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OPINION | 'Quiet Diplomacy' is Done - The Time for Corporate Silence Has Passed!

When government cannot enforce the law, it tries to rewrite it - and the South African business sector must stop pretending neutrality is safe

Issued by the SAGA Board of Trustees

A Business CEO Has Spoken - Will Other Business Leaders Stand Up?

South Africa's firearm sector has seen the pattern too many times: weak enforcement, failing administration, opaque process - and then another attempt to burden lawful citizens and compliant businesses while violent criminals remain the real threat.

Something is Stirring in the Business Sector

Marco van Niekerk, Group Chief Executive of Outdoor Investment Holdings, has done what too few visible business leaders have been prepared to do: he has spoken openly.

This does not discount the work already done by dealers, associations, attorneys and sector stalwarts who have engaged, challenged and litigated where necessary. Their work matters. But the burden cannot remain on the same few shoulders.

Marco's intervention should therefore **be treated as a catalyst for broader corporate involvement.**

His message is clear: *South Africa does not suffer from too little firearm legislation. It suffers from too little enforcement, too little competence and too little accountability.*

His latest article, "*Parliament Hears the Truth About New Firearm Laws,"* sharpens the point: new firearm legislation is futile if government has not first established whether the problem lies in the law - or in the State's inability or unwillingness to enforce the law already in place.

That point is not theoretical.

The fact that SAAADA and affected dealers, associations and private individuals have had to approach the High Court is itself a warning sign. It is a symptom of a system in which lawful businesses are increasingly forced to litigate merely to obtain lawful, rational and procedurally fair administration.

Where certain matters have reportedly resulted in favourable outcomes, the lesson is not that the sector is difficult - it is that the regulator is being challenged because the system is failing.

This is not a call for reckless confrontation. Nor is SAGA commenting on the merits of any live matter or speaking on behalf of any litigant.

The point is narrower and more important: when compliant businesses must go to court to secure basic administrative fairness, neutrality is no longer prudent. It becomes surrender by silence.

That is the issue every serious business leader should now confront.

State Failure Cannot Justify Bad Law

South Africa already has a comprehensive firearm-control framework. What it lacks is consistent implementation, functional administration, secure state armouries, effective policing, credible tracing and consequences for criminal conduct.

Yet government appears determined to push amendments to the Firearms Control Act before proving that the existing law has failed.

That is incoherent. It is irrational, and it should alarm every regulated business sector in the country.

The State cannot fail to enforce the current law, lose control of its own firearms and systems, and then present licensed citizens, lawful businesses, accredited trainers, dealers, hunters, sport shooters and compliant enterprises as the public-safety problem.

They are not. The lawful sector is already inside the system. Criminals are outside it. Regulating the compliant is easier than defeating the violent - but it does not make South Africa safer.

Parliament Has Now Heard the Truth

The Civilian Secretariat for Police Service (CSPS) was challenged before Parliament's Portfolio Committee on Police on why it appeared to be pressing ahead with firearm amendments while existing failures remain unresolved.

That concern was sharpened by the CSPS's own presentation language, which referred to supporting the parliamentary process "***to ensure enactment"*** of the Firearms Control Amendment Bill.

That phrase matters. It creates the impression of a predetermined legislative outcome, rather than an open, evidence-based parliamentary process.

Those unresolved failures include dysfunction at the Central Firearms Registry, weak tracing, poor enforcement against illegal firearms and the loss of state-owned firearms.

The reported figures are damning hundreds of SAPS-owned firearms were lost or stolen in the 2023/24 financial year alone, with only a fraction reportedly recovered to date. Over five years, cumulative losses reportedly ran into the thousands.

Before demanding more control over the compliant, the State should first explain why it cannot control itself.

Legislation First, Diagnosis Later

More importantly, the CSPS reportedly confirmed that new internal research has now been commissioned to determine whether South Africa's firearm problems are caused by legislative gaps or by failures to implement existing law.

That admission should reset the process.

Government cannot commission research to determine whether the problem is the law or its own failure to enforce the law - while simultaneously pushing amendments as if that question has already been answered.

That contradiction is even harder to justify where prior research, including work from the **Wits School of Governance**, has already pointed toward enforcement, policing and implementation failures rather than a simple legislative gap.

That is not evidence-based policy. It is legislation first, diagnosis later.

Opening the Door for Corporate Involvement

For too long, many businesses connected to the lawful firearm ecosystem have remained silent - hoping the threat would pass, assuming associations would carry the burden, or believing discretion was the safer commercial path.

Silence will not protect markets. Distance will not stop bad policy. Waiting will not improve the outcome.

If your sector is being damaged by irrational policy, say so.

If government is trying to rewrite the law because it cannot or will not enforce the current one, say so.

Our position

The proposed firearm amendments should not be softened, repackaged or cosmetically revised. They should be rejected until government can demonstrate, openly and with evidence, that legislative change is necessary, rational, proportionate and aimed at the actual cause of firearm crime.

Before government rewrites the Firearms Control Act, it must first **prove** that the current law has failed.

If the real failure is implementation, the answer is not more legislation. The answer is competent enforcement.

The South African business sector must now choose to remain silent while bad policy advances or stand up before more damage is done.

Foot Note:
Reference to SAAADA/dealer litigation is included only as contextual evidence of sector concern and administrative strain. SAGA is not a party to those proceedings unless expressly stated, does not speak on behalf of any litigant and does not comment on pending litigation beyond matters already in the public domain.

SAGA a trusted voice in the firearms sector for over four decades.

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Acknowledgements & References:
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• Approved and endorsed by the SAGA Board

- Marco van Niekerk, "Parliament Hears the Truth About New Firearm Laws," *The Common Sense*, 4 May 2026.
• Related prior Marco van Niekerk commentary on enforcement, implementation failure and the Firearms Control Act amendment process.

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