

The South Coast Chamber of Commerce and Industry: **The South Coast Business Chamber.**



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-THE MORAL REGENERATION MOVEMENT-
-COMBATting CORRUPTION IN THE SADC-
-END THE CORRUPTION IN SOUTH AFRICA!



INTRODUCTION: SOUTH AFRICA: **THE MORAL REGENERATION MOVEMENT**: ESTABLISHED IN 1997:

It was Nelson Mandela that established the **Moral Regeneration Movement** in South Africa in 1997. He saw the need for ethical leadership and moral management of the State resources; and called this new structure The **RDP** of the **Soul of the Nation**. It was decided at that time that the Patron of this new and essential movement was the Deputy President; and that all future 'Patrons' would hold that position as an essential custodian of moral values. It is Cyril Ramaphosa that is now the Patron of this praiseworthy initiative. **However**, this movement was only launched in 2008 and it took more than eight years to put together **The Charter of Positive Values**. It took two decades to launch this movement and the present leadership in the country sincerely believe that it is ward councillors in the municipalities that are those best suited to promote a **Moral Regeneration Movement**; and distribute **The Charter of Positive Values**.

The responsibility of moral revival and putting an end to corruption is a collective one; and it is the duty of every single person in civil society to join this **crusade** to educate our children on the need for **moral values** – while at the same time prosecuting those that are responsible for this evil. It is a reality that all pro-moral, pro-family, pro-law-abiding and pro-life 'values' are virtually non-existent - and there is also little '**respect**' for life, property, contracts of law and authority. There is even less political will to put an end to all the corruption, crime, grime; and inner-city 'decay'. If this were not all true, then it would not have taken two decades to launch the Moral Regeneration Movement – and South Africa would not be the 'most corrupt' country in sub-Saharan Africa; and second only to Ghana and Nigeria. This country is the **Number One** crime, murder, rape, drug and human rights abuse capital of the world – and **second** only to Mexico and Colombia. We are one notch above "**Junk Investment**" status and we need change!

The Government has at least realised that it is the moral decay and decline in standards, values and all principles; that create the situation that the world 'ranking agencies' of **Fitch**, **Moody's** and **Standard & Poors** have had no option but to rate our country as being of no or little interest to the **Global Business Investment Community** and the **Global Business Confidence Index** is the worst it has been in more than two decades. The Government is correct in its assessment of the causes of this corruption plague - and it has at least made an effort to find a solution in the promotion of the **Batho Pele – people first**; and an equally important **Ubuntu – respect others**; principles. They sincerely believe that these will be 'revived' with the Moral Regeneration Movement and the Charter of Nine Positive Values. **However**, there is no maintenance and enforcement of law and order - and justice delayed is justice denied. **Crime** is the real enemy of the economy and **corruption** is the enemy of the poor, needy and destitute. **It has to change!**

COMBATting CORRUPTION IN THE SADC: THE SADC PROTOCOL: THE NEED FOR A UNITED ACTION!

It was the Programme Officer of the *SADC Lawyer's Association* – **SADCLA** – that emphasised the need and importance of combatting all corruption in the SADC region in an article in the *DE REBUS* edition in April 2015. This Journal for South Africa's Attorneys is distributed by the Law Society of South Africa. In this edition, *Chantelle de Sousa* made it quite clear that moral regeneration is not only an imperative in the Southern Africa Development Community – **SADC** – but that all the lawyers that made up the SADC Lawyer's Association were also tasked with advancing and promoting all human rights, and the right of law, as well as democracy and good governance in the SADC region and beyond as a regional voluntary lawyer's association. This report and other information, on how to become an individual member: and get involved in this crucial work is available on www.sacla.org. The need to all get involved is essential!

The SADC Lawyer's Association hosted a workshop in 2014 to highlight and discuss all research into the implementation of the **SADC Protocol** against all corruption by member states. These members include Angola, Botswana, Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Maritius, Namibia as well as Mozambique, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. Participants included lawyers from all Southern Africa and representatives from trade unions and 'non-government' organisations. **Corruption** was described as a '**chronic disease**' in the region by one of the 'participants' and that no country had been spared its negative impact; with corruption causing problems; such as an issue of denying school children text books – to presidents benefitting from multi-billion dollar business deals. The problem of corruption persists despite numerous initiatives at an international, regional and domestic level to combat the problem. The purpose of the study was to actually determine the state of implementation of compliance with the Protocol – including the implementation of legislation and also policy at domestic levels; the efficacy of national anti-corruption institutions – and the effectiveness of the Protocol in curbing challenges; such as illicit financial flows. **The present systems really don't work!**

The point was made during that workshop that lawyers have the 'inclination to want to change the law' – however, at present there are many treaties and mechanisms available; and there is all the possibility to work within this framework which already exists. It is the duty of lawyers to familiarise themselves in a responsible manner with these treaties and mechanisms – and hold their leaders, institutions; and all institutions accountable for the acts of malfeasance and corruption. The existing SADC Protocol against Corruption was adopted in 2001; amidst concerns of the adverse and destabilising effects of corruption throughout the world on the culture, economic, social - and also all political foundations of society. The Protocol emphasised that member states have the duty, responsibility and moral imperative to hold all corrupt persons accountable – and take appropriate actions against all those who commit these acts of corruption. The Protocol emphasised the need for member states to promote unity and 'collaborative' cooperation to combat this corruption and develop greater regional integration. The Protocol has also been ratified by those 13 member states and the only two states that had not ratified the Protocol are Madagascar and the Seychelles. However, ratification has not necessarily resulted in domestication or implementation of the Protocol. One of the primary purposes of the Protocol is to bring about **justice!**

Justice is a concept of moral rightness based on rationality and fairness. The primary aim of justice is to balance the interests of individuals and provide 'restitution' where necessary. One of the primary aims of the Protocol is the prevention, detection and also prosecution of corruption in the public and private sector. It needs to be done through legislative and other measures, in which acts of corruption are also criminalised, investigated and prosecuted; as well as setting out the 'official mandate' and authority of committed anti-corruption institutions. Of the 13 member states that were examined, all of them, to a large degree, have legislation that defines and criminalises acts of corruption and also calls for **justice!**

Of the 13 member states that ratified this Protocol against corruption, all of them had 'legislation' that demands justice and have clear legislation that defines and criminalises acts of corruption; and calls in all member states for the immediate investigation and prosecution of corruption in their jurisdictions.

However, Mozambique fails to address such issues as embezzlement, money laundering and illicit acts of unjust enrichment. The Protocol also provides that each member state party undertakes to adopt all measures; that will protect individuals, who in good faith, report acts of corruption. Legislation in those member states of Mozambique, Namibia and Swaziland fail to protect whistle blowers. **However**, other jurisdictions like South Africa, guarantee the protection of whistle blowers - through witness protection programmes. State parties are also required to set up anti-corruption institutions - for implementing all mechanisms that prevent, detect and eradicate corruption. All states examined, have a body tasked to investigate acts of corruption – in fact, most have multiple bodies established to 'eradicate' corruption.

However, this has also created problems with replication of functions and even conflict between all the institutions and organs of state that have been established to serve this purpose. For example, in South Africa, the *Special Investigating Unit* was of the view that there is a lack of communication between the 'different' bodies tasked to tackle corruption. Further problems with the *anti-corruption* bodies include a lack of independence in carrying out these essential and necessary functions. Notable concerns were those that anti-corruption institutions functioned within the ministry of presidency and offices of those premiers – as in the case of Botswana and most member states. These are also '*dysfunctional*' systems!

However, *political interference* is the cause for concern; and the appointment process that determines the head of these anti-corruption institutions is all plagued with problems; as the head is a *Presidential* appointee. Other issues and challenges include a lack of a political will; and lack of capacity to carry out the necessary and essential investigations and day-to-day operations. This included problems such as a lack of funding and technical expertise; as the institutions were generally understaffed; and also poorly trained. Most of the anti-corruption institutions do not have the prosecutorial authority to also pursue corruption matters and all the decision to prosecute is usually left in the office of the *Director of Public Prosecutions* – **DPP**. The concern with relying on the discretion of one person; is that it is questionable!

However, this concern is not only questionable, but it is also justifiable! The challenge with relying on a decision and discretion of that **DPP** is that its dependence is also most certainly questionable - as he or she is usually appointed by the president of that member state. Many people in the SADC region are of the view that there has not been enough effort in the prosecution of those in office – or the influential and powerful; and that efforts and investigations have only resulted in the prosecution of '*small fish*' in countries that are plagued with corruption from the highest levels of State governance and leadership. These factors point to the truth and reality that there is no political will; to end all this chronic disease!

However, the Protocol also requires member states to adopt mechanisms that 'incentivise', encourage, and even motivate wider sectors of society, such as the media and civil society to actively participate in putting an end to the disgusting levels of crime and corruption. Most member states have some sort of mechanism to allow for public participation, for example, in Tanzania there is active engagement by all sectors of the State with local communities, all religious leaders and musicians – through activities and events, such as public seminars, talk shows, exhibitions and '*anti-corruption club*' activities. Other acts and activities include public awareness through the inclusion of the understanding and combatting the corruption in the school curriculum – that can be found in Swaziland and Zambia. **These are solutions!**

However, in some countries, such as in **Angola** and the **Democratic Republic of the Congo**, there is also a clamp-down by the State on any anti-corruption activities by the public; **and that also includes media!**

However, all these member states agreed to promote and facilitate '*collaborative cooperation*' among state parties in the future prevention, detection and also prosecution of corruption - in all sectors and development; and the 'harmonisation' of anti-corruption policies - and domestic legislation of all state parties. One of the bodies tasked with strengthening and enhancing 'cooperation' among all 'member states' is the *Southern African Forum against Corruption – SAFAC*. Although all 'member states' are the members of SAFAC and agree to the principles - and endorse their 'mandate', the 'difficulty' in actually achieving and developing collaborative cooperation among state parties is the inability of the members to develop their internal capacity – and therefore be in a position to cooperate with states on issues of major concern. These issues all include extradition, judicial cooperation and harmonising all legislation!

However, a further problem and concern that is hampering 'cooperation' among member states is that creation of off-shore tax havens in the SADC region – as we have found with Maritius and Seychelles. It is a reality that this has also created, and even encouraged, illicit financial flows from major economies in Europe, Asia and Africa; and it is also denying those States the benefits of essential tax revenue. The SADC Protocol has been silent on the action to be taken in this regard and the silence is also deafening! The study pointed out that generally, there is a legal and institutional framework to combat corruption as well as 'mechanisms' for the public to get involved in anti-corruption activities. **It is time for change!**

However, the issues remain, such as the independence of anti-corruption institutions - and their ability to provide the essential infrastructure and the necessary financial and resource capacity for effective or efficient service delivery. Underpinning these challenges and barriers that are evident; and apparent in all and each one of these member states and the jurisdictions examined, is the total lack of political will in every single SADC country to deal with all the problems of corruption that exist. The preamble of the Protocol explicitly recognises the real need for actual demonstrable 'political will' and moral leadership with ethical management of the systems: and are essential elements to wage an 'effective' war against this plague and scourge of corruption. The Protocol is extremely clear on what is required of members!

However, the duty and responsibility to put an end to the corruption does not solely lie at the feet of a government that clearly has no political will, commitment, resources, or the capacity to effectively deal with this chronic disease. The Protocol expressly recognises the importance of all the public and private sector to get involved with tackling this social disorder that is the enemy of the poor, destitute and also the entire economy and country. It is with this duty, responsibility and moral imperative in mind; that it is civil society and religious leaders that need to embrace this challenge with an attitude that refuses to fail. It is also the duty and responsibility of every single person in the SADC region to also 'avoid' getting engaging in corrupt practices – and also to report all and any form of corruption to the authorities; and even the media. It is the lawyers in South Africa and SADC countries that can, and will, be able to play a pivotal and special role in this war against corruption, the protection of human rights - and the right of law. It is only the lawyers that have the knowledge and skills to raise public awareness on all issues of a nature that demands truth, justice and righteousness. It is only lawyers that can also hold the 'guilty' to account for their crimes against the poor, needy, the economy and the country. **We must get involved!**

While these SADC member states, including South Africa, create mechanisms and institutions that have an appearance of seeking justice and putting an end to the crime and poverty – that is the direct result of a plague of corruption and dysfunctional and unethical management; there is clearly no political will or commitment to end it. It is civil society, the media and also the lawyers in these SADC countries that need to hold all these political leaders and municipal decision-makers accountable and responsible for all their actions in a spirit of total transparency. There are no systems in place and the government has put in place this *Movement for Moral Regeneration* – but we need to end all the crime and corruption!

COMBATTING CORRUPTION IN THE SADC REGION: USING THE LAW OF UNJUSTIFIED ENRICHMENT!

Unjustified enrichment and the action of the unauthorised administrator are '*legal principles*' - and not moral values or Biblical Principles; or Godly Values. This principle of *unjustified enrichment* and also the action of the unauthorised administrator are those legal principles that have largely become redundant in our law – as opposed to the legal doctrines that are capable of survival. These are the 'legal opinions' of **Nokubonga Fakude**; who is a candidate attorney at *Mauritz Breytenbach Attorneys* in Johannesburg.

In the April 2015 edition of *DE REBUS*, Fakude discussed these controversial issues that also have direct bearing on this matter of corruption in the SADC Region and the Moral Regeneration Movement; in our own country of South Africa. After all, is that issue of unjust enrichment not 'central and pivotal' to the action of corruption. **Corruption** is all about the unauthorised and illegal administration of resources. It is not honest, ethical or moral to abuse a position of trust for selfish gain - and a '**need for greed**' is also a prime motivator in these fraudulent and illegal acts that take place in all sectors of society; and come under the banner of crime, corruption - and unjustified enrichment. *Fakude* discusses all the following:

1. How unjustified enrichment for practical purposes, should not be recognised as an independent cause of action; separate from the law of contract and the law delict and, in 'certain' cases, and circumstances, criminal law and property law. There needs to be clarity on this particular issue!
2. The **Roman Dutch *Conditiones***, as infiltrated into our law of *unjustified enrichment*, in light of a reality that there is no general enrichment action recognised in our law. There needs to be clear laws that are able to be used to timeously punish all those that 'abuse' positions of public trust!
3. Why the *actio negatorium gestio* – action of the unauthorised administrator; has no place in all South African law. It is clear that justice is a concept of moral rightness, based on rationality and fairness. Its primary aim is to balance the interests of individuals and then provide all restitution where necessary. It is *Aristotle* that clearly makes a distinction between *distributive* justice - and *cumulative* justice. Distributive justice 'assigns' wealth and benefits to 'individuals' and it is then all left to *cumulative justice* to remedy any interference; with such fair distribution of all wealth.

Therefore, breach of contract, delict, crime and unjust enrichment, including corruption, are all the inferences that are sought to be remedied with essential, timeous; and '*cumulative justice*!'

Fakude deals with this issue of unjustified enrichment and questions whether all the law of 'unjustified' enrichment is actually redundant or relevant. In the light of the *Protocol against Corruption* that was all endorsed and ratified by 13 SADC member states, it is this law that also needs to be used; to prosecute those that feel that they are entitled to gain from the loss of others. **An act of corruption achieves this!**

THE ILLEGAL AND UNAUTHORISED ACT OF CORRUPTION: IT IS CERTAINLY ALL UNJUST ENRICHMENT!

Unjust enrichment is where one person, or entity, receives a benefit, or value, from another at the loss and expense of the latter – without any legal cause for such receipt or retention of the value or benefit by the former. Therefore, the 'elements' that should also be present before liability can be found under unjustified enrichment are the following; and all these elements need to be brought before the courts:

- Enrichment of the Defendant.
- Impoverishment of the Plaintiff.
- A connection between such enrichment and impoverishment.
- No legal or authorised justification for such enrichment and impoverishment.
- Absence of any remedy in law. With reference to the averments of *Ernest J Weinrib* in his book, *Corrective Justice*; (Oxford: Oxford University Press 2012) at 11, the transfer of the

Value - or a benefit - under unjustified enrichment and expense requirement, establishes the 'required' relationship between the transferor and transferee (i.e. enrichment has been moved from the plaintiff to the defendant). These requirements are 'dependent' on each other in order to establish liability and are structured by immediacy in all the ambit of liability; and the immediacy in the relationship between the parties involved, preventing liability from being too remote or too restrictive. It is on this basis and remoteness that I submit that liability under unjustified enrichment is not a clear and practical cause of action. There are clear examples of such cases in law that the relevant cases and findings - are justified:

THE *CONDICTIO INDEBITI* ACTION: WHERE THAT PROPERTY IS ACTUALLY TRANSFERRED ERONEOUSLY!

This action applies in the case of payments made under duress and all the payments, or transfers made erroneously. The specific requirements for this particular action also include all the following elements:

- Transfer must have taken place.
- Transfer must have taken place without any legal obligation for the transfer.
- Transfer was made in the belief that the transfer was due, or it must have been made under an element of duress – or by a person of limited legal capacity.
- This action is only available against the recipient of value or transfer only - and no one else.

It is the 'opinion' of the candidate attorney that this action is not necessary in our law. Any person who attains and retains value in the manner set out above should be guilty of both the criminal offences of intimidation and theft. Intimidation is defined in s 1(1) (a) –(b) of the **Intimidation Act** 72 of 1982, and as amended; and includes acts of 'unlawfully' compelling or inducing any person of a particular nature, class, kind or persons in general to do or abstain from doing any act or to assume or to even abandon a particular standpoint. Theft consists of unlawfully appropriating moveable corporeal property that is all belonging to another with intent to 'deprive' the owner permanently of the said property. **Therefore**, it is the rules of criminal law that should apply in the 'recovery' of the property – or the value in question.

THE *CONDICTIO CAUSA DATA CAUSA NON SECUTA* ACTION: WHERE ALL THE PROPERTY TRANSFER FALLS AWAY

This action is used in court where property has been transferred and the purpose of the transfer has all fallen away. This all occurs in instances where the transfer was subject to a *modus*; and then the *modus* is later disregarded. Alternatively, it also occurs where all the transfer also took place on the basis of an assumption that a particular event will take place in the future; and that event does not take place. It is with this in mind that the candidate lawyer makes 'submissions' based on actual historical court cases:

- In the case of the *modus*, where the claim is based on a transfer that took place following actual 'cancellation' of a contract, it seems to be generally accepted that 'claims' should be brought by way of contract and not unjustified enrichment. (Louis F van Huyssteem's *Contract Law in South Africa* (Netherlands: Kluwer Law International BV 2010) at 76 – 79). In *Baker v Probert* (1985) 2 All SA 263 (A) at para 12 the court held that 'cancellation' of a contract for breach is not really a *condictio*that the claim is to be regarded as a distinct 'contractual' remedy – nothing else!
- In the case of the *modus*, where the conception of an assumption of a future event 'appears' to be a suspensive condition in terms of a contract and, therefore, should be regulated by the law of contract – and not the law of unjustified enrichment. This is the opinion of the law candidate.

THE *CONDICTIO OB TURPEM VEL INIUSTAM CAUSAM* ACTION: WHERE ALL MORALS AND PUBLIC POLICY APPLY

This action is used in court when performance was rendered in terms of an illegal agreement in that its conclusion, performance or object is contrary to good morals and public policy. The aim of this action is to allow the aggrieved party who is barred by the 'void agreement' to bring a claim on the basis of that

‘void agreement’. With this in mind, it is worth mentioning that the law is clear. It will not usually assist an individual who has been engaged in an illegality, except in those cases where a public policy dictates otherwise – this is also in terms of *par delictum rule*. There are ‘specific’ court cases relevant to all this:

In *Henry v Branfield* 1996 (1) SA 244 (D), a case concerned with the conclusion of an oral contract in the contravention of s 2(1) of the South African Exchange Control Regulation 1961, the court all firmly held that payment in terms of this agreement could not be ‘reclaimed’ in that the court ought not enforce a contract that perpetrates illegal acts. Furthermore, the *par delictum* rule should not be relaxed; where such relaxation will signal any encouragement to break the law. In addition, the doubt within the law of unjustified enrichment, as to the necessity of such an action, particularly to that issue pertaining to the actual restitution of value that was transferred - in terms of an illegal agreement. If the agreement is all deemed to be illegal and this illegal agreement is all deemed to be void; then it also cannot give rise to any form of obligation. Therefore, the transfer failed to fulfil an ‘obligation’, as there was no obligation to begin with; on which that actual transfer was made. Therefore, this particular case falls within all the sphere of the *condictio indebiti*, making the *condictio ob turpem vel iniustam causam* ‘issue’ redundant.

As for those transfers that are made under ‘*duress*’ or undue influence which, under the present law of unjustified enrichment, should be brought through the following action; and taken by a court of justice:

- Where such *undue influence* or *duress* is aimed at eliciting the other party into entering into a contract in terms of which performance or value is to be transferred; then the claim based on this should be brought on the basis of law of contract – i.e. the rescission of the contract. This was recognised as the ground for rescission by the Supreme Court of Appeal in *Plaaslike Boeredienste (edms) BPK v Chemfos BPK* 1986 (1) SA 819 (A). The case ruling was all upheld!
- Where such *undue influence* or *duress* was aimed at eliciting transfer, not really by way of a contract, then a claim based on this ground must be brought by way of the *law of delict* – as this is wrongful and blameworthy conduct; with resultant loss casually linked to the conduct of the defendant – (*Broodryk v Smuts* No 1942 TPD 47). This case ruling was also all upheld!

THE *CONDICTIO SINE CAUSA SPECIALIS* ACTION: WHERE NONE OF ALL THE OTHER ACTIONS ARE APPLICABLE

According to *Willes Principles of South African Law* 9th edition (Juta: Cape Town 2007) at 1055, all this action is mainly applied in circumstances where none of the other ‘above mentioned’ *conditiones* can find application. It is also used where value is transferred for a valid cause, which cause later falls away. In South African law, there are three instances under which this action will be able to find application:

- Where a party performs in terms of a contract and a ‘*supervening impossibility*’ makes it such that the other party’s obligation is extinguished. A ‘feasible solution’ in this case would be for the ‘inclusion’ of a *force majeure* clause in every single contract; that all the parties conclude. With such inclusion in the contract, the parties cannot also claim that the event was entirely unforeseen or avoidable. Therefore, rules of contract law apply. Alternatively, an ‘arbitration’ clause can give an arbitrator the power of *amiable compositeur*. An amiable compositeur is an arbitrator that has the power to handle all the particular circumstances by judicious departure from the normal strict law without creating a precedent. This action provides another option.
- Where the property of the plaintiff has all been consumed or alienated by someone else, here the laws of property apply; the plaintiff may make use of the *rei vindicatio*, in terms of *Chetty v Naidoo* 1974 (3) SA 13 (A), the plaintiff must prove that he or she was in fact in total lawful control of the thing at the time of the institution of the action. This ruling provides evidence.
- Where the bank made payment in terms of a countermanded or forged cheque, this applies.

These cases should all be treated as forgery, '*uttering*' or fraud respectively. Also taking into account whether the bank in these cases has been '*indemnified*' or not. That is also an issue!

THE GENERAL ENRICHMENT ACTION: ONE OF THE MOST PROBLEMATIC LAWS OF ALL IN SOUTH AFRICA!

One of the most problematic areas of all the law of *unjustified enrichment* is the 'absence' of a general enrichment action. This principle was reiterated in *Nortje en 'n Ander v Pool* No 1966 (3) SA 96 (A) in a matter where the majority of the court held that there is no general enrichment action; and that there is no evidence of the existence of a '*general enrichment*' action under **Roman Dutch Law**. In *McCarthy Retail LTD v Shortdistance Carriers CC* 2001 (3) SA 482 (SCA), the court had actually also held that when a general enrichment action is finally also 'recognised' in South African Law, it should be 'subsidiary' to the traditional enrichment actions (as discussed above). What appears to be a problem here is the lack of legal certainty caused by the absence of such general enrichment action; which is one of the reasons that **Nokubonga Fakude** submitted that unjustified enrichment has no place in our law and is not really a solid doctrine on which remedies should be sought in the courts of South Africa and the SADC region.

ACTION OF THE UNAUTHORISED ADMINISTRATOR: THERE HAS TO BE RECOURSE IN ALL CORRUPTION CASES!

The gist of this principle is that the *Gestor* (*administrator*) actually administers all of the 'affairs' of the *Dominus* (*owner*) without the latter's consent; but it is in the interest of the latter. This is however, not an enrichment action - but rather it is also an independent source of obligations. *Ernest J Weinrib* in his *Corrective Justice* (op cit) at 11 submits that for value to move, the enriching action must be directed at what belongs to the defendant; if the purpose of the action is directed at what belongs to the plaintiff; value remains with the plaintiff although the action brought a benefit to the defendant. In other words value has been entangled with the entitlements of the defendant. *Lord Chief Baron Pollock* stated that: 'One cleans another's shoes; what can the other do but put them on?.....' Therefore service cannot be rejected - without rejecting the thing owned in its entirety (Weinrib at 17). Thus in these circumstances demanding restitution of a benefit or value would mean compelling the owner to make 'restitution' for the value of shoes whose 'condition' were changed without his consent. Issue of 'entanglement' exists!

Entanglement in this case means that the benefit has also been integrated into the entitlements of the defendant and just like the cleanliness in the shoes in the above example, cannot be 'severed' from the shoes, so will a benefit that has been 'entangled' with the entitlement of the defendant. Therefore the only instance that the defendant can be held liable with regard to an entangled benefit; is when he has 'accepted' it as *non-denotive*. In opinion, '*non-denotive*' requires a conduct: (a) Commission (in that the defendant knowingly accepts a benefit that he or she is neither entitled to, neither receive, nor retain). Proving the presence of conduct by commission in this regard will be a question of fact, also taking into account all the surrounding circumstances. Therefore, acting (b) 'wrongfully' and also (c) causing loss or 'damage' to the plaintiff, this 'satisfies' the requirement for a *delict*; and a 'claim' should be brought; by way of a *delictual* claim. When the benefit remains disintegrated with the entitlements, the defendant must make restitution in terms of public policy; failure of which will result in a *delict*. It is all in our law!

Section 39 of the **Constitution** provides that: 'When interpreting the 'rights' in the Bill of Rights, a court or tribunal, or forum – (a) (b) **Must** consider international law; and (c) **May** consider foreign law.

Bearing this in mind, it is worth taking into account that **English Law**, which influences all South Africa's procedural law, does not recognise *actio negatorium gestio* as part of all its legal system. In the English case of *Nicholson v Chapman Eyre* (1793) 2 H BI 254 (**Court of the Common Pleas**) the court stated that a general right of recovery under this action *would encourage 'wilful' attempts of 'ill-designing' people to turn floats and vessels adrift, in order that they may be paid for actually finding or recovering them!*

CONCLUSION: THE LAW OF UNJUSTIFIED ENRICHMENT: Nokubonga Fakude is the ‘candidate’ attorney at *Mauritz Breytenbach Attorneys* in Johannesburg - and is of the legal opinion that the *actio negotiorum gestio* action ‘does not’ have a place in our South African law. He concludes that the law of ‘unjustified’ enrichment and the action of the unauthorised administrator are unnecessary remedies in our law. It is his submission that from his research and what he has submitted above, that the two actions lack *legal certainty*. He claims that the current laws of property, delict, contract and criminal law are sufficient to provide legal remedies for the circumstances that have been illustrated in his article; and April 2015 *De Rebus* edition. He must also be ‘commended’ on his research and knowledge of the law, as a candidate attorney; and this begs the question what senior advocates in South Africa and the SADC Region are all going to do to find old laws, or create new laws, that are able to put public servants in the position that demands that they are timeously brought to justice; and are forced by law to also make full restitution!

It is clear that crime is the enemy of the economy and corruption and lack of infrastructure and service delivery are thorns in the side of the poor; and a hatpin in the heart of the economy and country. There has to be a law that focuses on this issue of theft and mismanagement of the country’s resources by all those that hold positions of public trust. The resources of the country belong to the general public, that group of taxpayers and ratepayers; and most importantly, future generations. There are no such things as *entitlements* and *entanglements*; while also being mandated and appointed to protect and preserve these assets, property and values that the law speaks of in such eloquent terms; and which all have the origins in Latin or Greek. While the lawyers and advocates in the SADC Region and South Africa agonise over the dilemma of corruption and unjustified entitlement, the politicians and public servants plunder the public purse with ‘impunity’. There is no end to this chronic disease, this plague; and the insatiable need for greed. There is no enforcement or maintenance of law and order – and the justice system has become irrelevant, passive; and incapable of protecting the law-abiding citizens from the law-breakers!

South Africa is a ‘Covenant’ Christian Country where more than 80% of the population - and more than 66% of all people of the Black African tribes embrace the Christian Faith. The primary duties and moral imperative and also responsibility of civil government is to protect law-abiding citizens and to punish all the law-breaking criminals – and *Psalms 101* reminds us all that the duty of a ‘God Honouring’ ruler is to destroy the wicked, to root out evil; and to protect the ‘law-abiding’. When **Professor John Wycliffe** of Oxford University produced the very first hand-written translation of The New Testament into English – in the 14th Century – he wrote in the preface: *“The Holy Bible is given to the government of the people, by the people, and for the people.”* American President, **Abraham Lincoln**, quoted from Wycliffe in his own famous **Gettysburg Address**; when he said: *“That government of the people, by the people and for the people shall not perish from the face of the earth.”* **Lincoln** also noted that: *“The philosophy of the classroom will become the ‘philosophy’ of the government in the next generation.”* It was also **George Washington** that stated: *“Religion and morality are the indispensable supports to good government.”*

South Africa is a lawless, violent and sinful country and it is the duty and a responsibility of the State to *“Hate evil, love good; maintain justice in the courts.....let justice roll on like a river, righteousness like a never failing stream.”* – *Amos 5:15-24*. The Holy Bible ‘defines’ sin as *‘lawlessness’* – *1John 14-15*. It is a reality that the high levels of crime, unemployment and poverty should be of major concern to those in government – and especially the increasing corruption. It is also the duty and moral imperative of every single citizen in South Africa to join this battle against this ‘chronic disease’; that is not only offensive to all our senses, but it is essential that **The Church**, the moral majority and civil society join hands, hearts, minds and resources to end this plague that is destroying our country and the SADC Region. It is also all the lawyers that need to participate, but it is all church and servant leaders that need to take the lead!

PUTTING AN END TO THE CRIME AND CORRUPTION: THE ROLE OF THE CHURCH: IT IS ALL OUR DUTY!

“While they promise them freedom and liberty, they themselves are slaves of iniquity and corruption” – 2Peter 2:19. **The African Union** has calculated that every single year more than US\$148 Billion is stolen from the sub-Saharan Continent by its leaders. South Africa is rated as the ‘most corrupt’ country in all of Africa – and second only to Ghana and Nigeria. The figure calculated by the African Union works out at to more than a quarter of the continent’s entire Gross Domestic Product all lost to corruption – each and every single year! **The World Bank** reports that 40% of Africa’s private wealth is held offshore. The *Global Financial Integrity* has calculated that Africa has lost well over US\$900 Billion - since 1970 alone! That is far in excess of total Development Assistance given to Africa during the same period. More than US\$300 Billion of Western Aid has all been sunk into Africa; yet most African states are also ‘effectively’ bankrupt, ‘weighed down’ by debt; and also failing to provide even the most minimum public services.

CORRUPTION: IT IS STEALING FROM EVERYONE!

Most African countries today all have a lower per capita income than they had at independence. More than half of Africa’s total population live on ‘less’ than US\$2 per day. Nuhu Ribadu, the former head of Nigeria’s Anti-Corruption Commission, has declared that the best way to attack, and win a war against all poverty, is to attack the corruption and deal with those who are responsible. The prerequisite to all efficient and effective government is the ultimate ‘eradication’ of corruption. Corruption also prevents a country from realising its potential. Corruption steals from everyone! It is calculated that every single one of us pays at least 20% more for all goods and services because of corruption. This is the real truth!

CORRUPTION: IT ALSO IMPOVERISHES THE ENTIRE COUNTRY!

Corruption discourages investment, retards socio-economic growth and development; and increases all the ‘costs’ to the consumer. It was **Robert Guest**, as the African Editor of *‘The Economist’* that observes in his book *‘The Shackled Continent’*: *“For half a century now, the continent has been ‘deluged’ with aid, but this aid has failed to make Africans any less poor It has bankrolled tyrants or idealists with hopeless economic policies both types of aid have been wasted doing business in Africa can be tricky. Bad roads ‘punctuated’ by roadblocks, manned by ‘bribe-hungry’ policemen; also make it slow and costly to move goods, even short distances local firms, meanwhile, have actually been held back by arbitrary government regulations, dysfunctional legal systems and the difficulty for all those without political connections, of raising capital If Africa was better governed then it would be richer!”* These words are the truth about Africa!

AFRICA AND THE SADC REGION: AND ALL THE PREDATORY OFFICIALS!

Robert Guest’s final conclusion is based on decades of research in his book: *‘The Shackled Continent’*:

“Africans are poor largely because they are really not yet free. They continually all live under these predatory, incompetent governments which impoverish them in many ways: through corruption, through a process of bad economic policies; and sometimes, as in Zimbabwe, by creating an atmosphere of absolute terror.....”

AFRICA AND THE SADC REGION: ONE PERSON CAN MAKE A REAL DIFFERENCE!

Under **Nuhu Ribadu**, Nigeria’s *Economic and Financial Crimes Commission* secured 250 convictions in a country that is rated as the second most corrupt country in sub-Saharan Africa; and it is second only to South Africa and Ghana. His government-funded department secured these convictions and recovered more than US\$5 Billion in stolen public funds. South Africa and the SADC Region need to take a ‘lesson’ from this country and establish a Public and Private Sector partnership to deal with the prosecutions in the SADC countries that effectively deals with the plague and chronic disease of corruption in the State.

AFRICA AND THE SADC REGION: IT ACTUALLY NEEDS THE TRADE – AND NOT THE AID!

The president of Rwanda, **Paul Kagame**, advocates trade, not aid! He is convinced that it is essential for Africa to end dependency on all that foreign aid, as foreign aid fuels corruption. Corruption is the most common and prevalent crime on the Continent of sub-Saharan Africa; and the leaders need to be more transparent, responsible and accountable to the ratepayers, taxpayers and civil society. It is the 'moral majority' and church and servant leaders that also need to take the lead in dealing with endemic and it must be supported by the business sector and wider community. More 'auditors' are really needed and it is important to do 'life-style' audits on public servants where corruption is suspected; and rife. It is an accepted reality that 'anti-corruption' reforms are essential and that the Corporate Sector and business chambers should really put in place the *Business Chambers against Crime and Corruption* initiative as it would also be an initiative that would put the brakes on increasing crime, unemployment; and poverty!

It is true that leaders have stolen more than seven times more than the total value of foreign aid that is poured into Africa each year – and it is no wonder that Britain has 'withdrawn' from both the European and African Union. It defies all logic that all these leaders that are suspected of corruption are not even investigated or prosecuted and it is clear that far more valuable than any foreign aid; would be to put a permanent end to the endemic corruption which is looting the resources of this great continent. It is an accepted reality that there has been zero socio-economic growth and development in South Africa in a period of more than a decade; and the government has really failed to achieve the primary objective of creating 5 million jobs in the past ten years. On the basis of this factor alone, all those 'rating' agencies of *Moody's*, *Fitch* and *Standard & Poors* have collectively ranked South Africa one notch above a '**Junk**' investment status. There is no business investment confidence and corruption is a barrier to all growth!

AFRICA AND THE SADC REGION: THE LEADERS ARE ALSO STEALING FROM THE POOR!

Every single week our newspapers are awash and replete with scandals about elected officials and the public servants who all have extravagant lifestyles and outrageous expenditures. **Yet**, despite the State raking in of over R600 Billion a year in taxes since 1994 – and almost a Trillion Rand, as recent as 2016, it is never enough. The State continues to run at a 'deficit' as almost 80% of budgets are utilised on the salaries, benefits, bonuses and travelling and operating expenses of government and municipal offices!

Taxpayers and ratepayers wonder where all this money is going when there are so many schools in this country of South Africa that do not have suitably qualified and experienced teachers – and there are all many more schools that are without books; and children are even taught in the open air. There are also many hospitals that are short of medicines - and hospital patients are going hungry; because all local or provincial government have not paid their product and service providers. There is even evidence in the Limpopo province where expired medicines are left lying in warehouses; because this government had failed to deliver them. There is a recent incident in South Africa where 96 mentally handicapped people were placed in shelters that were incapable of meeting their physical, mental; and emotional demands!

AFRICA AND THE SADC REGION: THE LEADERS ARE ALSO LOOTING THE TREASURY!

The Auditor General of South Africa had reported in 2012 that more than R20 Billion was 'unauthorised spending' for that fiscal year. Only three out of 39 government departments had clean audits and there was absolutely nothing at all done about these issues. The SAPS *Special Investigating Unit* had reported that at least R30 Billion was lost to government corruption in the previous year; and absolutely nothing was done about that! The finances in 5 of the 9 provinces in South Africa were also reported as being in a state of *severe disarray* – and heading these was Limpopo Province – that were R2 Billion overspent!

AFRICA AND THE SADC REGION: ALL PUBLIC OFFICE SHOULD BE TREATED AS COMMERCIAL ENTERPRISES!

The Government leaders and municipal decision-makers need to be held responsible and 'accountable' to the taxpayers, ratepayers and civil society for the abuse of power and wastage and misuse of public resources. There is no transparency, accountability or restitution - and there certainly is no sign of any responsibility for the theft on money from the public purse. There is a culture of '*entitlement*' that also exists in the minds and hearts of all these corrupt or dysfunctional public servants and they really don't seem to even begin to understand that these assets, value or property do not belong to them at all and that if these 'organs' of State in the provinces and municipal regions were commercial enterprises, they would have been declared insolvent; and then liquidated to 'settle' their debts. **That is a consequence!**

However, there is no one in all government, including the president of this Covenant Christian Country; that has a moral compass or the political will to put an end to this chronic disease of corruption – and a plague of unjustified enrichment; at the expense of the poor and future generations. It also means very little that the future is being mortgaged by those in positions of power and control; and there is no sign of it ending – until there is absolutely nothing left to steal! There is no 'moral compass' and neither is a sign of any conscience seen with 'sub-standard' health and education – or that some provinces are not able to supply text books, or pay doctors, nurses, teachers, social workers; and also other public sector employees. There is no money available to pay product and service providers - and the decay will start!

All too many politicians and municipal heads seem to also view positions in government and the public sector as an opportunity to enrich themselves at the public expense; and the 'toxic mixture' of politics, business and greed is sabotaging all socio-economic growth and development, costing jobs and gainful employment – and eroding this fragile economy. The lack of safety, security and law and order are the barriers to investor confidence and the economic growth will remain an 'illusion' – as all investors seek safer and more attractive destinations for their capital and skills base. Their intellectual property and a valued institutional memory will not be wasted or risked on a country that has nothing to offer them in the form of protection and there is no sign of respect for life, property - and contracts of law. **It is true!**

However, this corruption is not confined to the public sector and the building of the ten stadiums for a *FIFA Soccer World Cup* involved the expenditure of more than 68 Billion Rand – and these shrines to all stupidity have cost the ratepayers more than R10 million to R80 million every year to maintain. It is all about priorities and this money was also spent to 'attract' 400 000 soccer fans to South Africa for seven weeks; while there is starving in this 'land of plenty'. The 'controversy' over the corruption with service delivery and 'price fixing and collusion' from the contractors has exposed the fraud and further brought shame and disgrace on this nation. The former president of *Cricket SA* has been engulfed in a fraud and corruption scandal – and the Arms Deal of 1999 continues to make headlines and the Travelgate abuse of public finances by members of Parliament; and the Nkandla debacle - simply highlights all the theft!

The conviction on corruption charges of former National Police Commissioner, and also ex-president of Interpol, **Jackie Selebi**, simply highlights the level that this corruption takes place. The former National Police Commissioner, **Bheki Cele**, was removed from office for all the 'scandal' surrounding the lease of property – and is the new minister of Forestry, Fisheries and Environmental Affairs. The latest National Police Commissioner to 'fall from grace' was **Phiyega**, that became Commissioner without having spent a single day in the South African Police Services – and this 'lack' of training or experience was seen with the handling of the labour unrest at the *Marikana Mines Massacre* in 2012. Cadre deployment and the need for loyalty and political appointments, as 'opposed' to their experience and expertise, have 'cost' the country and the economy dearly. They squander and waste with impunity and steal from the poor!

AFRICA AND THE SADC REGION: CORRUPTION: THE PUBLIC SECTOR IS NOT THE ONLY SERIAL CRIMINAL!

The fraud, crime and corruption that plague this region are not simply confined to the Public Sector in South Africa, Africa and the SADC Region. **Patrick Johnstone** of *'Operation World'* reported in his book, *"The Future of the Global Church"* – that of the US\$ 390 Billion that has been given to 'Christian' causes worldwide, more than US\$ 25 Billion was embezzled. Up to 20% of the Global Domestic Product (**GDP**) is spent on bribery! This represents more than US\$ 1 Trillion a year! Up to 50% of all aid to 'developing' countries is actually stolen before it can reach all its intended recipients. Worldwide, an estimated US\$ 400 Billion is lost to corruption. Every single year over 10% of all mankind are coerced; or forced to pay a bribe! Probably the greatest corruption and theft in 'recorded history' was perpetrated by bankers – now often labelled *'Banksters'*. It was bankers that triggered the *Great Recession* of 2008 through that process of unethical speculation and selling of worthless *'derivatives'*. The cost to the US economy was 135% of its total Gross Domestic Product. The cost to the United Kingdom was also well over 149% and the only people to benefit from the *Depression*, caused by 'irresponsible speculation', have been those *Banksters*! The Holy Bible is also clear on these issues: *"The Lord abhors dishonest scales, but accurate weights are His delight."* – **Proverbs 11:1**. We really need to 'understand' these issues from **The Bible!**

AFRICA AND THE SADC REGION: CORRUPTION: THEFT BY INFLATION: AND THE COST OF ALL THAT CRIME!

A recent survey on inflation in South Africa and undertaken by the **Old Mutual Insurance Company**, is a stark reminder that economies are all 'manipulated' by bankers and politicians. It revealed that in 1971 it was possible to buy a new motor car for about R1 000 and in 1981, it was then possible to only buy a motor bike for the same amount of money. By 2001, the buying power of R1 000 had also collapsed so much that you could only buy a bicycle; and in 2017, a new pair of running shoes costs well over R1000.

"Skimping the measure, boosting the price and cheating with dishonest scales I will never forgive." – **Amos 8:5-7**. The devastating impact of *'unbacked'* currencies or inflation; on pensions, provident funds and savings is criminal. Biblical Law requires that we use honest scales and honest weights – that is also 'honest money' that is backed by real constant value – **Proverbs 20:10**. It is also seen in other **Chapters**:

"Shall I count pure those with the wicked balances, and with the bag of deceitful weights? For all her rich men are full of violence, and her inhabitants have spoken lies, and their tongue is deceitful in their mouth." - **Micah 6:11-12**. Corrupt politicians and dishonest bankers and unethical public servants are really not interested in **The Truth** that **The Holy Bible** reveals in terms of how countries and commerce should be managed!

It is estimated that approximately one third of all business failures can be traced back to employee and staff theft. Of course, when businesses close down, employees lose their jobs; and their families suffer. It is estimated that almost half of all employees are 'guilty of stealing' – *often called shrinkage*. Now, it is obvious that **'someone'** has to pay for the cost of all this theft – and it is you and I; and all the **'other'** customers, that have to share the burden of the Billions of Rands that are shoplifted or stolen by all the employees; or embezzled by 'corrupt' and 'unethical' public servants. This situation has to change now!

In addition to this, we have to pay for the increased insurance premiums, the additional security and an unnecessary loss in production for the benefit of these people that believe they are entitled to satisfy a *need for greed* and *unjustified enrichment*. We all pay for these 'crimes against society' in the taxes and rates; and when supporting the police force, the legal and judicial system; and the prison service; which are all meant to protect us from the criminal elements of our society. It is only Christian integrity that is needed to build that moral compass and we are called to the highest levels and standards of integrity – and we are not to fuel the corruption industry by giving in to pressure to pay bribes; or award contracts on the basis of political connections. Crime and corruption must be combatted by **The Church** in Africa!

AFRICA AND THE SADC REGION: THE CORRUPTION INCREASES: THE NEED FOR IMMEDIATE RESTITUTION!

“Why do people commit crimes so readily? Because crime is not punished quickly enough.” – Ecclesiastes 8:11.

Surely this is the common sense answer to this dilemma facing the lawyers, advocates and legal brains in the SADC Region and South Africa. Crime and corruption is increasing because all these criminals are not being punished swiftly enough! The lawyers are busy running around cleaning the ashtrays, while a house is burning down – and they are so busy trying to decide which **action** should be taken in court to deal with corruption and unjustified enrichment; that the corrupt politicians and thieving officials are in fact laughing all the way to the bank. It is Almighty God that has also instituted civil government as: *“An agent of wrath to bring punishment on the wrongdoer” – Romans 13:4.* It is civil government that is actually called to be a minister of God’s Justice: *“To punish those who do wrong” – 1Peter 2:14. This is also a duty!*

However, if the Government is corrupt and the Public Sector is rotten from the Office of the President, throughout the Offices of the Premiers; and ‘decadent’ in every single level of public service – including the municipalities and the Treasury; then it is Civil Society and the ‘moral majority’ that needs to take a lead in this **Moral Regeneration Movement** and establish its own ‘**Coalition on Moral Revival**’. It is the State that has its **Constitution** to guide it – while The Church has **The Holy Bible** and a conscience that is guided by The Holy Spirit. The State has created **The Charter of Positive Values** that it believes will put a stop to all the corruption and build investor confidence; while **The Church** has **Biblical Principles** and all **Godly Values** that are able to change all hearts, minds and lives of those who have no understanding of the difference between right and wrong. In cases of theft, arson and the illegal or fraudulent transfer of property, or malicious damage to property during tribal unrest, or violent labour action, **The Holy Bible** decrees **restitution**; and demands **indemnity** – and **compensation** to those that have ‘suffered’ the loss!

However, the Government has no political will or the essential infrastructure and resources for service delivery, or effective and efficient service excellence; because their priorities are skewed; and the State is rotten from the head to the lowest levels and echelons of public service. **The Holy Bible** demands the **justice, restitution** and **indemnity** that is quite simple to understand – irrespective of whether there is a racial, cultural, linguistic, tribal or cultural diversity within this country of so many nations. When it is a lack of political will, or a dysfunctional justice system, or the absence of law and order, the Holy Bible is the only guide in a Covenant Christian Country; where more than 80% of the people embrace Christian Values and Biblical Principles. **The Holy Bible** requires that the restitution goes entirely to the victim of the crime - and these acts of malfeasance, theft, fraud and corruption are all crimes against the people!

The Holy Bible provides the ‘guidelines’ for developing pro-moral, pro-family, pro-law-abiding; and also pro-life values; and it is **The Law** of Almighty God that teaches respect for God, respect for others and a respect for the assets and property of others. While this present government believed that it could give freedom, liberty, peace, security and prosperity to everyone – as stated in **The Freedom Charter** – this is far from the actual truth. Time brings all things to life and more especially The Truth. **We have truth!**

True Freedom comes from within! The ‘foundations’ of a truly free and prosperous nation can only be laid in ‘characters’, minds and lives ‘changed’ by the Grace of God. In order to be ‘successful’, a society needs to be made up of honest citizens, who will not steal; diligent workers, who are hardworking and productive; ‘compassionate’ families that are all concerned for their neighbours safety, security and all ‘wellbeing’ – and responsible workers who will fulfil their obligations and be faithful stewards of all the ‘public resources’. For nations to be strong, all their families need to be strong. For governments to be ‘good’ their citizens need to be good. Those who cannot control themselves are not capable of ruling a city – **Proverbs 16:32.** Those who cannot ‘manage’ a household - **cannot lead others** – **1Timothy 3:4-5.**

SOUTH AFRICA: THE CORRUPTION: THE COALITION ON MORAL REVIVAL: THE REAL SOLUTION!

True Freedom comes from within! The ‘foundations’ of a truly ‘free and prosperous’ nation cannot be laid by a violent and bloody rebellion, revolution or civil war; that is claimed to be the answer to peace and economic and political stability. The ‘*Freedom Struggle*’ was nothing more, and nothing less, than a process of Soviet Russian and communist expansion into Africa; and today we have BRIC trade partners to prove this to be true. The Government has also embraced Palestine, Russia, China and Cuba; and it is a reality it has turned its back on Israel - and it does not respect the Sovereign Power of **Almighty God!**

The present Government does not respect, or recognise the ‘Christian’ beliefs of 80% of the population that embrace the Abrahamic Family of Faiths; and it believes in ‘**Interfaith**’ – and it has ‘embraced’ that model of governance that is tribal and socialist – and has its ‘foundations’ laid in keeping the *politics of hate* alive and well. The present Government has embraced a model of governance that has all failed in the rest of sub-Saharan Africa – and has sincerely believed that the road to peace and prosperity lies in the barrel of a gun, violence, xenophobia, intolerance to others and a bloody revolution; and liberation and entitlement theology. The Government has totally ignored all the lessons that we find in **The Bible:**

“Choose for yourselves this day whom you will serve But as for me and all my household, we will ‘serve’ the Lord.” – Joshua 24:15. The president of South Africa dedicated this Christian Covenant Country to all his Zulu ancestors at the ‘Centenary’ celebrations of the ANC in Bloemfontein in January 2012. Jacob Zuma is a president that chooses a path of socialism as a solution to peace and the tribal tradition of *animism* and *ancestral worship* and *interfaith* as the solution to all of the challenges in this country. Spirits of the dead and the sacrifice of animals – **an only food source for many** – is certainly not the solution to social disorders; and it is contrary to what Jesus Christ taught. While many groups today emphasise ‘external’ solutions to our many social problems – salvation through politics or through changed social structures and laws – the teachings of Jesus Christ emphasize the need for internal change, within our hearts and also in our minds. **“For out of the heart come evil thoughts, murder, adultery, sexual immorality, theft, false testimony, slander**” – **Matthew 15:19.** It was Jesus Christ that also taught that all ‘civil’ authorities are to be public servants – **Matthew 20:25-28.** It is for this reason that officials in civil government are called ‘ministers’ or ‘servants’ of Almighty God. The concept that civil government is a ‘servant’ of the citizens is a uniquely **Christian** idea – that totally ‘originated’ from all these Biblical Verses and Godly Principles!

In His public teachings, Jesus Christ affirmed the Old Testament Laws against murder, theft and acts of adultery (**Matthew 5:21-27**); or the ‘dishonouring’ of parents (**Matthew 15:4**); and also perjury (**Matthew 19:18**). The Lord also affirmed the right to private ownership of property and the free market exchange and profit – all in **Luke 16:11; 19: 12-27; and Matthew 20:1-15; and 25:14-30.** The solutions lie in The Bible!

The ANC/SACP/Cosatu government of South Africa is not led by the teachings of The Holy Bible and are not **guided** by the same Biblical Principles and Godly Values that 80% of this ‘entire’ population believe in. They follow the philosophy of Karl Marx and embrace a model of socialism and tribalism to govern a Covenant Christian Country; and they actually ‘expect’ or even ‘promise’ freedom, peace, equality; and prosperity for all – **The Freedom Charter.** They establish a **Moral Regeneration Movement** in 1997 and take two decades to launch this movement; and also produce **The Charter of Positive Values**; that they sincerely, but ‘falsely’ believe are the solutions to the crime, grime, inner-city decay and the corruption that is destroying the economy and country. They also believe that State-funded ward councillors in all municipal regions at a national level are the solution to take this **Charter** into the wider community and that it will put an end to all moral ‘decline and decay’ of this country. **They have failed to understand!**

The Government has actually failed to understand what causes moral decay - and what the solution is!

The 'Patron' of this **Moral Regeneration Movement** is none other than the Deputy President of South Africa – **Cyril Ramaphosa**. It was at the ANC's 105th birthday celebration at Soweto's Orlando Stadium that Cyril Ramaphosa raised that sensitive issue of corruption; and even proposed an 'anti-corruption' programme that included lifestyle audits on all government and municipal public servants. This was all reported by *Qaanitah Hunter* in *The Sunday Times* tabloid and edition on the 8th of January 2017. It was Ramaphosa that threw down the gauntlet in the ANC succession race, calling for lifestyle audits that all had the potential to *'cut to the core at the top of the ANC leadership'*. He claimed that all *'leaders must not serve their own interests and that they must not advance all their interests and the interests of their friends and families at the expense of the country.'* He went on to claim that it was all ANC leaders and members that: *'hid behind their relatives and companies that were established - while perpetrating the acts of corruption against the people and the country.'* The deputy president would 'seem' to have that moral compass that is also needed to steer South Africa into a future of peace, stability and prosperity.

However, the acid test is whether he has the courage, tenacity and political will to carry out this threat if and when he gets into office as a 'future' president. He is however the present '**patron**' of the **Moral Regeneration Movement** and his stance on corruption has been made clear in the 'public domain' as a vice-president of this Covenant Christian Country. It will be decided in the not-too-distant future if he is a president that stands on the side of Truth, Justice and Righteousness as seen in Biblical Principles and Godly Values – or whether his public commitment to end poverty and corruption are simply a pie-crust promise to gain the support of the 'moral majority'. It is a reality that **Cyril Ramaphosa** is an intelligent man and it would also appear that he has a moral compass – and he even 'understands' the following:

"He knows not how to rule a kingdom, that cannot manage a province; nor can he wield a province, that cannot order a city; nor he a city, that knows not how to regulate a village, nor he a village, that cannot guide a family, nor can that man govern well a family that knows not how to govern himself, neither can any govern himself unless his reason be Lord, and his will and appetite his vassals; nor can reason rule unless herself be ruled by God and also wholly be obedient to Him" – **Hugo Grotius**.

It was **George Washington** that declared: ***"Religion and morality are all the indispensable supports to good government."*** – And that does not mean '**interfaith**' religion; and neither does it apply to **communist** or **tribal** leadership of a nation. This statement applies to the leadership that 'respects and recognises' the Supreme Power and Authority of Almighty God in a Covenant Christian Country – where the majority of all the people are 'guided' by Biblical Principles; and Godly Values. These include pro-moral, pro-family, pro-law-abiding and pro-life life Biblical Values – and not **The Charter of Positive Values** that are being seen as the solution to the 'chronic disease' of corruption, or the lack of service delivery, or an absence of investor confidence; or the crime, poverty, unemployment, pollution, or inner-city decay – or even a moral decline! The **Charter of Positive Values** and the **Moral Regeneration Movement** is not a solution to the sub-standard health and education but it is an actual realisation by this present government that **morality** – and the moral decline and the present need for moral regeneration – is an indispensable aid and support to good governance. **However**, the present communist government does not embrace the Christian Faith and has yet to really understand what **George Washington** spoke about when he stated religion and morality are indispensable supports to 'good' government. **Good does not mean corrupt!**

A '**Good Government**' does not mean a communist, dysfunctional or corrupt government! It is in that **Holy Bible** that we – **including the government** – needs to: ***"Hate evil, love good; maintain 'justice' in the courts Let justice roll on like a river, righteousness like a never failing stream!"*** – **Amos 5:15-24**. This land of South Africa is a sinful, violent; and lawless country of nations – **1John 3:4**; and the solution to all of this is not **The Charter of Positive Values** – but rather a **good** government that has wisdom; and faith!

SOUTH AFRICA: THE CHURCH: THE COALITION ON MORAL REVIVAL: IT BEGINS WITH GOOD GOVERNMENT!

Many people – including Communists and even church and servant leaders labour under the ‘delusion’ that **The Holy Bible** has absolutely nothing to say concerning social structures, constitutional models or even economic and political affairs. However, while approximately 29% of The Bible deals with spiritual matters and our personal lives, 71% of The Bible deals with social, political and national issues. It was in the time of Jesus Christ that He taught important spiritual principles and also concepts that affect every area of all ‘social and political’ life. To the Roman governor, **Pontius Pilate**, Jesus said: *“You would have no authority over Me, unless it had all been given to you from above – **John 19:11***. The Holy Bible is also very clear that God had instituted His civil government as: *“An ‘agent of wrath’ to bring punishment on the wrong doer.” – **Romans 13:4***. He commanded all Christians – including all government – to do just this:

*“And have no fellowship with the unfruitful works of darkness, but rather expose them.” – **Ephesians 5:11***. Is this not what **Cyril Ramaphosa** is threatening to do with the *life-style audits* on all government officials and public servants at a national level? The intention may be there to achieve just that, but the ANC/SACP/Cosatu Government in its present form make this task impossible without the support of an effective business sector, the moral majority and the wider community in civil society. The *Commission* to investigate corruption and the *Justice System* are appointed by the president of the country – and if there is no political will or independence from presidential and political interference and collusion; the justice will not be seen or prevail! We have witnessed that reality that justice delayed is justice denied!

Many People – including Christians and even church and servant leaders – sincerely believe that simply praying for change has the **Power to Change** the hearts and minds of corrupt government leaders; and a solution to the ‘crisis’ in the country and division in The Church is to simply pray for change. They also believe that change is possible by simply ‘electing’ another political party that promises them freedom, employment, peace, security and future prosperity. These are simply safe and passive solutions; that in all recorded history have been proven to be cowardly and irrelevant actions that neither bring change; or the promises of the politicians! If real change is to be achieved that puts an end to the corruption or the moral decline, then The Church needs to realise that it is only repentance that brings the blessings!

It is only **national repentance** that brings salvation and blessings to any lawless and disobedient nation that has ‘turned its back’ on The Word, Will, Decrees and Commands of Almighty God – **2 Chronicles 15**; and it is only the Mercy, Favour, Grace and Blessings of Almighty God - that can bring healing and hope to a hurting land. It takes trust, obedience, repentance and ‘faith in action’ that produces the blessings; that are desperately needed to bring help from Almighty God to this beautiful, but troubled land. It is a reality that **The Church** and moral majority in this country need to develop the collective consciousness and united understanding of what Almighty God actually wants of this Covenant Christian Country; and in order to do this, we need to seek **His Kingdom** first – **Matthew 6:33**. We have to understand **His Will!**

Many People – including Christians and even church and servant leaders – have actually all been really negatively affected by the **Humanism** that is Self-Destructive! This **Humanism** has not only created **The Great Divide** in The Church, but it has infected our entire country with this ‘social disease’ that has also proven to be more deadly than the HIV/AIDS virus. **Humanism** has been defined as being the following:

*“At first, the temptation is to see **mankind** as God. Then it becomes **us** as God - And finally, it is **me**; as God. So the progression moves from the worship of **man**, to the worship of **us**, to the worship of **me**! In the end all anthropolaters become idolaters. ‘**I am god!**’ Like little ‘anti-Christ’s’ that exalt to magnify themselves in the temple of their own minds.” **Dr David Noebel***. It is time that The Church is able to understand what has caused these challenges and crisis – and then begin a process of change!

SOUTH AFRICA: GOD: GOVERNMENT: AND THE TEN COMMANDMENTS: IT IS THE ONLY SOLUTION!

Humanism is most certainly the cause of the crisis in this country and also that division in **The Church!** It has many faces and elements that make up this **beast** that is designed to confuse, divide, conquer, or destroy anything and everything that represents **good!** These negative influences include the following:

EVOLUTION: is an attempt to abort Almighty God retroactively. Evolution destroys all meaning, purpose, direction, justice; and hope in life. *'You came from nothing, you are going nowhere and life is hopeless!'*

EDUCATION: **Secular Humanism** is an attempt to 'kill' Almighty God; by eradicating Him totally from the classroom; and the minds of the next generation. By eliminating The Bible as the basis of all knowledge, **Humanists** remove the very foundation of truth; and prohibit the only objective standard of all reality!

ETHICS: Humanism has rejected the Law of God and is instead vigorously promoting situation ethics, the amorality, existentialism, hedonism, pornography, homosexuality, sex education - **and evil of abortion!**

ENTERTAINMENT: Superficial, sensational and totally immoral material predominates in all the 'modern' entertainment industry. It has produced an increasingly superficial, selfish, mindless, ignorant, 'lawless' and immoral society. The government 'embrace' humanism, socialism and tribalism - **as their solution!**

ECONOMICS: The unworkable wastage of resources, abuse of power and mismanagement of remaining resources has produced a legacy of hand-outs, bail-outs, cash-outs and failed turnaround strategies in a period of two decades – under communism, socialism, humanism and tribalism as a failed model of the governance, leadership and management we have all seen since 1994. It is time for meaningful change!

EXHAUSTION: Bombarded by misinformation, political promises, disinformation and propaganda we are a country of nations that has been **brainwashed** and overstimulated by 'countless' celebrations, events or entertainment, that has created the myth that the 'freedom struggle' was justified and that killing or revolutions, rebellions and civil war; are the solution to oppression and tyranny. We have been 'misled' in a process of social engineering, racial intolerance and ethnic cleansing to come to the realisation in a Covenant Christian Country that most people in all our society are mentally, spiritually and emotionally exhausted. *"But those who wait upon the Lord will renew their strength....."* - **Isaiah 40:31. It is true!**

SOUTH AFRICA: THE GOVERNMENT: THE CHURCH: IT IS TIME FOR MORAL REVIVAL: IT IS GOD'S TIME!

While the South African leaders in Government have an opinion that communism, humanism, socialism and tribalism are the 'solution' to all challenges in this country, the Christian and moral majority have a 'religious belief' that these humanistic elements cannot heal the amputated soul of this nation. There is more than sufficient evidence in Biblical and recorded history from the days of Israel, Egypt, Nineveh or **Babylon** that when rulers attempt to impose their 'idolatrous' religious and political views on People of God; then there can only be one 'predictable' result – **Chaos!** There can only be one 'solution' – **GOD!**

Almighty God has instituted only **Four Spheres of Government** – that are actually 'acceptable' to **HIM!**

1. **Self-Government** – Symbolised by our own **Inner Conscience.**
2. **Family Government** – Symbolised by the **Parent Rod of Discipline.**
3. **Church Government** – Symbolised by all the **Keys of Church Discipline.**
4. **AND: Civil Government** - Symbolised by the **Sword of Justice** of the State!

In the event that rulers ignore these guides to '**Good**' Godly Government, there can be nothing but the **CHAOS** that we witness today! There can only be more chaos, tyranny and 'oppression' – and certainly not the **FREEDOM** that was promised! It is only Good Godly Government that provides this true liberty!

SOUTH AFRICA: THE GOVERNMENT: THE CHURCH: AND TEN KEY PRINCIPLES OF TRUE FREEDOM!

Almighty God also established, in the Government of Israel, the **TEN KEY PRINCIPLES OF TRUE FREEDOM**:

1. **A Written Constitution: - Covenant** – Based on the Revealed Word of God to define clearly and restrict the powers of government; and to prevent the oppression, need for greed and tyranny!
2. **A Separation of Powers:-** It functions into three branches of Civil Government: **Executive** – King or Judge; **Legislative** – Council or Sanhedrin; and **Judicial** – Elders, or Judges in each community. These three branches of Government are based on how the Lord God revealed His Government and have ample evidence and proof that these are all foundations for **Good** Godly Government. We have the evidence in The Bible: *“For the Lord is our Judge, the Lord is our Law Giver and the Lord is our King.....”* - **Isaiah 33:2** and **Isaiah 9:6-7**. We need a government that God has ‘instituted’!
3. **An Independent Judiciary: – and the Right to a Fair Trial – 2 Chronicles 19:5-7.** In **Deuteronomy 19:15-19** the principles for a ‘fair trial’ were set out: a) one is innocent until proven guilty, b) the right to due process of law, c) witnesses must personally confront the accused, d) the ‘matter’ is only acceptable if it is established by two or three witnesses, e) judges must be impartial. There is no such thing as what actions must be used, or what entanglements there are! **This is justice!**
4. **A National Legislature: – The Law-making Body, where there was one ‘House’** composed of the representative judges or officials elected by all the people – **Deuteronomy 1:13-17: “But you must select only capable men from all the people – men who fear God, trustworthy men who hate dishonest gain – and appoint them as officials” – Exodus 18:2.** The criteria for appointments were ethical!
5. **A Second House –** Within the Legislature: that was all composed of two hereditary elders from each of the eleven tribes (or geographic areas) of Israel; in addition to 24 priests from the Tribe of Levi – and this formed the **Sanhedrin**. The elders and judges were ‘elected’ for their wisdom.
6. **An Executive Officer: – Judge or King, that was elected under the guidance of Almighty God and with the ‘consent’ of all the elders and judges; within that actual community – 1 Chronicles 11: 3.**
7. **A Decentralised State: -** With most responsibilities and powers resting on the local government, the family and the individual. Centralisation of power in a unitary state has always been a pagan tendency and practice – as seen in Nineveh, Egypt and **Babylon**. Because power corrupts, it is all wise to **limit and divide** powers of civil government; in a system of checks and balances – **Exodus 24:1; Deuteronomy 1:13-17; and Acts 17:26.** We have witnessed an evidence of all the corruption!
8. **A Citizen’s Army: - Militia –** That is made up of ‘trained’ citizens who have the right and duty to all bear arms for the ‘defence’ of their home, family, community; and nation – **Numbers 1:2-3; in Judges 3:2; and Deuteronomy 20:1-9.** We have learned that **gun control** precedes **genocide**; and it has occurred in every single country - where government want full military and political power!
9. **A Free Market Economy: -** This is all based on the private ownership of property; and individual free enterprise. Any taxation of **10%** or higher was defined as **oppression**; and any taxation of a property or inheritance was strictly forbidden! Institutions and individuals that are involved in a fulltime service to the Lord were not allowed to be taxed. Bible economics also forbid the use of **unjust weights** (unbacked currency); and **measures** (inflation) – **Exodus 20:15-17; Deuteronomy 19:14; Proverbs 10:2-4; 1Thessalonians 3:10; 1 Samuel 8:10-18; and 1 Kings 21:3. This is Truth!**
10. **An Education Programme: -** That is totally controlled by all parents, aided by The Church - but is independent of the State – **Deuteronomy 6:7; Ezra 7:23-24; Matthew 28:19; Ephesians 6:4; and also Colossians 2:8.** We have witnessed the damage done by a ‘humanist’ **outcomes-based** education programme of **Curriculum 2005**; that produced a new generation of confident illiterates. There is a need for values and content-based education that teaches all pro-life, pro-law-abiding, pro-family and pro-moral values. It is **Biblical Principles** and **Godly Values** that we need in our land!

SOUTH AFRICA: THE GOVERNMENT: THE CHURCH: AND UNDERSTANDING THE EVIL OF HUMANISM!

The results of **Humanism**, Communism, Socialism, Tribalism and Animism are ‘written’ all over the pages of recent history: the revolutions, the ‘massacres’ and totalitarianism of the Communist East and Soviet Russia; all the permissiveness and ‘decadence’ of the democratic West; the pornography plague, the drug epidemic, the crime explosion, the chronic disease of increasing corruption, all the escalating inflation, the abortion holocaust – and the AIDS and STD pandemics. These are only small examples of the inevitable results of the *moral anarchy* of **Humanism**. **This is the tip of the iceberg!**

“Why do the nations rage and the people plot in vain? The kings of the earth take their stand and the rulers gather together against the Lord and against His Anointed One: Let us break the chains, they say, and throw off the fetters. The One enthroned in Heaven laughs; the Lord scoffs at them. Then He rebukes them in His anger and terrifies them in His wrath saying: I have installed My King on Zion, My holy hillTherefore you kings, be wise; be warned, you rulers of the earth. Serve the Lord with fear.....” – Psalm2:1-11. These African leaders need to heed this well!

The results of **Humanism**, Communism, Socialism and Tribalism are also ‘written’ indelibly into our minds and hearts as we ‘witness’ the damage that these evil doctrines, ideologies and philosophies have created in the world. **However**, the elements that really need to be of great ‘concern’ to both the church and servant leaders in South Africa and the SADC Region are the issues of **Tribalism** and **Animism**. These are the two elements that need to be addressed by church and servant leaders; as part of our Kingdom Mandate – **The Great Commission**. We are also ‘commanded’ as Christians to disciple all nations and teach others – **Matthew 28:18-20**. We are commanded to disciple all nations!

Animism is spirit worship - **voodooism**! It has been heavily promoted by some Hollywood films such as *Pocahontas*, *Brother Bear* and *Harry Potter*. Animism is the primary religion of millions of people; scattered throughout all Africa, as well as all New Guinea, Pacific Islands, North and South America, Australia, New Zealand, India and Japan. Elements of basic Animism are also all adhered to by many nominal Muslims, Buddhists and Christians. It was in 2012, that Haiti announced that their national religion was ‘**voodooism**’; and this was the same year that Jacob Zuma dedicated South Africa to all his Zulu ancestors. It is clear Almighty God does not tolerate or approve of the worship of any gods!

Animism involves **Necrolatry**, the worship of the souls of the dead! Tribal people tend to regard the departed ancestors as part of their tribal clan and all fear the harm that the departed can do to the living. They especially fear that those who died unnaturally will come back to haunt them! Animism involves spirit worship, believing in the existence of personal spirits or demons; as well as demons - or ‘impersonal’ spiritual forces in nature – which inhabit the earth, air, fire, water, trees, mountains and even animal life. Life for the **Animist** is dominated by a host of taboos and rituals; that are also used to placate and appease these spirits. In South Africa, this **Animism** is rife even in the churches; and the practice is not only tolerated, but it is also ‘encouraged and supported’ by many church and servant leaders; that should be baptising these people in The Holy Spirit and leading them to Christ!

Animism involves **Naturism**, the ‘personification’ and worship of the forces of nature. For example, the worship of the **sun** in Ancient Egypt, the **sacred cow** of the Hindus in India; and also the **sacred mountain** of Shintoism in Japan. Naturism normally involves polytheism (a worship of many gods) - and idolatry. In nature worship, rituals and sacrifices are all intended to guarantee fertility. ‘Human’ sacrifices are an extreme example of this, but they were considered as normal; prior to Christianity.

Animism involves **Totemism**, (“**Brother – Sister – Kin**”) emphasising the unity of the clan; with some sacred plant or animal. In South Africa, six of the nine Black African nations also use the Leopard on their Coat of Arms – and it is ‘revered’ for its symbolism of Truth, Justice and Righteousness by all!

Animism involves **Fetishism** (the superstitious belief that there is some spiritual energy or force in charms, amulets and fetishes). Normally witchdoctors – or sangomas in Africa – are all involved as Shamans, ‘*expert mediators*’ who know the proper incantations, rituals, sacrifices and procedures; at times of sickness, bad luck and disasters to placate and ‘appease’ the ancestral spirits. They use **imitative magic** to bring harm to an enemy by attacking a representation of him (such as a **voodoo** doll!) – Or **contagious magic** which utilises some hair clippings, nail paring, sweat, spit - or faeces to bring a curse on that targeted individual. The blood of an animal (or a person) may also be drunk in order to gain the strength of that animal, or in the case of cannibalism, the targeted person. This is all ‘happening’! It is happening in South Africa! It is happening in **The Church – and in government!**

Animism is characterised by the absence of real love and hope! There are no moral absolutes (sin is seen as the ‘violation’ of culture, custom and spirit forces - rather than any personal ethical or moral transgression). The whole of life is pervaded with, and is governed by, **fear**! Animism is pervaded by **fatalism** and a sense of helplessness in the face of external forces. **Heathenism** does not ‘deny’ God as much as it ignores Him; by worshipping natural forces and mysterious demon powers through an assortment of rituals, events, ceremonies, celebrations and sacrifices. These **entities** are costly; and a person who is constantly living in fear under tribal traditions is also a gullible victim to the need or demand to appease their ancestral spirits or demon force. This leads to the sacrifice of their animal and only food source – or borrowing to pay for all these rituals; that lead to a poverty, or debt trap!

The reader may at this time be asking the question what all this has to do with moral regeneration – and the answer is quite simple! It has everything to do with moral decay and decline – as we are being led by government leaders and ‘public servants’ that ‘embrace’ tribalism, socialism, animism communism and the heathenism that has no real love and hope! There are no **moral absolutes** in a person that embraces communism, humanism, atheism and tribalism – and sin is really only seen as a violation of their own culture, custom or spirit force – rather than a sin against all society. There is no sign of a **moral compass** and there certainly is no sign of any **conscience** in people that choose to worship their ancestors; and appease the dead. They are slaves to pagan traditions and the cultural practices that keep them in bondage. It is **The Church** that now needs to **set all these captives free!**

We are all cautioned and commanded: *“When you come into the land which the Lord your God is giving you, you shall ‘not learn’ to follow the abominations of those nations. There shall not be found among you anyone who makes his son or his daughter pass through the fire, or any one who practices witchcraft, or a soothsayer, or one who also interprets omens, or a sorcerer, or one who conjures spells, or a medium, or a spiritist, or one who calls up all the dead. For all who do these things are an abomination to the Lord - and because of these abominations the Lord your God drives them out from before you. You shall be blameless before the Lord your God. For these nations, which you will ‘dispossess’, listen to soothsayers and diviners; but as for you, the Lord your God has not appointed such for you.” – Deuteronomy 18:10-14. It is all truth!*

SOUTH AFRICA: THE GOVERNMENT: THE CHURCH: UNDERSTANDING THE GREAT DIVIDE!

It is only The Church has the ability to understand what needs to be done in South Africa in terms of a **Moral Regeneration Movement** – or has the ability to begin; and take the lead in this Coalition on Moral Revival. The **Third Force** in South Africa is **Humanism** that has created this moral decline and it impossible for ward councillors in municipalities to lead this ‘crusade’ with a pamphlet that states the ethos and a mission statement of **The Charter of Positive Values**. It is going to take church and servant leaders who understand and obey **The Word of God**, and who know the **Philosophy of Man**; and who know the difference between **God-Centred Christianity** and **Man-Centred Humanism**. It is those that ‘understand’ the ‘difference’ between **Renaissance** and **Reformation** that need to lead it!

SOUTH AFRICA: THE GOVERNMENT: THE CHURCH: GODS LAW: BIBLICAL PRINCIPLES: OR CHAOS!

South Africa is a Covenant Christian Country and more than 80% of the entire population and more than 66% of all people in the Black African Tribes claim to embrace this Christian Faith. It also defies all logic that we presently have a communist government that has used the Humanist, Socialist and Tribal model of governance – and use **Zulu culture** and **Animism** to win the hearts and minds of the masses. This is **The Great Divide** that has been the real barrier to ‘social cohesion’, socio-economic growth and development – and is the only reason why this **Christian** majority country is in ‘moral’ decline. We have a country that is led and managed by people who worship Karl Marx; and also the ancestral spirits; and who sincerely believe the moral decay is going to be halted; with a movement that has a **Charter of Positive Values**. They falsely believe that all ward councillors should lead this!

South Africa is in chaos because home-based education and Christ-centred families have also been replaced with **outcomes-based** State-controlled secular education - and **The Ten Commandments**, Christian Values and Biblical Principles have also been replaced with permissiveness, hedonism and alternative lifestyles! These disciples of **Humanism** and alternative lifestyles have replaced Pilgrims, Protestants, Puritans, Covenanters, Reformers and Revivalists - with Revolutionaries, Communards, Democrats, Ecumenicals, Marxists, Leninists, Liberals, Socialists - and ‘money-lords’ and ‘war-lords’.

Free Enterprise has been replaced by Socialism and instead of having a **Decentralised Constitutional Republic** that rests on solid foundations of Family, Church and State; and is to the Glory and Honour of Almighty God - we have a **Centralised State Control** that relies on welfare, bureaucracy, inflation, more taxes; more government; and less freedom! We need to realise and come to understand that:

“Either the State will exercise the wrath of Almighty God against sin, or it will exercise the wrath of man against Almighty God and His People!” **The State** has been unable to maintain the law and order or enforce the justice that is essential to put an end all to the sin, lawlessness and corruption!

South Africa needs this ‘moral regeneration’ - and **The Church** needs to lead this Coalition on Moral Revival and it must begin with a National Repentance and a plan of action that is a Biblical Blueprint for Change. Either the existing State will make a quality decision and discard and abandon its entire present Humanist, Communist, Socialist and a Tribalistic stance on how this country is to be led and managed in the future – or **The Church** and the moral majority in civil society will begin the process that is essential to put an end to all of the ‘moral decay’ and corruption. It is **The Solomon Project!**

The Solomon Project: Operation Nehemiah is **The Biblical Blueprint** for change - and it relies on all those Biblical Principles for Africa; and every day issues. It relies on **Godly Values** and **Gods Law** for building respect for the Sovereign Power of Almighty God; and respect for other People; and also a respect for the property of others! **The Ten Commandments** are the **foundation for our rights** and it is the only guideline that must be used for moral regeneration in this Covenant Christian country!

The Ten Commandments – Almighty Gods Law is **The Rock** on which to build this country and The Church and they provide: The right to Freedom of Worship, the right to know God’s Will - and do it; freedom of speech; the right to work and rest; respect for authority; the right to life; the sanctity of marriage; private ownership of property; the right to be protected from all slander; and freedom of conscience. It is **The Church** and servant leaders that need to unite; and put an end to **moral decay!**

We have confirmation in: **Exodus 20:1-17; Deuteronomy 5:1-22; Psalm 1:1-6; and Matthew 5:17-19.**

Dr Peter Christopher Munns: Chairman: The Christian Coalition.