

INDIVIDUAL MINISTERIAL RESPONSIBILITY

In democratic governments in other parts of the world there is a constitutional convention that a minister in government has the ultimate responsibility for the actions of their ministry or department. In the event of there being a departmental query the responsible minister is expected to take the blame and ultimately resign, but the party in the majority or coalition within parliament of which the minister is part is not held to be answerable for the minister's failure.

This means that if waste, corruption or any other misbehaviour is found to have occurred within a ministry, the minister is responsible even if the minister had no knowledge of the actions. A minister is ultimately responsible for all actions by a ministry because, even without knowledge of an infraction by subordinates, the minister approved the hiring and continued employment of those civil servants. If misdeeds are found to have occurred in a ministry, the minister is expected to resign. It is equally possible for a minister to face criminal charges for malfeasance under their watch. Equally important is that civil servants are not supposed to take credit for successes of their department, allowing government to claim them.

There are precedents that may be cited. As recently as 2009 Michael Blunkett, former minister of Home Affairs in Great Britain, resigned because officials in his department fast tracked the processing of a work permit of a foreigner who was to be employed by his girl friend. Another former minister in England, Estelle Morris, resigned in 2002 because of severe problems and inaccuracies in the marking of A-level examinations.

Angie Motshekga would be the ideal candidate to call it quits taking into account the problems facing her department such as the failure to set norms and standards for requirements of schools, the failure to deliver text books on time to schools and the poor performance in subjects such as mathematics.

In the old South African dispensation ministers were caused to leave office for their failures. In 1958 Dr W A Maree, then Minister of Bantu Education, was caused to resign because he had failed to use a great portion of the budget allocated to the department. To imagine that the budget was miniscule but

was not used as set was something that even Verwoerd could not countenance after an outcry from the blacks and teacher organisations.

One wonders whether ministerial responsibility or accountability is not a factor in the present South African government. The government speaks endlessly of doing better yet the performance is getting worse because some of those appointed imagine themselves as entitled to those executive positions. They seem not concerned about executing their duties and functions with diligence. They are not concerned about possible consequences that may befall them because some may claim their struggle credentials as a guarantee for their continued retention in those positions while others bank or are perceived to be banking on the constituencies they lead while or feel covered by their places or provinces of origin.

In a real democracy Minister Cwele should have resigned when his wife was implicated in the drug case. His subsequent divorce from her while the case was in process is immaterial. Minister Mthethwa should have resigned or should have been relieved of his duties as Police Minister when the police massacred miners at Marikana to show how strongly he felt against the recalcitrant police. The continued debacle on Richard Mdluli and the use of the police slush fund even on Mthethwa's property make him a candidate for leaving the police department.

Another incident which would cause a well meaning minister to re-examine his position is the recent moonlighting by police at the Gupta wedding. If police can have the temerity to escort a motorcade for such a long distance, using blue lights, true or otherwise, it is an indication that they are law unto themselves. It is not clear where that case has ended.

Dina Pule should not have waited to be removed by the President when issues around her complicity in corrupt activities hit the public eye.

When Magnus Malan was exposed for having allowed members of the military to torture people, De Klerk consigned him to the Ministry of Forestry.

President Zuma, if he feels he has to retain some failing minister in his cabinet, should consider appointing them to portfolios that do not catch the public eye.

Abe Williams, the first Minister of Social Development in President Mandela 's cabinet of Government of National Unity resigned as minister when police swooped in his office investigating instances of crimes that took place in his days during the Tricameral Parliament. The point is he resigned as minister, retained his seat as Member of Parliament and was eventually found guilty and went to serve time in jail.

Ministerial and personal responsibility goes a long way. Some Members of the Executive Councils in Provincial Governments go about with serious charges hanging around their necks yet they continue to hold executive responsibilities and surely use our time as members of the public to sort themselves out.

The dilly dallying by authorities in investigating complaints and taking decisive action even against Mayors of councils, as in the Tlokwe case, results in insurrection by councillors who are committed to clean governance. Elected officials seem to be beholden to the party bosses and unaccountable to the electorate.

The time has come that people accept responsibility with responsibility. It cannot be in order that somebody who has issues pending against him can set up disciplinary committees to investigate complaints against officials in their departments.

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