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Provision won't help fight against graft

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TWO very important developments regarding corruption took place this week. One was the statement by the Acting Prime Minister, Datuk Seri Anwar Ibrahim on Monday that people who accuse others of corruption will be taken to court if their allegations are found to be untrue.

Speaking to the Press at the lobby of Parliament House, he said a provision to that effect had been incorporated in the proposed amendments to the Prevention of Corruption Act 1961 which will be tabled in the current sitting of the Dewan Rakyat.

He said the new provision was aimed at protecting innocent people from being falsely accused.

Anwar said the Prime Minister, Datuk Seri Dr Mahathir Mohamad and the ACA had received many allegations, including those contained in poison-pen letters, which had turned out to be false.

Some critics immediately labelled the decision retrogressive, saying that it would place a damper on efforts to control and stamp out corrupt practices.

Looking at it purely from the point of view of encouraging the public to assist in the fight against the social ill, the provision could have the effect of discouraging people from reporting suspected cases of corruption.

It has to be acknowledged that in the majority of cases involving corrupt practices, it is impossible to come up with concrete proof even after thorough investigations by the Anti-Corruption Agency.

Members of the public can at best suspect that a person is corrupt either from stories told about him or by observing his lifestyle.

As an example, let us take a State Executive Councillor who, in the eyes of the public, is living beyond what can reasonably be expected on his government salary and allowances.

For a member of the public to be able to make a report to the ACA or tip off the agency, he has to conduct a very thorough investigation which, unless he is a trained investigator, will be impossible.

Should he proceed to make the report and it is later found that the Exco member had in fact inherited a considerable amount of wealth from his dead kin, the person who made the report could find himself on the wrong side of the law.

Furthermore, the term 'malice' is debatable. An allegation cannot be considered malicious simply because it is proven to be untrue after a thorough investigation by the ACA.

We can be quite sure that members of the public who are genuinely concerned about corruption and who want to help the Government eradicate corrupt practices will not make allegations which are intended to frame or defame others.

There may be a few irresponsible ones who may use allegations of corruption to cause trouble to their enemies. But even here, the ACA cannot simply dismiss the allegations without first investigating them. There may still be some truth in these allegations.

While the new provision may help to make the amendments more complete, its absolute necessity is a different issue altogether because there is a well-established legal recourse for people who feel that they have been libelled and slandered.

The other important development of the week is the holding of the multi-

party meeting on corruption in Kuala Lumpur. Called the "Consensus Against Corruption", it was held to create awareness among the people that corruption should not be seen or treated as a "seasonal" issue.

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WHILE nobody would argue with Anwar on the need to protect innocent people from false allegations, especially in a matter as serious and shameful as corruption, we must also be mindful not to do things that may discourage the public from taking on a greater social responsibility.

Law alone cannot guarantee responsibility and civility. And law alone will not stop the crooked and the corrupt unless it is made amply clear to them that the public is watching.

Instead of putting up barriers that may discourage the people from playing a greater role in combating corruption and other malpractices, we should be lowering them so that people with power and authority will be encouraged to become more transparent.

The idea and ideal of a civil society as envisaged by Anwar will be difficult to realise if the people are strait-jacketed by restrictive laws and are continuously intimidated by those enforcing them.

It does not fit the idea of a civil and caring society when on the one hand, we make laws to allow the people to organise themselves into legal entities while on the other, we do things that stifle their freedom.

In recent years, there appears to be the tendency among some law enforcement agencies to resort to "a show of force" when faced with public criticisms and allegations.

While it is totally understandable that they have to protect their image in order to remain credible, the regularity and speed with which they use their power to shield themselves is disquieting.

One of the reasons why "surat layang" and poison-pen letters are rampant in our society in recent decades is because the people are afraid to come forward with reports and allegations for fear that they may end up getting into trouble.

Although most of these letters are outright lies with nothing more than a malicious intent, and are the work of cowards, some do contain very strong elements of truth.

On the other hand, members of the public, either in their individual capacity or as members of non-governmental organisations, should be fair and judicious in exercising their rights and freedom.

Their criticisms and allegations should be founded on facts and must be properly documented.

I am not suggesting that they play the role of policemen or private investigators, but it is helpful if they first determine as best as they can the authenticity of the information supplied.

Should they decide to speak to the media, they must realise the likely implications of their statements to themselves and the media.

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BEING a regular traveller to Sarawak and Sabah, I can understand the sentiment of the Deputy Minister in the Prime Minister's Department, Datuk Nazri Aziz, who recently called for the scrapping of laws requiring lawyers from the peninsula to seek "ad hoc" admission and to apply for work permits to appear in courts in the two States.

And the fact that he found strong support in the Member of Parliament for Jelutong, Karpal Singh, is not surprising considering that the DAP MP and lawyer has to apply for admission everytime he defends a client in either the Sabah or Sarawak courts.

Karpal praised Nazri, himself a lawyer, for the call and described it as realistic and pragmatic.

I am not a lawyer but like Nazri, am beginning to be uncomfortable with

having to show my international passport and having it stamped or, at the very least, having to produce my identity card and filling up a form each time I arrive in Kuching and Kota Kinabalu which have been a part of Malaysia for 34 years.

It has less to do with the laws governing the entry of people from the peninsula into Sarawak and Sabah but with the hassle of having to carry the international passport when I am not leaving the country or having to fill up a special form on arrival.

The discomfort turns to annoyance when I read the fine print in the immigration stamp which says: "Permitted to enter and remain in Malaysia for THREE MONTHS from the date shown above."

And when hundreds of thousands of foreign immigrants - legal and illegal - are working in the two States, I feel absolutely offended when visiting Sabah in June last year, the following reminder was also stamped in my passport: "Not permitted to engage in employment, business or professional occupation".

This is fast becoming a hassle when passport control elsewhere in the world is becoming more relaxed and speedy. In some countries, the immigration authorities do not even bother to stamp visitors' passports.

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SEEING the manicured terraces of padi fields as the All Nippon Airways Boeing 767 I was travelling on glided for a sharp landing at the hilltop Okayama Airport, an hour's flight south of Tokyo, reminded me of the enduring love affair between the Japanese people and rice.

Despite industrialisation, the ageing population and more recently, the liberalisation of the domestic rice trade, the Japanese remain loyal to rice growing.

Not a single plot of arable land, no matter how small or awkwardly located, is left unplanted. Even in the middle of the city of Okayama, in between rows of houses, shops and factories, the land is irrigated and padi is planted.

More than just a food crop and an economic activity, rice is an integral part of the Japanese soul.

Sadly, the situation seems to be the opposite in our country. While we are still way behind Japan in terms of industrialisation and economic standard, padi farming is rapidly being neglected and abandoned.

Had it not been for the subsidy by the Government and the control on padi and rice prices, more padi land would have been abandoned.

This is certainly not the best scenario when we have spent billions of ringgit building dams and irrigation networks, training rice scientists and introducing mechanisation.

It is against this discouraging background that we must congratulate the Malaysian Agricultural Research and Development Authority (Mardi) for successfully developing a new strain of high-yielding and disease-resistant padi called MR185.

Introduced officially to farmers by the Agriculture Ministry on Tuesday, the new variety yields 11 per cent more grains than the MR84 currently favoured by growers.

In the same context, we should welcome the move by Bernas, the privatised Padi and Rice Board, to grow padi on a commercial scale abroad. Perhaps it may want to examine the possibility of reviving padi growing in abandoned rice fields so that we can become less dependent on imports.

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