to diminish inequality. Secondly, we must do our utmost to preserve vital institutions of our democracy. We need an undivided, effective police and intelligence services. So too a functional National Directorate of Public Prosecutions. Parliament must remain the overarching site for public debate and executive accountability. Judges must judge impartially. Our Auditor-General, Receiver of Revenue, Public Protector, Human Rights Commission and other watchdogs must function and flourish.

Willingness to bear the consequences

However, certainly all of us cannot now back-off from our bounden duty to educate and train the young, to transmit to them the very best values of our long and heroic struggle. We must teach them to be honest, to be hard-working and forget about instant gratification. Financial wellbeing is built over a lifetime and not through a few dodgy tenders. As a start, we should perhaps rethink the way with which we refer to our leaders in Government. They are not rulers. They are servants. We cannot have a ruling party. We must have a serving party. The opposition parties can, therefore, compete for the privilege to serve, and not the right to rule, as it is commonly displayed and understood. Perhaps then our parties will attract a talented pool of young people willing to serve – people with the sole desire to give and not to take, to build and not to destroy: those who pursue excellence and who do not accept mediocrity, people who listen without talking unduly.

We must teach our youth that we have a vision and keep it well in sight. We must garner the courage and comfort to speak out and act on it. We must require our public functionaries to pursue in truth a better life for all. The price we are to pay for social activism is small indeed – nothing comparable to the supreme price paid by many who have gone ahead of us. We must be truthful and rigorous in the pursuit of a more equal and just society. We must have the courage to call it right in the most difficult of circumstances. That is so because our collective vision is not open to debate. Its primacy is well settled by a long line of virtuous struggle. What is in deep doubt now is our commitment to achieve our vision and indeed the vision of Maduke Lot Ndlovu.

When fear strikes and paralyses us we must remember the great warrior Sokhulu and the wise response of Nkosi Shaka.

Thank you for listening and good night.