

**Ministers, new or old, always must be accountable**  
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The 2005 second-quarter edition of 'Touche' featured my article titled, 'Left Seat, Right Seat'. It was written on my son's promotion from first officer to captain of an airline as a reminder of his new responsibilities to his junior officers.

Recently, a lady politician complained how she had to battle through the crowd in order to get to the new minister to inform him of unresolved problems faced by members of her association. The only response she received was, 'Really?' And when she was not even halfway through describing the problems, the minister was whisked away.

Two days later, the media reported that a minister welcomed the anti-corruption agency to investigate all projects under his ministry. This letter refreshes on some of the development of individual ministerial responsibility.

The first incident plainly reflects the lack of soft skills when responding to complaints. Having been in politics for years, my lady friend had expected a better show of public relations from the new minister.

As for the second incident, one can draw several implications from it, such as the new minister had gone through the entire ministry very thoroughly and he was certain there were no skeletons in the cupboard to be discovered.

Alternatively, it could be interpreted as telling the world at large, 'Please investigate my predecessor. I have no hand in it. Therefore I am not responsible'. Why that tinge of vengeance against his predecessor? Was he assigned to a can of worms? Was he implying that the portfolio he had taken over was considered so riddled in corruption that he could not settle down comfortably? If so, he certainly appeared to be a reluctant candidate for that appointment.

Ministerial Functions Act 1969 - The functions of ministers are governed by the Ministerial Functions Act 1969. As a convention, the candidate for a ministerial appointment is proposed by the leader of the party to the prime minister. Much as the prime minister has a prerogative over the selection of the candidate, by convention again, he takes the recommendations from the head of the party.

The actual appointment is only complete upon the candidate taking his oath of office before the Yang Di Pertuan Agong. S.2(1) a of the Act states: '...that a minister has been conferred with any functions or has been charged with any responsibility in respect of a particular department or subject or that any transfer, ...of any of the functions or responsibility referred to has been made'.

The above laid down the extent of responsibility of the minister-in-charge. In view of this procedure, when should a reluctant candidate turn down an offer for a ministerial appointment? In order not to insult the King nor embarrass the prime minister, he should have, at the time of selection, made it known to his party chief that he would not accept such-and-such an appointment as he wished to stay out of such-and-such a limelight.

Doctrine of Individual Ministerial Responsibility - a UK House of Commons research paper (2004) pointed out three main areas of ministerial responsibility:

- a. The minister's private conduct
- b. The general conduct of his department (or ministry), and
- c. Acts done (or left undone) by officials in his department (or ministry)

The first area of responsibility clearly refers to integrity and moral issues of a personal kind. It was not without basis that an immoral minister was asked to resign as in the John Profumo case of 1963.

The second area connotes the importance of consequences in the relationship between the minister and his officers. A minister's responsibility to parliament is to take necessary action to ensure efficiency and the proper discharge of duties of his department (or ministry). Appropriately cited would be the Crichton Down Affair (1954) which caused the then minister of agriculture of the UK to resign over the processes and procedures of his ministry.

This was debated at great lengths in the Maze Prison escape in Northern Ireland (1983) where the minister-in-charge (titled secretary of state in the UK) refused to resign based on the findings of the Hennessy Inquiry which revealed that, 'the escape would not have succeeded if orders and procedures had been properly carried out that Sunday afternoon'.

However this was rebutted by the Conservatives that a minister-in-charge could not say to Parliament: 'This policy was excellent and that was mine, but the execution was defective or disastrous and that has nothing to do with me'. It was argued that had that kind of position be allowed, the public would have no political source for complaints about failings in administration. This became the ground rule that a minister's tenure in office was not an excuse to shirk administrative accountability.

Estelle Morris' famous remark when she resigned as education secretary in 2002 over the A-Levels disaster - 'I am not having second best in a job as important as this' - further reinforced the need for a minister to uphold the doctrine of individual ministerial responsibility when he or she did not feel up to the mark.

The third area can be illustrated by a Malaysian case some 20 years ago where the curator of Muzium Negara resigned as a result of a serious mistake in a souvenir programme printed by one of the museum's units.

Are ministers above observances of the human resource management (HRM) realm? Put differently, can a minister run his office without following HRM norms? Unfortunately, the answer is 'no'.

No doubt, ministerial appointments are clearly political activities. In a normal ministry, the positions of minister, deputy minister, parliamentary secretary (now abolished), political secretary to other secretaries and special officers are all mostly political, non-permanent appointments.

When the minister goes, they all go en masse, leaving behind perhaps the deputy minister. In recent ministerial appointments, the minister and the deputy ministers need not come from the same party. When this happens what will become of the management plans for the ministry? Keep them frozen until each and every one receives a clean bill of health from the anti-corruption agency?

Mr Minister, do not stress the working relationship between politicians (who decide on the

'what' and the 'why') and the administrators (civil servants who take care of the 'how') and are at the front-end of delivery to the electorate. It is no longer a matter of choice that ministers are expected to be good managers and also to exude an aura of leadership.

Ministerial appointees are at the highest level of performance and management in the country's administration. They have an obligation to address accountability concerns regardless of how long they have been on the job.

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