# OUTLINE of the 2009 REPORT CARD

<table>
<thead>
<tr>
<th>PRESIDENT</th>
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<tbody>
<tr>
<td>Jacob Zuma</td>
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<thead>
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<td>Rob Davies</td>
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**AVERAGE** 3.0 | 4.9
How the report card works

This is the sixth edition of the Democratic Alliance’s annual cabinet report card, which we use to track and rate the performances of the president and national cabinet.

In this edition we track the performances of 36 executive office holders under the Zuma administration: 32 cabinet ministers and two ministers in the presidency, together with the deputy president and president.

Each office holder is rated based on a number of key performance indicators: their ability to roll out services, tackle mismanagement and corruption, avoid wasteful and fruitless expenditure, demonstrate leadership and a commitment to open and accountable governance, and address the major challenges facing their particular portfolio. In each case we carefully consider the office holder’s performance on each of these matters, drawing on pertinent issues and incidents from their time in office since the April election.

For each minister, we also include a record of the longer term performance of their department, by including their auditor-general’s opinion, DA cabinet report card score, and vacancy rates for each of the last three years.

These records are then depicted graphically.

In the case of auditor-general’s reports, performance is ranked on a sliding scale (ranging from 0% for a qualified audit to 100% for an unqualified/clean audit). This figure is depicted in blue.

The cabinet report card score is simply a percentage version of the score allocated in the DA’s annual report cards, dating back to 2006/07. This is represented by the green trend line.

Vacancy rates are depicted by their corollary, the percentage of filled positions in each department (the red trend line). This is done so that the chart provides a snapshot of the general upward or downward trend of a department -- with upward curves depicting improvement, and downward curves depicting a deteriorating situation.

Each chart is depicted in the following format:

For the fourth year in a row, the DA invited members of the public to take part in an online report card survey, which runs in parallel with the main report card. The results of this poll are included in the Outline of the 2009 report card, which is included at the beginning of the document.
Executive Summary

President Zuma appointed his Cabinet only seven months ago. We recognise that some ministers are new to their portfolios and others are new to government altogether. We are also alive to the fact that some portfolios are new, some have merged and others have split. The DA’s 2009 Cabinet Report Card makes some allowance for these factors.

Overall, Cabinet’s performance this year (an average of 4.9 out of ten for each Minister) was a slight improvement on last year, where Cabinet scored 4.6 overall. This overall score, while still not technically a ‘pass’, bodes well for the performance of ministers going forward, particularly those who are still short on experience.

What is significant about this year’s report card is the relatively poor performance of the most senior members of Cabinet – President Zuma and Deputy President Motlanthe – who scored 3 and 5.5 respectively. Last year, the corresponding scores for the two positions were 8 and 7.

Jacob Zuma’s presidency has been marked by a triumph of style over substance. If we were to rate him on charm alone, he would get 9 out of 10. If we were to assess him based on his commitment to the Constitution and the rule of law, he would get 1 out of 10.

We settled on a generous 3 out of 10 overall.

Since assuming office, a yawning gap has appeared between Zuma’s words and actions. Nowhere is this more apparent, or more problematic, than his respect for the Constitution.

Despite professing his loyalty to the Constitution, Zuma has shown a flagrant disregard for the constitutional limits on his power. The signs were already there when he appointed cronies to top posts such as Bheki Cele as National Police Commissioner and Mo Shaik as Head of the Secret Service. The appointment of Sandile Ngcobo as Chief Justice without first consulting leaders of opposition parties rang another warning bell. But it was the appointment of Menzi Simelane as National Director of Public Prosecutions which exploded any myth that Zuma would respect the Constitution once in office.

It is increasingly clear that Zuma is prepared to destroy the Constitution to advance the ANC’s interests and protect its cadres. History will judge him on this, not his warmth and affability.

Zuma talks a good game on just about every area of government policy, but his performance on the field tells a different story. In his State of the Nation address, Zuma promised that 500 000 jobs would be created before the end of the year, announced a new era of prudent government expenditure and set ambitious targets for the roll-out of anti-retroviral (ARV) medication. Barely seven months later, economic data points to a million job losses for the year and R320 million has been spent on ministerial vehicles, functions and other wasteful items. The Health Minister has conceded that Zuma’s ARV targets will not be met.

Deputy President Kgalema Motlanthe’s performance can best be described as middling. He has done some good work in setting up poverty alleviation and HIV/AIDS programmes and, as leader of government business, has demonstrated an intention to take Parliament seriously.

His failure to account for his role in the Oil-for-Food scandal, his reversion to a softly-softly approach towards Robert Mugabe and his bizarre attack on victims of farm murders counted heavily against him.

The highest mark bestowed on any Cabinet Minister was 8.5. This was awarded to new Minister of Finance, Pravin Gordhan, who has taken over where his predecessor, Trevor Manuel, left off. For his commitment to curb inflation, manage public debt and eliminate unnecessary expenditure (including opting for a modest ministerial vehicle himself) he receives the highest mark.

The second best performer is Minister of Tourism, Martthinus van Schalkwyk (8). He is one of the most knowledgeable and ‘hands-on’ Ministers in the Cabinet and is not afraid to take tough decisions when required.
At the bottom of the class with 2.5 out of 10 are the Minister of Labour, Membathisi Mdladlana, and Minister of Women, Children and People with Disabilities, Noluthando Mayende-Sibiya.

Minister Mdladlana is in his second term in this portfolio and has still recorded no accomplishments to speak of. Mdladlana has stuck doggedly to the SETA model of skills transfer which has cost millions of rands and achieved very little. His assault on labour brokers, labeling them “slave traders” and “human traffickers”, revealed his inability to grapple with our unemployment crisis in a level-headed, results-driven fashion. Instead of creating jobs, he will destroy more by criminalising temporary work.

Minster Mayende-Sibiya, for her part, faces the daunting task of taking on a brand new portfolio. But she has not risen to the challenge at all. She has no clear programme of action, tending to intervene in an ad-hoc, uncoordinated manner. She has, for example, been seized with the issue of forced marriages, but said little about the high incidence of rape and domestic violence. Her failure to turn up at the first public hearing of the Domestic Violence Act spoke volumes. This is an opportunity missed for what should be a key portfolio.

Overall, the Cabinet did not fare too badly (in comparison with previous years), with nineteen ministers out of 34 achieving a score of 5 or higher. That the President lags some distance behind most of his Cabinet is cause for concern.

Jacob Zuma needs to show that he is a President, not a PR machine. If he can close the gap between his words and his actions, he may make a positive impact on South Africa. But, to do this, he will need to make some hard choices and some frank admissions. He must start by re-affirming his commitment to the Constitution in deed as well as words.
The President

Jacob Zuma

It is very difficult to give President Zuma a single mark because his performance varies radically on different indicators.

For charm, he gets 9 out of 10. If he was judged solely on his commitment to fighting HIV/AIDS denialism he would get a 7 or an 8. But, when it comes to leadership and his commitment to the Constitution, he fails with 1 out of 10.

We settled on 3 out of 10 as an overall mark.

Unlike President Mbeki who was characterised as aloof, President Zuma has met opposition party leaders and stakeholders from across the political spectrum. He is warm, approachable and affable. One cannot help liking him.

These laudable characteristics have disarmed many people. His popularity ratings are growing. To be sure, a good leader must have the capacity to be diplomatic and charismatic. But leadership is much more than that. Charisma never saved a Constitution. In fact, populism, (which is too often equated with popularity), has led to the demise of many a noble Constitution, particularly on our continent, the collapse of economies and the impoverishment of entire nations.

Unless he is stopped, Jacob Zuma will be remembered, in ten years’ time, as the President who destroyed our Constitution by turning its independent institutions into extensions of the ANC. Instead of providing an effective brake on power abuse, these institutions are becoming extensions of the ANC, and instruments of the party’s abuse of power.

Jacob Zuma means what he has repeatedly said – that the ANC is more important than the Constitution.

The clearest example such power abuse (which is the greatest threat to the future of our democracy) is the dramatic events that played themselves out in the National Prosecuting Authority (NPA) this year. First we had the firing of National Director of Public Prosecutions (NDPP), Vusi Pikoli (undertaken on behalf of Zuma by temporary President Kgalema Motlanthe). In the absence of any rational explanation, the only reason for Pikoli’s axing was that he refused to drop fraud and corruption charges against Jacob Zuma.

Next came the decision by caretaker NDPP, Mokotedi Mpshe to withdraw all charges against Zuma on what can only be described as irrational grounds. The culmination of the assault on the NPA was the appointment of Menzi Simelane, who has a history of resisting the constitutionally enshrined independence of the NDPP. Through this appointment, President Zuma effectively put Colonel Sanders in charge of the chickens.

This series of events says more about Jacob Zuma’s contempt for the Constitution than anything else. His recent professions of loyalty to the Constitution must be weighed against his deeds.

Zuma puts party before country every time. His failure to rein in ANC members, such as Julius Malema, who also show open disdain for the Constitution, is a case in point. In fact, Zuma lauded Malema as a future leader of the ANC.

There are many other examples of Zuma’s subversion of the Constitution in the past year:

Consider the following:

- The appointment of Sandile Ncgobo as Chief Justice without first consulting the leaders of opposition parties, as required by the Constitution.
- The stacking of the Judicial Service Commission with Zuma appointees and deliberately excluding key people from the panel (as required by the Constitution). This was designed to squash allegations that Judge Hlophe tried to persuade Constitutional Court Judges to find in favour of Zuma.
- The absurd argument of Zuma’s lawyers in response to the DA’s application for the High Court to review the National Prosecuting Authority’s decision to drop the charges against Zuma. They said the decision should not be reviewed because it might “embarrass” the President and that a sitting President cannot be prosecuted while in office, a patent distortion of the Constitution.
• The buying-off of former head of the NPA, Vusi Pikoli, to prevent the truth – that Pikoli was fired to get the charges against Zuma dropped – from coming out in open court.
• The appointment of Menzi Simelane, a self-professed believer that the NPA should be an extension of the ANC, as the National Director of Public Prosecutions.

All of these actions are designed to undermine the criminal justice system and protect Zuma and his cronies from prosecution. This kind of selective justice is the very antithesis of the fundamental constitutional principle that all should be equal before the law.

The root of all of this is that Zuma believes, as he has repeatedly said, that the ANC is more important than the Constitution. This is why he picks people for positions who will advance the ANC at the expense of the Constitution. The appointments of Mo Shaik (Head of the Secret Service), Mac Maharaj (special envoy to Zimbabwe), Bheki Cele (National Police Commissioner) and Vusi Mona (DDG of Communications in the Presidency) reveal his true agenda. These appointments were made despite his promise before the election that he would not deploy friends to high-profile positions.

Zuma is very good at saying what people want to hear, but very bad at doing what he says he will. His presidency has been marked by a yawning gap between words and action; a triumph of style over substance. This extends beyond his questionable commitment to the Constitution.

Zuma’s State of the Nation address contained a number of grand-sounding promises that will not materialise. One was that 500,000 new jobs would be created by the end of the year. When questioned on progress five months later, Zuma admitted that even the creation of 100,000 jobs would be a success (this in itself is doubtful, considering that one million people are expected to lose their jobs this year).

Another promise of the State of the Nation address was the setting up of a presidential hotline, a true illustration of style over substance. To great fanfare (and cost), the presidency said that it would deal with every complaint from the public as if it was the only one. The hotline proved to be cold comfort for South Africans with real grievances and problems. Calls go unanswered for hours on end and many issues reported have simply not been addressed.

Perhaps the most risible commitment made in Zuma’s State of the Nation address was that government would spend every cent wisely and fruitfully. A series of DA parliamentary questions revealed just how empty this promise was. We have found evidence of over R320 million in fruitless and wasteful expenditure, including nearly R50 million spent on luxury vehicles. The President has maintained a stony silence despite the public furore over such lavishness in the height of a recession.

President Zuma deserves credit for dispensing of the Aids denialism of the Mbeki era. The test now will be to follow through with prevention and treatment programmes that reduce infection rates and improve the lives of people living with HIV/AIDS.

Already, the signs are not good that Zuma will be able to achieve his State of the Nation address promise that 80% of people infected with HIV would receive anti-retroviral medication by 2011. It took less than five months for Health Minister Aaron Motsoaledi to admit that government would not meet this target. Even on HIV/AIDS, there appears to be a gap between words and action. Time will tell us the full story.

Zuma has managed to win over many people who see him as an antidote to Mbeki’s denialism and aloofness. But, in the long term, he will be judged not on his charm or his ability to say what people want to hear. He will be appraised on concrete action and leadership. This sometimes requires him to say things that people do not want to hear. This is especially important in defence of the Constitution. Jacob Zuma’s real litmus test will be his commitment to uphold the Constitution. He is already failing this test in rather dramatic fashion.
Since assuming the office of Deputy President, Kgalema Motlanthe has remained very much in the background. He is not a charismatic leader in the vein of Zuma, nor is he particularly inspiring. But it appears that he has done some good work in the last seven months, particularly in respect of poverty alleviation, parliamentary oversight, HIV/AIDS and on the international front.

During the debate on the Presidency’s budget vote in Parliament in June Motlanthe stated that his office was in the final stages of finalising a concrete action plan which would ensure that the Presidency’s Anti-Poverty Strategy would be brought to life across the country. We await this plan with interest. Motlanthe has been vocal in calling for the speedy conclusion of the Doha Development Round negotiations as this would benefit developing countries who were struggling with hunger and poverty.

Motlanthe has also demonstrated his commitment to tackling HIV/AIDS and the signs are that he will use his chairmanship of the South African National Aids Council (SANAC) effectively. At his first SANAC plenary meeting, he announced that TB would become a part of SANAC’s agenda and set out plans to conduct a mid-term review of the National Strategic Plan.

As the Leader of Government business, Motlanthe is tasked with ensuring cabinet ministers fulfill their responsibilities to Parliament, including responding to parliamentary questions promptly and truthfully. When we raised our concerns that many members of the executive had failed to respect parliamentary questions, Motlanthe expressed support for our proposal that any minister failing to respond to a question within the required 10 days would be required to explain their failure to do in the National Assembly.

But, it has to be said, Motlanthe himself is guilty of ducking difficult questions. When he was asked about Ministers’ spending on luxury motor vehicles, he flippantly replied that they were bought to stimulate the economy in a recession. This is, of course, blatantly untrue, as Trevor Manuel confirmed recently when he denied there were any such plans.

When it comes to foreign affairs, Motlanthe has played a key role in strengthening South Africa’s bilateral relations with key international and continental players such as Sweden and Nigeria. But he has also appeared determined to consolidate relations with Robert Mugabe, despite his relatively tough stance towards Zimbabwe when he was President. Responding to a question recently in the National Assembly on how South Africa can support the lifting of sanctions against Robert Mugabe, he responded: “President Mugabe is an individual. He is now of advanced age and it is not helpful to devote all of our efforts on dealing with him as an individual.”

There are other blots on his copy book. More serious than his protection of Mugabe is his still unaccounted-for role in government’s bypassing of Iraqi sanctions and corruption relating to the UN Oil-for-Food programme. A leaked report of the Donen Commission – which the President still refuses to make public – alleges that Motlanthe knew about the surcharges and traveled to Iraq with ANC funder Sandi Majali to discuss kickbacks with Iraq Deputy Prime Minister Tariq Aziz.

Instead of confirming or denying any involvement, Motlanthe has remained silent. When the DA pushed him for an answer in the form of a parliamentary question, it was blocked – in consultation with Motlanthe himself – on the dubious grounds that Motlanthe was not Deputy President at the time of the allegations.

Motlanthe, not usually prone to intemperate outbursts, surprised everyone recently when he blamed victims of farm murders, instead of the perpetrators. He said:

“Some of the most brutal farm murders are committed by foreign nationals, who were brutally exploited and made to toil without any remuneration...Of course,
they come back and they go back and commit the most horrendous murders. This is why we need to condemn those who take advantage of foreign nationals in this fashion.”

On the whole, Motlanthe receives a middling 5.5 out of 10. If he can implement some of his programmes relating to HIV/Aids and poverty alleviation and, if he shows willingness to account for his role in the Oil-for-Food programme, his score will improve considerably next time around.

MINISTER IN THE PRESIDENCY:
(PEFORMANCE MONITORING, MANAGEMENT AND EVALUATION)

Collins Chabane

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Minister in the Presidency Collins Chabane’s approach to cleaning up government can best be described as understated, particularly in light of the fact that in November, he himself was found to have contravened Ministerial Handbook rules, when he used a ministerial credit card for personal purchases. He scores 5.

Shortly after his appointment, Minister Chabane released a policy proposal on performance monitoring evaluation. The DA agrees with some of his proposals and we will be following the process of implementing them closely. But the discussion document also suggests the establishment of a ‘delivery unit’ to ‘unblock’ problems with service delivery and “facilitate change at national, provincial and local level”. The DA believes that in the hands of the ANC National Executive Committee, such a tool, without the appropriate checks and balances, risks being reduced simply to a political weapon in the arsenal of a ruling party with many internal political battles to resolve.

Furthermore, it appears that Chabane has already started back-tracking on the promises he made at the launch of this document. When asked in Parliament whether his ministry would require government departments to release reports and indicators related to their performances on a more regular basis, and more specifically whether the Department of Police will be required to release crime statistics more often, he replied that “it is within the right of those institutions to determine how those reports are released and at what point”. His response clearly indicates that he in fact has no intention at all of exercising oversight and holding departments accountable.

He himself has already failed when it comes to implementation; his Ministry was supposed to be up and running by November, but there has been no communication from his office in this regard.

The minister has also been non-active on many important issues falling within the ambit of his ministry.

There have been numerous problems surrounding the Presidential Hotline, for example, but he has said nothing.

He has also exerted no authority over the National Youth Development Agency (NYDA). This agency is a result of a merger of the National Youth Commission and the Umsobomvu Youth Fund, and it is supposed to coordinate youth development issues and provide advisory services and access to funding for young people.

However, only a few months after its launch it is already pretty clear that it has become nothing more than an extension of the ANC Youth League, whose senior members are the three top officials of the NYDA and earn more than R1.5 million per annum between them. Chabane has not asserted his authority to ensure that the agency remains an independent institution.
The minister did conduct one or two visits to service delivery hotspots during the year, including Balfour, and made a number of undertakings to improve service delivery at municipalities. But in reply to a journalist’s question, he said that no targets or deadlines had actually been set yet.

Chabane has just been appointed as head of the “anti-corruption inter-ministerial committee” that was established by President Zuma. One of Chabane’s biggest tests in the upcoming months will be ensuring that this committee delivers concrete outcomes, including taking decisive action against corrupt officials.

Every government needs to be able to plan properly, and so the DA fully supports the creation of a National Planning Commission. However, such a commission cannot run as a parallel authority to the state. It must have the ability to make recommendations, not enforce them. On this critical point Trevor Manuel has failed to give the proper assurances – most particularly in his Green Paper – that this will not be the Planning Commission’s purpose. For this reason – the ambiguous nature of his proposals – we give him a 5. Time will tell what exactly Manuel’s intentions are.

Manuel has used his impressive reputation derived from his past performance as Finance Minister to present his Green Paper to Parliament, thus bypassing the white paper and legislative process, and to start setting up the National Planning Commission. Amidst all this has been Manuel’s involvement in the Cargate saga. A reply to a parliamentary question revealed that Manuel spent R1.2 million on a seven series BMW shortly after assuming office in the Presidency, despite saying, in his former role as Finance Minister, that “Budgeting is not only about expanding expenditure on constructive and necessary activities, it is also about rooting out waste, promoting cost-efficiency and phasing out ineffective programmes... A greater sense of responsibility needs to permeate the
Manuel was, however, the only cabinet minister to apologise for this extravagant expenditure and admitted it was an “error of judgement” on his part – although this apology was not devoid of sarcasm.

While it is still early days, the Green Paper presented by Manuel to Parliament does not bode well for the future independence of the three spheres of government and appears to be yet another vehicle for the ANC government to centralise power. Only time will tell whether Manuel will be able to successfully build on the reputation he established for himself as Minister of Finance.

MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES

Tina Joemat-Pettersson

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Minister Tina Joemat-Pettersson blows a breath of fresh air through the stagnant corridors of this department left in disarray by her disastrous predecessor. She scores 7.

From the outset she appeared to have had a good grasp of the challenges of the agricultural sector, and she went out of her way to consult widely with key role-players (including commercial farmers, who had been sidelined by the former minister) to get to grips with issues.

She was quick to realise that her department lacked managerial leadership and excellence – in her words, departmental officials were “comatose” – and judging by the markedly better performance of the department’s management team at portfolio committee meetings now, and also the exit of the director-general, she seems to be succeeding in turning the situation around.

She has also been accessible to opposition members of Parliament, she encourages interaction and appears to be keen to consider suggestions and alternative views.

Major challenges face agriculture, including ensuring food security in the face of decreasing numbers of commercial farmers as a result of, inter alia, economic pressures and land redistribution, and the worrying trend of continued failures by emerging farmers.

The next year however, will be critical for her. She will have to continue supporting the commercial farming sector. At the same time, she will have to put measures in place to help the emerging sector in

**Historical Record**

- **2006 07:** Unqual. with emphasis of matter
- **2007 08:** Unqual. with emphasis of matter
- **2008 09:** Unqual.

**Report Card**

- **2006:** 5
- **2007:** 4
- **2008:** 2

**Vacancy Rate**

- **2006:** 18%
- **2007:** 14%
- **2008:** 17%

**Car purchased – minister:** Yes, 2009 Mercedes Benz S350 at the cost of R780 253 with R15 000 optional extras

**Car purchased – deputy minister:** No

**Budget/annual report party?:** No

**Parliamentary questions asked/answered (% answered):** 29/65, 44% answered

**Vacancies:** 559/3285, 17%
more tangible ways to be successful, through more accessible credit and post-settlement support, in an environment where funding has virtually dried up.

While agriculture forms the backbone of her department and all her attention seems to be focused thereon, she seems not to give much attention to forestry and aquaculture. In view of dwindling natural fish stocks, aquaculture should be seen as a growth area and she should be promoting the sector much more actively.

She has started off well by saying the right things. The question now is whether she will be able to put her words into action. We want to see her continue interacting and supporting the commercial sector and appreciating its challenges, while at the same time putting workable measures in place to turn the struggling emerging and subsistence sectors around.

MINISTER OF ARTS AND CULTURE

Lulu Xingwana

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Lulama Xingwana does not come highly recommended from a disastrous stint as Minister of Land and Agriculture. Under her tenure South Africa moved from being a net exporter of food, to being a net importer. The entire agricultural sector was destabilised by the threat from her department of unconstitutional land grabs (in terms of the now withdrawn expropriation bill) and the Land Bank, once an important agricultural finance house, was plunged into bankruptcy amidst revelations of corruption and negligence – to the point where it was taken over by the Treasury.

In the few months of her tenure in her new portfolio, it is hard to tell whether she is heading down another dangerous path. She has mostly been involved in the usual round of opening events and conferences that keep ministers busy. She has made a few speeches but has not given much in the way of direction.

However, a couple of examples indicate that she is taking the themes from her previous portfolio, of inefficiency and lack of transparency, forward. She has not answered around 73% of the parliamentary questions the DA has asked her, some dating as far back as June. This makes it difficult for the DA to judge whether or not she is fulfilling her duties or understand what is happening in that department.

Her attendance at portfolio committee meetings is poor too. She has attended only one of the committee meetings to discuss her department’s budget. She has also, like her predecessor, refused to release the forensic report into the grave situation at the Robben Island Museum, one of our national heritage sites.
It does not bode well for our tourism industry that this museum is engulfed in an ongoing management crisis. The swift action required from the minister to restore order has not been evident. She scores 3.5.

MINISTER OF BASIC EDUCATION

Angie Motshekga

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Car purchased – minister: R1.7m on two new cars; a BMW 730D, and a Range Rover Sport TDV8.

Car purchased – deputy minister: No

Budget/annual report party?: R267 000 on a budget vote party

Parliamentary questions asked/answered (% answered): 58/71, 81% answered

Vacancies: 205/1095, 18.7% (Basic and Higher Education)

Angie Motshekga, president of the ANC Women’s League and former MEC for education in Gauteng, has not in the past shown the kind of commitment to excellence needed to turn around the performance of South Africa’s schools. In her new post, she has unfortunately continued to display the arrogance that characterised her tenure as MEC. However, her bold action on Outcomes-Based Education redeems her somewhat and she scores 5.5.

She has, however, shown an ability to properly identify the root causes of the problems effecting education, presumably with the intent of acting on them. Time will tell if she has the courage to follow through on this front.

Motshekga had an uninspiring run as Gauteng MEC for education. Prior to the election she attended Jacob Zuma’s fraud trial rather than a Council of Education Ministers meeting. She also once famously commented that good matric results and academic achievements are not essential characteristics of a leader.

The fact that her appointment was welcomed with delight by the biggest obstacle to education reform in South Africa, the South African Democratic Teachers Organisation (SADTU), is an indication of where her priorities lie. Indeed, she has yet to show that she has any intention of dealing with lazy and incompetent teachers.

However, she took many people by surprise when she took the Curriculum 2005 bull by the horns, by introducing a range of changes aimed at making it less burdensome on teachers and easier to apply. Two education ministers before her have buried their heads in the sand on this issue. Motshekga must be praised for this initiative, but it is not encouraging that the schools have yet to be formally informed about the review.

But that is where it ends.

She out used tax-payer’s money to buy herself two luxury imported cars, a BMW 730D and a Range Rover TDV8, together costing R1.7 million. When there was a public outcry, she pointed that she was entitled to buy even more expensive
cars.

To her credit, the Minister has acted to block the proposed regulations to restrict even further the ability of public schools to pay good teachers extra in order to retain their services. The fact that this was attempted via regulation, thus avoiding having to take a highly controversial proposal through Parliament, is significant. The measure would drive even more teachers out of the public education system and weaken it even further. Her position on this issue is to be commended.

Finally, she insisted that matric certificates, printed at great cost outside of South Africa on special paper to avoid fraud, be reprinted — simply because she did not think the South African emblem was large enough.

Instead of starting to reform our prehistoric policies on communications and broadcasting, new Communications Minister Siphiwe Nyanda seems intent on taking us further back into the statist apartheid era. He scores 3.

President Zuma’s appointment of Nyanda, a former army general, was met with surprise and disappointment from various sectors of the information technology community. Industry players and consumers had hoped for a candidate selected for their telecoms and communications experience, but instead the department was the recipient of a political appointment.

The Minister did not do much to dispel the public apprehension about his appointment with his purchase of two luxury vehicles at a cost of over R2.2-million. Almost R30 000 was spent on optional extras such as a ‘high-gloss satin chrome finish’ and ‘rear-seat entertainment’.

A matter of high concern has been the Minister’s attempts to micro-manage the functioning of the ICT sector—such as a decision to issue instructions to the independent regulator, ICASA, demanding that it lower the cost of interconnection. This is a matter to be resolved by ICASA, and not the Minister. Furthermore, the gazetting of the Draft Public Service Broadcasting Bill by the department this year is yet another attempt by the Minister to micro-manage.

Instead of concerning himself with his own mandate, which is principally to draft and publish communications
policies – an area which is sorely needed in the communications portfolio because of the policy vacuum left by Nyanda’s predecessor, the late Ivy Matsepe-Casaburri – the Minister seems to believe it more appropriate to usurp the functions of the various organs which fall under his department, and execute their mandate himself.

Nyanda has wasted no time in capitalising on the financial woes at the SABC in order to justify increased state intervention in the running of the public broadcaster. He has continued the trend set last year by his ANC colleagues at Luthuli House and in the National Assembly, who used the crisis at the broadcaster to justify their elimination of a perceived “Mbeki-aligned” board.

Now the Minister would have the South African public believe that the solution to the problems of financial mismanagement and lack of good governance at the SABC, which led to the current crisis, can be addressed by giving him and the government more power to intervene in the running of the public broadcaster – which the Minister seems to want to force into the mould of the SABC under apartheid.

The Draft Bill’s proposal of a 1% tax levy to fund the public mandate of the SABC has rightly caused an outcry, because the public is being asked to foot the bill for bad management and inefficiency at the SABC.

**MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

Sicelo Shiceka

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<td>Vacancy Rate</td>
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Sicelo Shiceka is a brand new appointment to the Cabinet, so he lacks experience and authority. In many ways he has made a good start by saying the right things about improving service delivery and local government performance, and about putting an end to the cadre deployment practices which have destroyed many local governments.

But the big black mark against his name is his involvement in the outrageous water cut-off scandal in Khayelitsha in October 2009. He has also made promises he is unlikely to be able to keep. Hence his tentative score of 5.5.

The minister has made strong utterances against corruption and maladministration. He has put a number of dysfunctional municipalities under administration and launched a clean audit campaign. He recently convened an indaba on local government to look at possible solutions to local government incapacity and has already drawn up a turn-around strategy for municipalities.
There are concerns that the minister is not being realistic with his department’s budget. Examples include his plans to do away with part-time councilors, and make all councilors’ positions full-time ones, as well as to remunerate councilors at the level of members of Parliament and provincial legislatures. In South Africa’s strained circumstances, this is unlikely to be either affordable or popular with ordinary citizens.

Unfortunately, despite the good things to be said about this minister, he has undone some of this by becoming involved in underhanded politics. On the one hand he has explicitly stated that “it is time to move away from petty politics”. On the other hand he was central to a compromised visit to Khayalitsha and Mitchells Plain with an ANC member in October.

The visit was blatantly political. It was conducted without informing the mayor or councilors concerned and it was followed by accusations against the DA-run city administration that residents had had their water cut off, when in fact it turned out that ANC members had instructed community residents to turn off their water at source.

Over the next year the minister will have to put his money where his mouth is and get serious about improving productivity and removing non-performers. He will also have to put his focus squarely on improving dysfunctional municipalities, not on playing politics.

### MINISTER OF CORRECTIONAL SERVICES

**Nosiviwe Mapisa-Nqakula**

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<td>Vacancy Rate</td>
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Nosiviwe Mapisa-Ngakula was previously Minister of Home Affairs and it is something of a moot point as to which department - Home Affairs or Correctional Services - is more dysfunctional.

So it was not with the feeling that a new broom would be sweeping clean that we observed the arrival of the new Minister of Correctional Services in May. For a less than impressive new beginning she scores 4.
Shaik, released on medical parole because he was apparently dying, was spotted cruising around Durban.

Worryingly, the Minister has suspended the awarding of contracts for the construction of new generation prisons. Rumour has it that the unions want the state to build and operate the prisons instead of outsourcing their construction to the private sector.

Corruption remains endemic in the department. The Special Investigating Unit (SIU) recently uncovered extensive corruption and has taken steps to recover money that was fraudulently paid to contractors. The SIU also discovered that four contracts worth over R1.5 billion were awarded to a company that paid millions in alleged kickbacks to former high ranking officials. Yet the Minister apparently now wants to discontinue the contract with the SIU.

The Minister really could do better. She is intelligent, articulate and capable. She has inherited a department in crisis, but she has failed thus far either to appreciate the extent of the crisis or to deal with it.

New Defence Minister Lindiwe Sisulu triumphed over unruly striking soldiers and acted wisely to can the Airbus deal. But she has compromised her score with her dogged secretiveness. She scores 5.

When soldiers went on a violent strike in August, among other things trashing the Union Buildings, the minister made the right decisions. She took tough and decisive action against the rioting soldiers, both acting strongly against the disruptors and establishing a commission to look into members’ service conditions. She has also established a task team to make recommendations concerning military veterans.

The recent decision to terminate the acquisition of eight Airbus A400M aircraft, at the much-increased cost of R47 billion, was positive and commendable. It was however, regrettable that we had to wait until information about the spiralling costs of the deal slipped out of now suspended Armscor CEO Sipho Thomo (as a result of questioning by the DA) before the matter was tackled.

Sisulu’s biggest failings are her intense secrecy and her apparent dislike of being held accountable. She treats Parliament with blatant disrespect. She refused to appear before Parliament herself to explain the SANDF’s state of preparedness and refused to allow departmental staff to do so either. We
therefore still do not know, even though taxpayers spend R30 billion a year on supporting it, whether we have a defence force that is capable of defending us. She routinely provides non-answers to parliamentary questions.

The daily management of the Defence Department seems to be lacking. For example, in August she confirmed her appointment of Paul Ngubeni as her legal advisor – a man who left the University of Cape Town in disgrace and may never practice law again in the United States after being found guilty of seven counts of misconduct in Connecticut.

MINISTER OF ECONOMIC DEVELOPMENT

Ebrahim Patel

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| Car purchased – minister | None |
| Car purchased – deputy minister | None |
| Budget/annual report party? | Budget vote party for R 43 100 (with Department of Trade and Industry) |
| Parliamentary questions asked/answered (% answered) | 19/25, 76% answered |
| Vacancies | n/a |

The uncertainty regarding the mandate and authority of the newly created Department of Economic Development, sparked by on-going tensions within the tripartite alliance, has significantly hampered the work of this department’s minister, former trade unionist Ebrahim Patel.

But whatever the reasons are for the failings of his department, Patel must take responsibility for not managing these problems better and as a result, not dealing adequately with some of the most important items in his (and the country’s) agenda. For this, he gets a 5 out of 10 – the intention might have been there, but certainly not the rigour of a supposed intellect.

Currently, Patel’s department has been sidelined and the true holders of power appear to be Trevor Manuel in the Presidency and Pravin Gordhan in the Treasury. The question is therefore how effective Patel could be. He might otherwise be extremely capable, but the reduction in relevance hampers any meaningful contribution.

Patel’s main sphere of influence has been the debate on policy direction and his contribution to the economic rescue package. But in both of these he has failed, the latter serving as excellent example of his failure.

Patel is often portrayed as the intellectual of the left, less radical than certain Cosatu officials, but just as committed to market intervention. The global economic downturn should therefore have been the best opportunity for Patel to flex his intellectual muscles to help South Africa out of the doldrums. Instead, the gist of the rescue package has been a mixed bag of pre-existing government projects and mismatched attempts to enforce import tariffs, none of which have helped
to stem the loss of many hundreds of jobs every day.

It is a severe failure for someone like Patel to preoccupy himself with the particularities of tariff enforcement when much bigger issues are at play. It shows a mind better suited to the mechanics of micro-economic interventionism than macro economic strategy. It is not as if he entered no man’s land in this challenge. Across the world major economies have been experimenting with bailout packages and a whole range of creative interventions. But Patel has comfortably stayed away from anything that might have proven significant.

Patel’s ministry is essentially the “job creation” ministry. But in the midst of falling employment Patel has been virtually silent on adopting or introducing new, innovative policies to deal with job losses.

For a man vying for the job as head of macro policy direction, he has failed dismally at the biggest opportunity he might ever get.

### MINISTER OF ENERGY

**Dipuo Peters**

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The new Minister of Energy, Dipuo Peters, has not put a foot wrong so far, but she has not put a foot right either. The primary challenge facing her department is the energy crisis, not just with regard to the Eskom but with regard to government’s attitude to solving the problem in the long run. On this front she has been almost entirely silent on the role that the private sector could play in helping solve to solve the challenges facing the country. Indeed, privatisation and public/private partnerships are the only real and sustainable option is we are to turn things around. Yet one would not deduce this from the Minister’s words and deeds. Her failure to embrace this critical debate is to her and the country’s detriment. She scores 5.

The minister has kept a low profile during the first months in her position but has quietly implemented some major changes. She also has an approach which embraces consultation and openness.

That said, there have been some positive initiatives on the Minister’s part:

Most importantly, in August, Peters stripped Eskom of its authority over private electricity producers and reassigned it to leading staff members in her new ministry. Eskom has for years kept a hard brake on this issue, because it represents a loss of power, but it is critical for South Africa’s energy needs. So Peter’s step was necessary and

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**Car purchased – minister** None

**Car purchased – deputy minister** No reply

**Budget/annual report party?** Budget party- R 412 077.72

**Parliamentary questions asked/answered (% answered)** 21/34, 61% answered

**Vacancies** 302/1496, 20.2% (Department of Minerals and Energy)
significant. We look forward to seeing it being implemented.

She also approved regulations making it possible to use payment cards to buy petrol and diesel at fuel retail service stations – the prohibition on being able to do this was a big problem for the tourism industry, and added significantly to banking costs, but Peters managed to quickly cut through the obstacles which had held back her predecessors.

She has taken a sensible and consultative approach to the question of nuclear energy, and implemented a number of plans on alternative energy – including the signing of a memorandum of understanding with the Clinton Climate Initiative to explore the possibility of building a solar park in South Africa.

Based on her department’s responses to parliamentary questions she seems to be inclined to say less rather than more, but to also attempt to give genuine answers rather than fob-offs. This is particularly heartening since many departments have given poor quality responses to parliamentary questions – or none at all. Parliamentary questions are key to ensuring governmental accountability.

Her approach to parliamentary questions is indicative of a general independence of mind and willingness to engage with stakeholders. Peters looks like the kind of official that is not bound to ANC dogma and who looks to develop constructive relationships.

Getting South Africa’s energy situation back on track is going to be long and difficult. She is not responsible for some of the more complicated problems in this area, such as sorting out Eskom. But so far, the signs are good that Peters will be an influence for good in the areas she is responsible for.

The Minister of Finance, Pravin Gordhan, has passed, with distinction. For his performance to date, the DA awards him 8.5 out of ten.

His appointment presented him with many difficulties. He replaced Trevor Manuel, the internationally respected and longest serving Minister of Finance in the world; the economy was in recession, with plummeting tax revenue; ANC alliance partners were making noisy demands for policy shifts and his history as a member of the South African Communist Party (SACP) brought into question his ability to look beyond unworkable ideology.

From the outset, the minister has made clear his objective to tackle the scourge
of corruption and wasteful expenditure. He demonstrated this commitment personally through his relatively moderate vehicle purchases and the outcome of his membership on the "Government Task Team to Effect Savings", which sets out specific measures to reduce government expenditure now and in the longer term.

The Medium Term Budget Policy Statement demonstrated his commitment to manage inflation, restrain unnecessary expenditure and strengthen the social contract with taxpayers.

He faces a daunting task. He must ensure that the economy grows so that public debt does not spiral out of control. He must ensure that the public sector wage bill is brought under control and that public sector expenditure as a percentage of GDP is reduced.

Given his history at SARS, the DA is confident that the minister means what he says regarding corruption and efficiency. It remains to be seen, however, whether he has the political power to restrain the extravagant expenditure tendencies of many of his fellow cabinet members; whether he can implement good governance guidelines for the state owned enterprises and whether he can facilitate the economic growth that South Africa needs to emerge from the recession and generate the numbers of jobs required to reverse increasing dependency on social benefits.

**MINISTER OF HEALTH**

Aaron Motsoaledi

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Car purchased – minister: R757 545 for a Mercedes Benz E500
Car purchased – deputy minister: No
Budget/annual report party?: Two parties, to celebrate the department’s budget vote in the National Assembly (R34 000) and the National Council of Provinces (R31 000).
Parliamentary questions asked/answered (% answered): 87/154, 56% answered
Vacancies: 459/1832, 25.1%

Newly appointed Health Minister Aaron Motsoaledi has done well in some respects in his short time in this portfolio, skilfully handling some political hot potatoes and taking a reasoned and consultative approach to some complicated problems in his basket. He scores 6.5.

Motsoaledi has decisively put South Africa on the right track regarding HIV/Aids, with a frank acknowledgement of the extent of the epidemic. His big challenge for next year will be to see that there are no repeats of the Free State funding debacle of earlier this year, and that everyone who needs medication receives it.

He was also quick to remove the former director-general of health, Thami Mseleku, who backed Minister Tshabalala-Msimang’s Aids denialism to the hilt and allowed provincial spending
on health to go almost completely unmonitored.

There has been vigorous debate during the year about the ANC’s proposals for National Health Insurance (NHI). Demands from the ANC’s alliance partners have been for the rapid and reckless implementation of the NHI, but Motsoaledi’s comments and interventions so far have suggested a much more pragmatic, sensible approach. He has emphasised the need to sort out the health system first: “It is not just about money -- the system has deteriorated. Therefore you can’t just put the NHI [in place], you have to look at the whole system.”

He has not only expressed his anger at the poor management of many public hospitals, but he has appointed members of his department to enquire into the situation at every public hospital – something the DA has been asking for for many years.

The ministerial advisory committee he has appointed to investigate the NHI is well-judged and balanced, and includes some people who have been critical of the NHI.

Finally, he has announced a compromise solution to the years-long pharmacy dispensing fees saga which appears to have been widely welcomed.

However, the strike by doctors in June 2009 was not handled well. While the problem was not of his making, the anger over the long delayed implementation of salary increases was only worsened by his initial offer – which was presented as a new deal but was in fact simply a repackaging of what doctors were already getting.

His unwillingness to answer parliamentary questions remains a problem of accountability and transparency, as does his liking for expensive, tax-payer funded cars.

**MINISTER OF HIGHER EDUCATION AND TRAINING**

**Blade Nzimande**

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New Higher Education Minister Blade Nzimande certainly does not serve the national interest. He is divisive and breaks rather than builds, and in his short stint in this portfolio he has not shown himself to be anything less than a menace to higher education. He scores 3.5, rescued only from a worse score by a couple of good appointments and some welcome comments on skills development.

To start with the good, Nzimande appointed a director-general, Mary Metcalfe, and at least one advisor, John Pampallis, who we expect to serve in a competent manner, and who have records of capable administration.
The department is a legal entity and little more, because its higher education functions have not yet been transferred from the former Department of Education. Nzimande has appointed some committees to review a variety of critical issues, including the National Student Financial Aid Scheme. He was supposed to take ownership of the Sector Education and Training Authorities on 1 November, but asked to have the transfer delayed - probably a good thing given the newness of his department, but he has indicated that he intends to create a more coherent skills development environment. We must await developments in this regard.

Other than that, he has not done much at all. The DA has also called on him twice to ask him to set aside emergency funds for students who do not conform to the income threshold for aid, and he has completely rejected this, saying there must be a “global solution”.

However, he has certainly been vocal, and he has made a lot of controversial statements, ranging from questioning university autonomy to pushing crude affirmative action. In October, he demanded of University of the Free State vice-chancellor Jonathen Jansen that he reverse a decision to pardon the “Reitz Four”. While the rights and wrongs of this decision will continue to be debated, the fact remains that the university is an autonomous institution and Nzimande has no business ordering its managers around.

A further problem is that he has retained his position as general secretary of the South African Communist Party (SACP), and continues to put his name to SACP statements, which raises doubts about whose interests he is really serving.

South Africans were left with an even more cynical view of politicians when, despite having stated only two months earlier that it was through “the consistent inculcation of [Nelson Mandela’s] values that we can roll back the greed, corruption and selfishness of capitalism”, he used taxpayers’ funds to purchase a R1 million luxury car.

**MINISTER OF HOME AFFAIRS**

Nkosazana Dlamini-Zuma

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<th>2007 08</th>
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**Car purchased – minister**

Did not buy a vehicle or inherit an old one.

**Car purchased – deputy minister**

Inherited BMW 530i, 2008 model

**Budget/annual report party?**

R52 365 for a budget vote party

**Parliamentary questions asked/answered (% answered)**

42/65, 64% answered

**Vacancies**

3626/12186, 29.8 %

As Minister of Health in the Mbeki cabinet, new Minister of Home Affairs Nkosazana Dlamini-Zuma did not perform well. This was not only for inviting Aids dissidents in to run her department, but also for the sheer chaos that prevailed in her department administratively.

In her new portfolio she has so far stayed clear of conspiracy theories; something we should be grateful for. She
has said all the right things, and she has been fairly open and consultative. She also did not join most of her colleagues in splurging on a new car. But we have yet to see her do much other than make statements of intent. She scores 5 – a spectacular improvement on her stint as Health Minister.

Dlamini-Zuma is now responsible for making the turn-around strategy implemented by her predecessor work. She has promised to do so, saying “we have to build on those initiatives to accelerate change”. Two people have committed suicide, while under her watch, because they could not obtain the documents they needed. But this ship will take a long time to turn around and she cannot really be held responsible for this.

She announced shortly after her appointment that she would be establishing a hotline in her office where home affairs complaints can be logged directly with her. The number for the hotline is not easy to find, but calls to it are answered promptly, and in a friendly manner.

Dlamini-Zuma’s administrative record while Minister of Health was dismal; her department received a string of qualified opinions. Yet she has a real challenge on her hands in sorting out the administration of the department she now runs, whose accounts the Auditor-General has also despaired of.

With a better director-general at her new post, she may be able to improve on this. We hope so. However, there has been a depressing silence around her practical plans to manage the administrative problems of the department.

MINISTER OF HUMAN SETTLEMENTS

Tokyo Sexwale

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New Human Settlements Minister, mining magnate Tokyo Sexwale, is a great showman, but someone who has yet to prove there is substance behind the banter. He scores an optimistic 6.5.

Sexwale’s appointment to the human settlements portfolio was initially met with criticism, because of the conflict of interest concerns created by his chairmanship of, and role in co-founding, the diversified business group Mvelaphanda Holdings, which has interests in construction, mining, banking and property.

He duly resigned from this position - a welcome indication that he was indeed committed to his new posting and responsive to criticism. He uses his private car for ministerial business and has launched an austerity drive in his department.
But this was all undermined somewhat by the revelation that he, his deputy and his director-general had between them spent R7.4-million on hotel accommodation, restaurants and travel in seven months. While he said many of the right things he has not actually done much and there is merit in former Minister Lindiwe Sisulu’s comments that he is claiming credit for much of her work.

The minister began his term by undertaking numerous site visits to housing projects in order to see the problems for himself. There was a large dose of marketing involved in these visits, but nevertheless they were a welcome change from the usual government practice of viewing problems from air-conditioned luxury. However, three months later, nothing has been done to follow up on instructions he gave for short-term relief to those communities in Alexandra and Diepkloof.

He is promising to hone in on the corrupt contractors and officials responsible for shoddy housing construction, but the action that has been taken so far was based on initiatives undertaken by Sisulu. Sexwale is yet to take any action on this matter.

He is far more diplomatic in his approach to problems than his predecessor. Sisulu created an ongoing bone of contention between her department and the DA-run Western Cape administration as a result of her politicisation of the N2 Gateway project. By turning off the antagonism, Sexwale managed to turn this situation around so that a negotiation process could begin.

He has yet to prove himself on the policy front. Currently millions of people still live in shacks and derelict buildings across the country. The current housing programme is neither practical nor affordable to South Africa in its current circumstances, and the big challenge for the minister in the coming year will be to explain exactly how he is going to overhaul the programme to improve delivery.

MINISTER OF INTERNATIONAL RELATIONS

Maite Nkoana-Mashabane

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The new Minister of International Relations, Maite Nkoana-Mashabane, has made some marked improvements in the department and has performed better than her predecessor. Although policies and programmes have been inherited from the previous administration, foreign policy objectives have become somewhat clearer through the emphasis on the consolidation of the African agenda. In her budget vote speech, she committed herself and the department to “seek peace, security and development in Africa” by strengthening regional
integration by focusing on activities in the Southern African Development Community and the African Union. The department is auditing bi-lateral partnerships between South Africa and other African states in order to find ways in which to foster these relationships, politically and economically.

However, her record on reacting to the actions of undemocratic governments elsewhere in the world has been mixed, and the ongoing treading of water around Zimbabwe, and other dictatorships on our doorstep, continues. She scores an unexceptional 4.5.

South Africa supported the African Union’s position to not cooperate with the International Criminal Court’s arrest warrant for Sudanese leader Al-Bashir for crimes against humanity (including the murders of between 200 000 and 400 000 people, and rape, torture and forcible displacements in the Darfur region). While the department later stated that South Africa would indeed arrest Al-Bashir if he were to enter South African territory, this came only after public outrage.

The minister claimed her department had needed to ‘consult’ on this matter, even though the country is a signatory to the Rome Statute, making International Criminal Court decisions binding.

Moreover, South Africa continues to host ousted Haitian leader Jean-Bertrand Aristide at a cost to the taxpayer of roughly R5 million a year. He enjoys the same privileges as a Cabinet Minister, including a car allowance, security and accommodation.

A positive development has been a policy u-turn on Myanmar. In 2007 South Africa voted against a Security Council resolution condemning human rights abuses in this country. But in August of this year, the department condemned the decision by Myanmar authorities to convict opposition leader Aung San Suu Kyi on charges of subversion. Deputy Minister of International Relations and Cooperation Ebrahim Ebrahim said, “The South African government believes an opportunity for movement towards democratisation, nation building and reconciliation has been lost. Accordingly the South African government calls for Aung San Suu Kyi’s immediate release.”

The Minister’s most chronic failing has been her inaction on Zimbabwe. She has had very little to say about the ongoing atrocities in that country and has not made any substantial changes to the “quiet diplomacy” approach.

MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

Jeff Radebe

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| Car purchased - minister | No reply |
| Car purchased - deputy minister | Did not purchase vehicle |
| Budget/annual report party? | No |
| Parliamentary questions asked/answered (% answered) | 20/48, 41% answered |
| Vacancies | 2858/21 039, 13.6 |
Jeff Radebe has positioned himself not with regard to the imperative that the justice system be defined by excellence, expertise and independence, but rather with regard to the ANC’s political programme - a guise for cadre deployment and, ultimately, a proxy for control. For this, he scores a 3.5.

His interventions at the Judicial Services Commission, where he has overseen the appointment of a number of race-obsessed cadres has been to that institution’s detriment; indeed, the JSC, as a critical mechanism central to the oversight of the justice system has been severely compromised under Radebe’s watch.

Further, while his response to the dodgy arms deals exposed by the DA was timeous, it was not substantive. The Minister inherited this problem but, rather than act to turn the tide, his approach was to justify the National Conventional Arms Control Committee’s (NCACC) - which he oversees - various dealing with undemocratic countries across the world, to the detriment of South Africa international standing.

The positive developments in the department include extending the services of magistrates’ courts to include equality matters nationwide, and the negotiation of a memorandum of understanding in the legal field with Swaziland (including the establishment of a Human Rights Commission in the country - which was very much in need).

The jury is still out on whether Radebe will reverse the inroads the former minister, Bridgette Mabandla, and her Deputy Johnny de Lange, tried to make into the independence of the judiciary with the proposed Constitutional 14th Amendment and the Superior Courts Bills.

These bills, which would have allowed the government to take over the administration of the courts, were met with shock and disbelief by the judiciary and the public.

The first indications are favourable, and the new Bills have been referred directly to the new Chief Justice and the judiciary for their comment and approval, and there will hopefully be a final version which does not strip the judiciary of any powers but rationalises the jurisdiction of the courts, as permitted by the Constitution.

On the minus side, Radebe caused shockwaves of his own by holding up the proceedings for the appointment of new judges at the JSC until the four new Presidential nominees were in place. The first round of interviews and appointments bore the stamp of that intervention. Ministerial influence was also evident in the decision by the JSC’s disciplinary component not to do its duty and take the dispute between the Constitutional Court judges and Judge John Hlope further. That failure is now the subject of several review applications.

Radebe has, however, shown a commitment to Constitutionalism and the rule of law. At a media briefing in November, he insisted that section 49 of the Criminal Procedure Act (the clause governing the use of deadly force by the police) would only be redrafted according to the specific requirements set by the Constitutional Court. The police ministry has since clarified its views by stating in a reply to a DA parliamentary question that they do not wish to give police more powers, but rather want to clarify the current law.

His department has been hauled over the coals in the media recently for spending R189 million on accommodation and travel costs in the 08/09 year. Staff in the office of the Minister have racked up travel and accommodation costs amounting to R2.4 million since April this year.
MINISTER OF LABOUR

Membathisi Mdladlana

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In his second term as Minister of Labour, Membathisi Mdladlana can claim no constructive accomplishments. On the contrary; his stay in office has been marked by the ongoing failure of the SETAs and maladministration in his department.

He scores 2.5, redeemed only by the fact that he has not himself been implicated in corruption, and that most of the SETAs did not receive qualified reports from the Auditor-General.

South Africa faces a severe structural unemployment problem. Millions of unskilled workers cannot find employment in a skills-driven marketplace. The Labour Department is no small cog in the process of solving this problem. But the decision several years ago, to scrap the apprenticeship system in favour of SETAs has actually exacerbated this problem, and SETAs has lost millions in public funds. Yet Mdladlana has stuck doggedly to this model.

Instead of getting his own house in order and getting SETAs to function properly, Mdladlana has seised on the COSATU-driven onslaught on labour brokers. But his interest extends only as far as name-calling, leaving no room for any level-headed discussion on the matter.

Mdladlana has referred to labour brokers as “slave traders” and “human traffickers” - not the kind of language befitting a senior member of government. There is a real debate to be had on the question of labour brokers, but during his term, Mdladlana has worked only to “dumb down” the debate.

He has kept the findings of a report into South Africa’s labour market secret, for reasons which are beyond understanding. This report would help everyone to come to a better understanding of the kind of problems faced by South Africa.

One of the crucial components of the government’s response to the economic downturn was a lay-off skills training programme, driven through the SETAs. This has been a magnificent failure. The government has committed R 2.4 billion to this end. But 13 of the 23 SETAs have admitted to not having trained a single person.

There is very little to recommend Mdladlana as a minister. He should be the minister of job creation, but by aligning himself so clearly with trade union interests, and by cultivating a culture of animosity between business and labour, he has made himself into the minister of job destruction.
MINISTER OF MINERAL RESOURCES

Susan Shibangu

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In her former position as deputy minister of justice, Susan Shabangu caused an outcry when she urged police not to miss but to "kill the bastards". She has so far avoided any similar controversies in her new job. But she has also not taken charge of her department in a way that can take South Africa back to being a preferred country for fixed foreign investment in mining. She scores 3.

Shabangu has stated that job losses in the mining industry are one of her priorities. But her actions in this regard have not helped this cause.

The current legislative environment has proven to be an obstacle to creating certainty for foreign investment in mining, and thus job creation. In particular, the Minerals and Petroleum Resources Development Act leaves the minister with a wide discretion in approving applications, making the process arbitrary and uncertain. She has not yet dealt with this urgent issue, thus adding to the hardships caused by the economic downturn on the mining sector.

Shabangu’s department has been placed at the centre of a fiery row within the ANC over the nationalisation of mines – an issue of major concern to all industry players. She has asserted that nationalising mineral assets is not on the agenda. But she has largely left it to ANC secretary-general Gwede Mantashe to take up the government’s argument. As such, the debate has been allowed to be commandeered far too much by irrelevant roleplayers.

The idea of a state mining firm has been around for several years and Shabangu has now taken it up. Why the state should own and manage a mining company has never been made clear, and the record of almost all of South Africa’s public entities does not bode well for the success of such a plan. Another Eskom storm looms. If Shabangu gets her way on this the costs for South Africa could be significant.

On the positive side, Shabangu coordinated the involvement of the Directorate for Priority Crime Investigations, the Hawks, into the growing problem of illegal mining. Illegal mining syndicates have become a problem to the extent that they set booby traps and explosives for the police and security personnel.
Police minister Nathi Mthethwa has produced a mediocre performance, earning him a score of 4. Among the positive aspects of his tenure, he has agreed to reconstitute the Family Violence, Child Protection and Sexual Offences Units, but has been slow to get these much needed units off the ground. The shortage of bullet-proof vests is being addressed, and the number of police officers who do not have drivers’ licenses is decreasing.

He has appointed a new Executive Director of the Independent Complaints Directorate (ICD) and the department is at long last reviewing legislation aimed at empowering the watchdog body. The DA has long advocated giving this body ‘teeth’ to ensure proper police oversight, but the department has been particularly slow to address this issue. The latest parliamentary reply revealed that only 10% of ICD recommendations are implemented by the SAPS.

He also appointed a new head of the Police Secretariat who has displayed a very good work ethic. But Mthethwa was the minister who oversaw the final stages of the killing off of the Scorpions and replacing them with the Hawks. On this he has performed dismally. Only 5% Hawks employees have been vetted so far. At this rate of 24 per month, it will take 7 years to vet all the applicants.

There is a litany of other problems suggesting the minister is not all that serious about tackling crime.

The Minister recently stated in a parliamentary reply that the SAPS would be discontinuing the use of labour brokers, Labour brokers provide essential services to a police, indeed, the minister himself states that the use of labour broking allows “SAPS to focus on its core functions”. At the same time, there does not appear to be any suitable contingency plan in place to ensure that all the positions are filled as they become available.

Minister Mthethwa has kept a damning 400-page report into the Police Legal Services, which cost millions of Rands, under wraps. A year ago he was still “studying the report”, compiled by legal firm Edward Nathan Sonnenbergs. In the report the much-absent divisional commissioner Lindiwe Mtimkulu, head of legal services, was referred to as ‘autocratic’ and unable to make legal decisions as well as suffering from “a fundamental misunderstanding of the law and legal processes”. She has not been suspended.
To avoid crime statistics being released prior to the election, Mthethwa reneged on his predecessor’s promise to release crime statistics twice a year. A total of 671 dockets were lost or stolen in 2008/09 - a 57% increase from the 427 that were lost or stolen last year.

There is still no human trafficking legislation in place, despite the fact that the World Cup is on our doorstep, and we have been placed on a US watch list for non-compliance with steps to fight human trafficking.

The Minster’s tenure has also been plagued by wasteful expenditure and controversy surrounding his lavish cars (R1.3 million) and expenditure of over R700 000 on hotel accommodation at luxury hotels in Cape Town and Durban. Front page spats and petty jealousies with his deputy have brought down the tenor of the Ministry. He also has a vast backlog of parliamentary questions that have not been answered.

Barbara Hogan has adopted two critical positions, for which she deserves credit. First, she was the outstanding exception on the Eskom issue where, both inside and outside parliament, she fought for the independence of the Eskom board in the face of a united assault by the ANC and the executive to prevent the removal of CEO Jacob Maroga. Second, in similar fashion, she acted to ensure that the Transnet board enjoyed the same kind of independence when both the ANCYL and the ANC mobilized to prevent the suspension of Transnet CEO Siyabonga Gama. For both of these stances, she scores a 7.

There have, however, been problems. While this position may be considered one of the toughest in the cabinet (she took the reins when a number of parastatals were already in a dismal financial situation), her inability to assert control over these institutions, and to deal with various problems quickly and efficiently, is cause for concern.

While the DA welcomed Hogan’s suggestion that unprofitable state-owned businesses should possibly be privatised, her turnaround on the matter, claiming that none of South Africa’s State-owned enterprises are for sale, shows that Hogan risks losing her independent voice and is sacrificing critical thought for the party line.

She has done little to tackle the multitude of other management problems that have driven Eskom to its current dire financial situation.
A similar situation applies to the ramshackle Transnet. While Hogan is in support of the axing of currently suspended Siyabonga Gama, Transnet CEO, following corruption charges, she has done little else to address a long list of examples of poor management and maladministration. The most recent parastatal to suspend its CEO is Armscor, is also in urgent need of sorting out.

Against a backdrop of poor financial management, bailouts and poor fiscal discipline the evidence continues to mount that the ANC government is simply unable to manage public money or public institutions. In the 7 months since her term in office began, Hogan has been unable to deliver any roadmaps for the way out of this mess. We look forward to seeing whether she will be able to do this.

Public Service and Administration Minister Richard Baloyi was one of the few ministers to retain his position in Cabinet after the April 2009 elections. The provisional 5 the DA gave him last year drops to a 4.5 this year, mainly as a result of the mess he made of the negotiations around the occupation-specific dispensation, as well as his poor handling of the uproar over ministerial benefits.

Chaos erupted across the country earlier this year when teachers and doctors across the country protested about the delay - of over a year - in the finalisation of their salary increases. Salary increases had been promised in terms of the occupation specific dispensation negotiated with the public service in 2007. But the process has been defined by ongoing confusion over exactly who would receive what increases, as well as the department’s failure to meet deadlines for finalizing agreements. Baloyi, as the man in charge of this process, must take responsibility.

When DA parliamentary questions revealed that many members of the new Cabinet has bought luxury cars valued at a million rand or more, questions began to be asked about the perks ministers are entitled to in terms of the ministerial handbook. Baloyi’s inadequate response to these questions is best indicated by his own words:

“There has to be a conducive environment in order for them to do their work...It [is] the responsibility of government to provide the necessary minimum resources that are required for ministers to do their work.”

While he has appointed a task team to investigate possible changes to the handbook, this was clearly done only to
deflect public criticism, because more than four months later, nothing has been heard from this team.

Baloyi has announced that the Public Administration Management Bill (which will create a single public service) will be reintroduced in Parliament in 2010. It remains to be seen how the original bill, which had significant constitutional implications, has been amended, if at all, and whether the promised costing has been completed. The minister has still not answered a parliamentary question regarding the results of a cost effectiveness study of a single public service.

The State IT Agency (SITA) remains scandal-hit. Baloyi has admitted there is widespread corruption in this agency. Upon taking up the public service and administration portfolio last year, Baloyi did threaten to take Sita in hand and indicated that a large scale purge of management and executive could be on the cards. We are, however, still awaiting action.

Since the inauguration of the fourth Parliament, Baloyi has, unusually for a cabinet minister, often attended portfolio committee meetings. But he must back up his public demonstrations of enthusiasm for his job with real action, and the DA is not convinced that he has. While he repeatedly expresses the right sentiments regarding rooting out corruption and holding senior managers to account, for example, he has yet to actually grasp this nettle.

Geoff Doidge took over this portfolio after the post-Mbeki Cabinet overhaul last year so has had time to get familiar with it, and he has a reputation for professionalism and dedication. So he should be doing well. But he blew much of his reputation this year by engaging in some dodgy contract-awarding and vastly over-promising on the Expanded Public Works Programme (EPWP). Thus, despite a proposed onslaught on financial mismanagement in his department, he scores 5.5 (compared to last year’s score of 8).

One of the main functions of Doidge’s department is the implementation of the EPWP, which has been far from the success it was meant to be. Doidge recently told Parliament that the ANC government would not only meet, but far exceed, its target of creating 500,000.
new jobs by the end of the year. Far from creating jobs, unemployment is spiralling under the Zuma administration. Unemployment increased in the third quarter of with data showing that 770,000 jobs have been shed by our economy since the same time last year. While the department may not be responsible for these numbers, this is surely going to make meeting targets a much bigger challenge and Doidge has yet to acknowledge this.

Moreover, the jobs created by the EPWP can in no way be described as real; they are short-term, non-renewable and unsustainable and this is little more than a public relations gimmick.

The Public Works Department’s annual report for 2008/09 was qualified, with numerous major problems being highlighted. The report revealed, for example, that the department spent a staggering R134 million on hotel accommodation, restaurant expenses and travel in 2008/09 – a leap of 42.5% from last year – and that debts amounting to R419 million were owed to the department by a number of national departments and public entities and have been outstanding for more than two years.

In response, although one might wonder why it has taken so long, Doidge has launched a turn-around strategy, fired two directors and promised to get to the bottom of the problems. But one of the directors was suspended not for his involvement in corruption, but for opposing Doidge’s insistence on using a particular law firm to do a departmental audit, rather than putting it out to tender as the rules require.

Gugile Nkwinti, the newly appointed Minister in the newly created Department of Rural Development and Land Reform, comes from a solid background as the MEC for Agriculture in the Eastern Cape. His department received awards for management and leadership and was one of the few in the Eastern Cape to receive an unqualified audit opinion last year. For trying hard, in the face of impossible obstacles, he scores 4.5.

It must be noted that from the start, the Minister faced a momentous challenge. He inherited one of the most poorly functioning departments in the Cabinet, and a department with an agenda many times bigger than it has funds available.

In his state of the nation address Jacob Zuma listed rural development as one of the government’s five priorities. This commitment was backed with the launch of the Comprehensive Rural Development
Programme (CDRP) in August, billed as the national collective strategy in the fight against poverty, hunger, unemployment and rural under-development.

The minister has launched three pilot projects to give effect to this programme, and he must be lauded for having been able to do so on a minimal budget.

However, although the department placed a moratorium on new land claims this year, it continued, inexplicably, to sign sale agreements with farmers – knowing well that it did not have the requisite funds to pay them. There are currently a disturbing number of applications being brought to the Land Claims Court against the Minister, the Chief Land Claims Commissioner and the Regional Lands Claims Commissioners for payments by farmers with whom the department has concluded sale agreements.

No doubt the result of his frustrations with budgets, the Minister has made the suggestion that he will resurrect the controversial Expropriation Bill as a means of expediting the land reform process. This controversial bill was shelved in 2008 due to its possible unconstitutional implications and it will create a multitude of legal and investor confidence problems if this is done.

The issue of what has been termed a ‘land reform crisis’ remains a matter of high concern. The majority of land reform projects fail, due, to a large degree, to the failure of the department to award adequate post-settlement support to land claim beneficiaries. While the new minister has implemented a post-settlement support strategy, lack of money means he cannot implement it. This is very much the story of his department.

MINISTER OF SCIENCE AND TECHNOLOGY

Naledi Pandor

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While its early days in her new post Naledi Pandor seems to have earned the cautious confidence of the scientific community. She is bringing a focused toughness to the field and is asking the right questions about the challenges and efficacy of people and institutions working with government funds. But there are several problems with her administration. She scores 7.5.

On the whole she engages well with stakeholders and shows concern and understanding about their issues. She encourages input to inform policy development.

Her department is, with the Department of Higher Education and Training, devising a science, technology and engineering human development strategy.
that will hopefully boost our supply of budding quality scientists.

One of her major challenges during the coming year will be the pressure of operating on a tight budget in an expensive field. The scientific instruments in our research institutions are aging and need replacement if our scientists are to keep at the top of their game and deliver world-class research.

Ms Pandor has made public her view that this is not the time to cut back “on South Africa’s investment in the future” and that growth depends on evolving internationally competitive products from R&D.

It’s hoped that her high rank in the Cabinet – she was recently acting president when President Zuma and Deputy President Motlanthe were simultaneously out of the country – means she can persuade her cabinet colleagues that funding science, technology and innovation is an economic growth imperative.

She knows her subject and speaks well. Her speeches have a conversational and persuasive tone and her off-the-cuff responses to questions indicate that she’s comfortable in her new role.

She has, unfortunately, fallen prey to the lure of expensive cars.

Her Ministry has also cut funding into the HIV vaccine programme and a reasonable explanation has yet to come forward.

Furthermore, her imminent appointments of two ANC cadres to the HSRC Board and a person with a possible fraud case against him to SA Space Agency Board is problematic.

Minister Edna Molewa joined the Cabinet for the first time in May this year. She appears to be focused and open about the problems she faces, and claims to have made rooting out corruption number one on her priority list. But, like some other ministers, her reputation has been contaminated by politics. She scores 6.

Molewa comes from a long history in government, with her most recent appointment being premier of the North West. She seems to have run clean and efficient administrations but has made no bones about being an ANC loyalist above all else.

In her new role, although she has had little time to do anything meaningful, she
has been involved, focused, and seems to know what she wants to achieve. She acknowledges there are problems and is not arrogant.

One important issue she needs to deal with is the significantly lower salaries that social workers in the non-government sector get in comparison to state employees. She has taken this on, and her department has made a bid to the National Treasury requesting funding to even out salaries for 2009/10 financial year. We will see the outcome of this only next year.

Molewa has been vocal about grant fraud and has said her department was cracking down on welfare grant fraud by civil servants. But more needs to be done to ensure the grants get into the hands of the poor and in the right manner, and she did not set a good precedent in this regard with her department’s involvement in the “votes for grants” scandal before the April election.

Her department did not set a good example in this regard when, prior to Molewa’s appointment, it made a R500-million allocation available for a special poverty relief grant. It soon became clear that these grants were being handed out indiscriminately, even to people who showed no evidence of being desperate, as part of ANC election campaigning.

The South African Social Security Agency (SASSA) faces an array of serious problems, including wasteful expenditure, fraud and the awarding of social grants to the deceased, to companies and to dormant bank accounts.

The minister has been vocal about SASSA’s problems and has explicitly stated that rooting out corruption in the department was at the top of her priority list. So a close eye should be kept on whether she does in fact deal with these problems as decisively as she has promised.

MINISTER OF SPORT AND RECREATION

Makhenkhesi Stofile

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<tr>
<th>Historical Record</th>
<th>2006 07</th>
<th>2007 08</th>
<th>2008 09</th>
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<tbody>
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<tr>
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<td>3</td>
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<tr>
<td>Vacancy Rate</td>
<td>45.9%</td>
<td>15.5%</td>
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While he may not have been the most active participant in steering South Africa towards a successful FIFA Football World Cup in 2010, Minister of Sport Makhenkhesi Stofile, must be commended for allowing the process to flow so smoothly, and being part of the group of ambassadors building confidence in South Africa’s ability to host the prestigious event.

However, despite this, the minister’s disastrous handling of the ASA and the Caster Semenya debacle has painted a picture of a man unable to make difficult decisions when they are required, and unable to manage sporting codes when
they fall into disrepute. Had Stofile stepped in when the case surrounding Caster Semenya first made media headlines, he could have prevented the disastrous fallout which has left our sports star’s most intimate personal details being thrown around in public domain and misused for political gain. Stofile’s lack of action on such a sensitive matter is simply unacceptable.

Stofile’s lack of knowledge as to what is happening in the different sporting codes in South Africa or general complacency and inadequate approach to these matters is also cause for serious concern. South African boxing, which is partly government-funded, is technically insolvent. In the 2008/09 annual report of Boxing South Africa (BSA), the Auditor General noted that the organisation’s debts exceed their assets by nearly R6-million.

Things were also terrible institutionally. Not only has the department obtained a qualified audit opinion from the Auditor-General for the third successive year, but Stofile has failed to act on critical findings of the previous year. His failure to act on the AG’s findings has simply compounded the problems, and if not dealt with urgently will see a national department soon reach a state of complete disrepair. Among the Auditor-General’s major findings was that there was R4.9 million in wasteful and fruitless expenditure.

MINISTER OF STATE SECURITY

Siyabonga Cwele

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<tr>
<th>Historical Record</th>
<th>2006 07</th>
<th>2007 08</th>
<th>2008 09</th>
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<tr>
<td>Vacancy Rate</td>
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Minister of State Security, Siyabonga Cwele, was one of the few old-order ministers who managed to hold onto their old positions, so he has now held the position for more than a year. But the murkiness around exactly what this department gets up to remains undisturbed, and he scores a shadowy 4.

He was the Chairperson of the Joint Standing Committee on Intelligence (JSCI) for many years, and he has gained enormous experience in the workings of South Africa’s Intelligence Community. Whether this has actually translated itself into a well run department is hard to say, given the onerous secrecy that wraps itself around the department.

He recently began a restructuring of the civilian intelligence community, through the creation of a new umbrella body – the State Security Agency – in order to “refocus on intelligence priorities”. He is also reviewing the white paper on intelligence. If these interventions provide for more transparent and democratic processes (such as requiring the department to table an auditor-general’s report and an annual report) then they will certainly be a good thing. But he has
not shown many signs that this is the
direction he is moving in.

He has as yet not acted upon many of
the highlighted points of a report drafted
by a Ministerial Review Commission,
which found that some laws on spying
were unconstitutional and that some spy
methods were not governed by
legislation. This is a serious problem that
we hope the Minister will address.
He also tried to intervene in the Jackie
Selebi trial, by bringing an application
against the State to object to the
subpoena and testimony of the former
Intelligence Coordinator, Barry Gilder,
using national security as an excuse.
Gilder’s testimony allegedly would
confirm the existence of a draft National
Intelligence Estimate which alleged that
Selebi had received payments from the
Kebble family.

From the information available and
information obtained from parliamentary
questions, he has demonstrated prudent
expenditure of public money.

The State Security Community continues
to be politicised, with Cwele’s
controversial appointment of President
Zuma’s friend, Mo Shaik, as the head of
the Secret Service.

Further to this, serious questions remain
regarding how certain tape-recorded
conversations of former Directorate of
Special Operations (DSO) boss Leonard
McCarthy and former National Director of
Public Prosecutions Bulelani Ngcuka
were obtained by Jacob Zuma’s lawyer
Michael Hulley. The Inspector-General of
Intelligence made known certain
elements of the investigation into this.
However, these findings must be
brought before Parliament. It is vital that
the information be presented in an open
forum in Parliament.

MINISTER OF TOURISM

Martthinus van Schalkwyk

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<th>Historical Record</th>
<th>2006 07</th>
<th>2007 08</th>
<th>2008 09</th>
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<tbody>
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<td>Vacancy Rate</td>
<td>28%</td>
<td>18.7%</td>
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Car purchased – minister: No
Car purchased – deputy minister: R900 000 BMW
Budget/annual report party?: No
Parliamentary questions asked/answered (% answered): 15/26, 57% answered
Vacancies: N/A

The DA concurs with the general
consensus that Minister of Tourism
Martthinus van Schalkwyk has performed
relatively well in his portfolio. He exhibits
enthusiasm and commitment as well as
commendable subject knowledge in his
ministerial role and has mastered many
of the issues of his portfolio. He is
capable of being tough when required,
and was not afraid to take on South
African Airways when they showed lack
of competitiveness and support for
South African tourism potential.

When questions are put to his
department some of them are answered
- the more tricky ones, such as the delay
in appointing a new CEO of SA Tourism,
were ignored. In the end he
recommended to Cabinet that it make a
political appointment to the post, rather
than opt for an experienced travel business professional.

The department has received an unqualified audit report for which the Minister can take credit as it was included in his previous portfolio as Minister of Environmental Affairs and Tourism where he regularly performed better than most of his cabinet colleagues.

But the DA does believe that the Minister falls slightly below the “excellent” threshold. We believe he should have fought harder with the Treasury for additional funding for South African Tourism so it could fully exploit the future tourist growth potential of the 2010 FIFA World Cup.

Last year SA Tourism asked for an additional R430 million for initiatives and marketing materials promoting regional and local tourist attractions to football fans once they were in the country. This would have turned visitors into brand ambassadors and returnee tourists after 2010.

This application was unsuccessful and, given our untapped tourism potential, South Africa lags far behind the funding enjoyed by our competitor long-haul destination countries. If Cabinet is serious about using tourism as a major economic driver and job creator it is up to him to vigorously convince his colleagues and Treasury that it is a tough, highly competitive global business - driven by experienced entrepreneurs – and it must be given sufficient funds and space to compete.

MINISTER OF TRADE AND INDUSTRY

Rob Davies

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<th>Historical Record</th>
<th>2006 07</th>
<th>2007 08</th>
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<td>Emphasis of matter</td>
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<td>Report card</td>
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<td>3</td>
<td>2</td>
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<tr>
<td>Vacancy Rate</td>
<td>18%</td>
<td>25%</td>
<td>18%</td>
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Car purchased – minister: None
Car purchased – deputy minister: None
Budget/annual report party? R336 052 on an annual report party, and R43 100 on a budget vote party (in conjunction with Department of Economic Development)
Parliamentary questions asked/answered (% answered) 72/89, 80% answered
Vacancies 223/1230, 18.1 %

Former deputy minister of trade and industry Rob Davies has been given the job that he was, apparently, doing anyway, while the sleepy former minister, Mandisi Mpahlwa, pottered around in the background. For bringing about a number of improvements to a comatose department, he scores 5.

The department has a large and diverse portfolio, including good institutions such as the Competition Commission, which is internationally renowned for the work it does.

South Africa is host to a number of concentrated industries, so the role of the commission is extremely important. Its continued independence to investigate and hold to account companies suspected of collusion is well documented and there are no indications...
that this will change under Davies’ control. However, not all of the institutions within the DTI are without problems.

The Companies and Intellectual Property Office (Cipro) is supposed to act as an accessible hub for small business to register and enquire about intellectual property.

Unfortunately, the information technology system’s data integrity has been severely compromised – leading to a situation where criminals exploit the flaws in the system and commit tax fraud by claiming tax paybacks.

Investigations and parliamentary questions by the DA have shown that there is a clear case to be made of tender rigging with companies hardly fit to provide an IT service.

The minister appears to be taking this problem more seriously than his predecessor did, and he has authorised an independent investigation into a controversial tender. But multiple problems remain, and Davies has certainly not sorted this problem out. For example five Cipro staff members who were implicated in the duplication of company names have still not been charged.

The World Bank’s survey, Doing Business 2008, identified the difficulty of setting up a new business as one of the limitations on South in Africa’s competitiveness. Davies has been active in reinventing Cipro to make it more responsive to this problem, and in particular to allow businesses to register themselves more quickly and easily. We will not know the effects of these steps for some time, however.

The problematic Lotto falls under Davies control. Unlike his predecessor, who ignored the Lotto as much as he possibly could, Davies has acknowledged the problem and has stated that his department will “increase its oversight of the lotteries board in order to improve performance in distributing funds”. We look forward to seeing the outcome of these interventions.

MINISTER OF TRANSPORT

Sibusiso Ndebele

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<th>Historical Record</th>
<th>2006 07</th>
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<th>2008 09</th>
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<td>Vacancy Rate</td>
<td>40.8%</td>
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The new minister of transport, Sbu Ndebele, has had a couple of successes, but he has yet to produce any concrete plans to address the many problems in his department. He scores a lukewarm 5. Ndebele did not come well recommended from his former position as premier of KwaZulu-Natal, where he left behind a number of scandals involving kick-backs and a province deep in debt, to the tune of R3bn. He started off well in throwing off this reputation, by turning down a
top-of-the-range Mercedes Benz he had received as a gift, though President Jacob Zuma said he was entitled to keep it.

But this welcome gesture has not been followed up with efforts to create a culture of accountability in his department. The CEO of the Road Traffic Management Corporation has been implicated in fraud and corruption allegations, and Ndebele has done nothing. The Director-General of the department is has a number of unresolved charges against him and no action has been taken against him either.

On business matters, the successful launch of the Bus-Rapid Transit (BRT) in Gauteng in August heralded a move for South Africa towards cheap and safe public transport. However, Ndebele was not involved in setting this up, and failed to successfully deal with the strike by taxi drivers prior to the launch and which is still hampering the BRT. Taxi drivers threatened blood and violence if the BRT went ahead in the manner planned, but Ndebele eventually neutralised the situation without caving in to taxi unions' demands.

On the other hand, the FIFA World Cup transport logistical change planning is still clearly behind schedule, and it is not clear what Ndebele is doing about this, nor is there evidence of a constructive plan for his department as a whole.

There are some significant problems that he has been unforgivably non-committal on. In response to a parliamentary question on the almost R40bn roads backlog, for example, he said only that he "was unable to say whether or not the backlog can be addressed, only that this is the current situation and whether or not it will be overcome is dependent on sufficient funds being made available by the Treasury".

Many of the entities under the Minister’s watch also find themselves technically insolvent, under-funded or badly managed, including the Road Accident Fund (RAF), South African National Roads Agency Limited (SANRAL), the Cross-Border Road Transport Agency (C-BRTA), the South African Maritime Safety Authority (SAMSA) and the Road Traffic Management Corporation (RTMC).

### MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

**Buyelwa Sonjica**

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<th>Historical Record</th>
<th>2006 07</th>
<th>2007 08</th>
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<tr>
<td>Vacancy Rate</td>
<td>15%</td>
<td>20%</td>
<td>27%</td>
</tr>
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</table>

| Car purchased – minister | Two vehicles were inherited |
| Car purchased – deputy minister | R900,000 BMW |
| Budget/annual report party? | No |
| Parliamentary questions asked/answered (% answered) | 135/172, 78% answered |
| Vacancies | 4530/16806, 27.0 % |
Minister Sonjica is responsible for two previously separate departments; Environment Affairs and Water. She is not new to the water portfolio having previously served as the Water Minister after the 2004 elections, but has performed better in the portfolio she is new to - environment affairs. Averaging out these scores gives her a middling score of 5.

Considering the numerous controversial mining applications approved under her tenure as Minister of Minerals and Energy, Sonjica was not regarded as a friend of the environment when she assumed her new position as environmental custodian. She was at pains during her first weeks in office to say that she would ensure a “balance between the environment protection and sustainable development”. There has, however, been no progress in finalising the promised National Strategy for Sustainable Development.

The build-up to the Copenhagen climate negotiations has consumed a considerable amount of the Minister’s time. Her numerous overseas trips to climate fora have, however, regrettably kept her away from her desk in SA for long periods. Domestic action on climate change remains sketchy, and the country’s own mitigation action plan has yet to be revealed.

Marine and Coastal Management remains arguably the most poorly managed sector reporting to the Minister. The poaching of abalone remains rampant. But the minister is working on a subsistence fishing policy which should give some welcome guidance in this area, and a process of granting interim relief permits to small scale fishers is under way (although the process has been untransparent).

There is a looming water crisis in South Africa, so the Minister certainly has her work cut out for her. The infrastructure and maintenance backlog stands at close to R70bn, yet available funds are scarce. There has been no improvement in the relationship between the water boards and the department, many of which claim the department offers little support. In addition, the water boards are owed over R1bn by municipalities, and they struggle to obtain assistance from the department and Treasury in getting municipalities to pay up.

In October the Minister pledged strong action against unlawful water use. Many rivers are being polluted by the illegal discharge of waste water. While numerous directives have been issued against municipalities, enforcement has been limited. The Green Drop report, which assesses the compliance of all waste water treatment works in SA, has yet to be released to the public, despite all the data having been collected.

The Minister has committed herself to clean and efficient government. In July she placed the director-general on special leave pending an investigation into financial irregularities and mismanagement in the department. While welcome, the investigation is dragging on.
Car purchased – minister  
R1 263 113 on a range rover for Pretoria and an Audi A6 for Cape Town.

Car purchased – deputy minister  
No answer yet.

Budget/annual report party?  
No

Parliamentary questions asked/answered (% answered)  
11/31, 35% answered

Vacancies  
N/A

The overall impression created by the new Minister for Women, children and persons with disabilities, Ms Noluthando Mayende-Sibiya, is that she acts in a rather random way and responds to issues as the political winds blow her. There is little sign of a clear agenda and programme of action. She gets an unfocused 2.5.

Ms Noluthando Mayende-Sibiya is a new appointment to a completely new ministry, whose budget still falls under the Presidency. Under very difficult circumstances, a handful of officials have created a structure for the department and drawn up strategic plans and budget motivations. But this has been driven by officials, not the minister.

It is disturbing that so far, she seems to have taken up matters in her portfolio for political reasons, rather than ones driven by the interests of the groups she represents. Following the Caster Semenya incident, for example, she was quick to file a complaint with the United Nations over how it had handled Semenya’s case, but had nothing to say about the appalling behaviour of Athletics SA boss Leonard Chuene, who admitted to lying about gender tests conducted on her.

While she was certainly involved in the Simenya incident, she did not particularly distinguish herself in what could have been an opportunity to make her mark.

One of the few issues the minister has taken up on her own initiative in the practice of ukuthwala kwabantwana (forced marriage of girls), and she has proposed various solutions. While this is certainly of relevance to South Africa, this particular issue in no way measures as high on the scale as other problems like rape, domestic violence or child abuse and her decision to prioritise it is a little odd.

The Minister also did not distinguish herself by being absent from the first public hearing on the Domestic Violence Act, with no clear reasons for her absence. Even her own ANC Colleagues were displeased about this lack of interest in such an important hearing.

It is worrying that she has proposed a legislative framework to compel political parties and all sectors of society to achieve gender parity. By doing this she identifies herself with one of the worst tendencies of the ANC government – to legislate for more government control in the face of any problem, rather than looking for the root causes and working on those.

By the time the New Ministry needs to move from under the wing of the President, on 1st April 2010, it seems unlikely that she will be ready to execute on the mandate with regard to women, children and persons with disabilities.

Her own colleagues also do not think she is up for the job, and they criticise her openly. Because she is a woman, her underperformance will only reinforce the already negative perception that women are just placed in powerful position for the sake of political correctness rather than because they are good at their jobs. She could be her own department’s worst enemy.