

Editor's View

The lights of Diwali must shine across the nation

WHILE all other Indian diasporas have declared Diwali as a public holiday, South Africa which has an Indian population of more than 1.5 million has yet to do so.

In India, Diwali is naturally a major national holiday, with celebrations lasting five days or more. Diwali is also a public holiday for all citizens – or at least Hindus – in Nepal, Sri Lanka, Mauritius, Fiji, Guyana, Suriname, Trinidad and Tobago, Malaysia and Singapore.

In several states in United States, such as New York and Pennsylvania, Diwali has been declared a public holiday in schools and certain institutions. Given its significant Indian population, why is South Africa the odd one out?

Declaring Diwali as a public holiday carries powerful social, cultural and constitutional significance, especially in multicultural societies like South Africa.

Diwali is one of the most widely celebrated festivals among Indian diaspora communities worldwide. Recognising it formally honours the traditions of Hindu, Sikh, Jain and some-Buddhist communities.

Making Diwali a public holiday will send a message that all cultures and religions are valued equally, reinforcing the ideals of a multicultural society.

In a country such as South Africa where social cohesion and unity are the bandages needed to cover the wounds of decades of racial hatred and legislated separation, public recognition of Diwali can only help foster understanding and appreciation of different cultural practices.

A public holiday allows everyone – not just those who celebrate Diwali – to engage in festivities, learn about its meaning, and share in the joy.

South Africa's Constitution emphasises diversity, equity and non-discrimination. Recognising Diwali aligns with these principles by ensuring fair representation of religious holidays.

Local Hindu leaders believe declaring Diwali as a public holiday will help correct the imbalance. They argue that the current list of public holidays disproportionately favours certain religious groups.

The South African Hindu Maha Sabha and other Hindu organisations must jointly petition the Cultural, Religious and Linguistic Rights Commission – whose mandate is to promote unity among diverse communities – to give serious consideration to declaring at least one day as a public holiday for those who celebrate the "Festival of Lights".

Public recognition of Diwali can help break down stereotypes and misconceptions, such as the idea that it's only about fireworks and food.

It can promote understanding of its deeper spiritual and cultural significance.

Just as Heritage Day celebrates all South Africans, Diwali could become a symbol of unity through diversity. The Diwali lamps that have burned through centuries, across continents, must now glow brightly, not only in our homes, but also in the hearts of millions right here in our beloved nation.



PROFESSOR NIRMALA GOPAL

THE testimony emerging from the Madlanga Commission is revealing a much deeper crisis than just the 121 transferred dockets or a disbanded task team; it's foregrounding a pivotal question, namely: can South Africa's criminal justice system survive as a truly independent institution amidst systemic political interference and the erosion of accountability?

Recent proceedings have unearthed a chilling reality concerning how the mechanisms established to investigate political violence, historically critical in KwaZulu-Natal, might have been methodically dismantled from within structures that should oversee and uphold justice. Disturbingly, these actions were taken at the behest of political figures meant to ensure integrity in the policing system, not undermine it.

The accounts provided by key witnesses, including national police commissioner Fannie Masemola, and KwaZulu-Natal provincial commissioner Lieutenant-General Nhlanhla Mkhwanazi, weave a coherent yet deeply troubling narrative.

In March 2025, a dramatic incident unfolded when 121 active investigation dockets were abruptly transferred from the KZN Political Killings Task Team to Pretoria.

This transfer occurred without any prior consultation with the provincial commissioner, leaving him in the dark about critical operational decisions that would profoundly impact the ongoing cases he was overseeing.

Recent allegations have emerged regarding Deputy National Commissioner Shadrack Sibiya, claiming he authorised a significant personnel transfer without legal authority.

This decision has had serious consequences, leading to the abrupt disbandment of a task team that was actively engaged in building strong cases related to political assassinations.

The manner in which this directive was communicated, a ministerial order demanding action "now, not even tomorrow", has raised eyebrows due to its urgency. This rush appears to contradict established procedural standards.

It has sparked concerns about the motivations behind the decision and its potential impact on the pursuit of justice in cases of political violence.

What we are witnessing is far more than a simple administrative reshuffling; it is a disturbing act of operational interference cloaked in the language of management reform. This development raises serious concerns about its implications for our justice system's integrity.

When a minister issues directives that circumvent established command structures, it creates a toxic environment where sensitive case files mysteriously vanish into bureaucratic limbo.

Investigators, who have invested considerable time and effort into building intricate cases, are stripped

When the guardians are watched: the Madlanga Commission and SA's criminal justice crisis



THE accounts provided by key witnesses weave a coherent yet deeply troubling narrative, says the writer. | NANDA SOOBHEN

of access to critical information and resources essential for their work. The response from the institution is not one of clarity or resolution, but rather a paralysing state of confusion that erodes the very foundations of legal oversight.

This scenario impedes the effectiveness of ongoing investigations and sets a dangerous precedent, normalising practices that threaten the accountability and transparency crucial to the justice system.

As we navigate these developments, we must scrutinise the broader ramifications of such actions and advocate for restoring proper oversight and due process.

Commissioner Masemola's testimony is particularly revealing, laced with contradictions.

On one hand, he stated he would refuse to comply with unlawful instructions; on the other, he admit-

ted to providing progress reports concerning the disbandment process.

His rationale that he aimed to manage the disbandment "not in my approach, but in my approach" illustrates an official grappling with the tension between adhering to legal obligations versus yielding to political pressures.

This dilemma neatly encapsulates how institutional capture occurs, not through overt coups, but via gradual erosions where officials convince themselves that their compromises are necessary for preservation.

The role of Parliament in this whole debacle, or rather, its conspicuous absence, is perhaps the most damning indictment of all.

Mkhwanazi raised alarms with the Parliamentary Portfolio Committee on March 5, outlining his concerns regarding these developments. Yet, despite the warning signs reaching an

oversight body specifically designed to act, the response was silence, leading to a deeper investigation into the hollowness of our oversight architecture.

We possess frameworks, protocols, constitutional powers, and an entire structure designed for accountability, but these mechanisms become ornamental when political will dissipates or partisan interests interfere.

The portfolio committee on police, equipped with the authority to summon officials, request documentation, or instigate investigations, performed none of these tasks effectively. Thus, the pertinent question isn't whether we have oversight systems in place but whether they are imbued with institutional courage, especially in critical moments.

The oral testimonies have established a foundational narrative as the commission transitions into a crucial phase.

Still, the forthcoming documentary evidence will hold the power to confirm or dismantle these accounts. It is imperative to secure signed orders concerning those docket transfers and unveil ministerial directives, complete with timestamps and any legal assessments accompanying them. Additionally, diaries, emails, WhatsApp logs, and a thorough paper trail documenting who was privy to what information and when are essential to creating a full picture.

If such documents do not exist, it signals a grave reality where consequential decisions are made through off-the-cuff verbal communications and backdoor dealings, conspicuously avoiding any semblance of accountability.

Conversely, if these documents do exist and corroborate witness allegations, we will unearth proof that senior officials knowingly overstepped their boundaries, actively disrupting critical investigations into political violence. The broader implications of these events extend far beyond the immediate context of KwaZulu-Natal or the tragic political killings, as devastating as they are for the affected families and communities.

The very testimonies presented highlight an overarching fragility within our criminal justice system; there exist contested chains of command within the South African Police Service (SAPS), a concerning degree of political interference in operational policing, and significant uncertainty among prosecutors and investigators regarding who ultimately governs their work.

When institutions become susceptible to capture, whether by political actors, criminal networks, or an unholy combination of both, the rule of law transforms into a negotiable entity.

In contrast, justice becomes conditional upon wielding power rather than adherence to process. As such, citizens are taught that outcomes are dictated by influence rather than procedural integrity.

Moving forward, the commission must secure direct testimony from Minister Senzo Mchunu, Deputy Commissioner Sibiya, and relevant officials from the Presidency who participated in discussions following Masemola's escalation of concerns.

These witnesses hold the potential to either exonerate or incriminate the prevailing narrative.

However, the quest for individual accountability must be coupled with the urgent necessity for structural reforms.

The Independent Police Investigative Directorate (IPID) is grappling with an extensive backlog, and the close ties between SAPS advisory functions and political offices cultivate profoundly dangerous vulnerabilities.

We need statutory firewalls that distinctly separate political oversight from operational command, ensuring that the criminal justice system remains an independent guardian of the law, fully capable of resisting the encroachments of politics and power.

Only then can we hope to rebuild the integrity of justice in South Africa. do anything about it.

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BRUTAL REALITY

A monumental dilemma: why old statues are causing new debates



PROFESSOR DASARATH CHETTY

ACROSS the world, like in South Africa, fierce debates are raging over statues and monuments honouring figures from colonial and apartheid eras. From the toppling of a slave trader's statue in Bristol, England, to the #RhodesMustFall protests and parliamentary debates in South Africa, communities and politicians are questioning why figures who caused immense suffering are still celebrated in public arenas.

The hidden violence of colonialism

The colonial project was not just a military and economic conquest; it was also a systematic assault on the identity and humanity of colonised people. To justify exploitation and land theft, colonisers had to portray indigenous populations as inferior and uncivilised. This was achieved through several interconnected forms of destruction:

- ◆ **Epistemicide (the killing of knowledge):** colonial powers systematically dismissed and destroyed indigenous knowledge systems - from medicine and agriculture to spirituality and philosophy - labelling them as mere superstition. European knowledge was presented as the only rational and true way of knowing, an act of intellectual erasure that provided the moral justification for the "civilising mission."
- ◆ **Culturecide and linguicide (the killing of culture and language):** Colonial authorities deliberately suppressed native cultures and languages. In "residential schools", for example, indigenous children were brutally punished for speaking their

mother tongue. Since language is the lifeblood of culture and a people's connection to their land, destroying it was a powerful tool for breaking a community's spirit and social cohesion and entrenching white supremacy.

- ◆ **Genocide:** While we often associate genocide with mass murder, the lawyer who coined the term, Raphael Lemkin, defined it more broadly to include the coordinated destruction of a group's culture, language, and social institutions. In this sense, the cultural and intellectual violence of colonialism was also a form of genocide, designed to annihilate a people by destroying the very foundations of their existence.

Set in stone: what a statue really says

Within this framework, a statue is never just a neutral historical marker. It is a powerful statement of values, actively shaping our public spaces and telling us who deserves to be honoured. Statues of colonial figures do three things:

- ◆ **Firstly, they glorify oppressors:** These monuments

celebrate men who were architects of slavery, dispossession, and mass violence, presenting them as noble pioneers or city benefactors while completely erasing the brutal reality of their actions.

- ◆ **Secondly, they falsify history:** Many of these statues are not authentic relics of the past but are political propaganda being ideologically loaded.
- ◆ **Thirdly, they inflict ongoing harm:** For the descendants of those who were enslaved and colonised, these statues are a source of continuous psychological violence.

They are the physical embodiment of a hegemonic historical narrative that sanitises violence, normalises ideologies of racial supremacy, and inflicts ongoing psychological harm on marginalised communities. Their presence in places of honour is a daily reminder of historical trauma and sends a clear message that the society they live in still venerates their ancestors' oppressors.

The arguments for and against removal stem from two fundamentally different views of history. Those who argue for preservation often claim that removing statues is "erasing history" and that they should be kept, perhaps with an added plaque for context. Some also defend them on the grounds of artistic or heritage value.

From a decolonial perspective, these arguments are flawed. Proponents of removal argue that the statues themselves erase and distort history by presenting a sanitised, one-sided lie.

Removing them is therefore not an act of censorship, but a correction

of the public record. They contend that a small plaque cannot undo the powerful message of glorification sent by a towering monument, and that the "art" in question is, in fact, racist propaganda, a heritage that civilised people should be ashamed of, not proud of. The goal is to end the ongoing harm these symbols cause and to reclaim public space in the name of justice and equality.

The future of memory: it was never just about the statue

The #RhodesMustFall movement, which began in 2015 at the University of Cape Town, is a perfect example of these ideas in action. The protest started with a demand to remove a statue of the imperialist Cecil Rhodes, but it quickly grew into a nationwide movement calling for the complete "decolonisation" of South Africa's education system - from its Eurocentric curriculum to its lack of black professors.

This shows that the fight over a statue is never just about the statue itself. It is a symbolic entry point into a much deeper conversation about the unfinished business of liberation.

Toppling a monument is a rejection of a history written by the victors and a demand for a more honest, inclusive, and just public memory.

It is the first step in dismantling the invisible structures of colonial thought and building a future that does not continue to celebrate the architects of its own people's oppression.

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