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Public offices of accountability

Askiah Adam

CORRUPTION is an evil. Anyone who doubts this has only to look at contemporary Russia.

Allowed to grow unchecked, corruption has enabled organised crime to wreak havoc. The Russian Mafia has appropriated much of the country's nascent freemarket and its democracy for its own purposes. But Russia is unusual. The overnight transition to capitalism left the country wide open to abuse by dangerous opportunism.

However, this in no way means that corruption is any more acceptable here simply because Malaysia's democracy's been around longer and can therefore be assumed to be more resilient.

And, it is well for Malaysians to understand that money is not a necessary concomitant. As Prime Minister Datuk Seri Dr Mahathir Mohammad has said, when the power of the media is abused this, too, constitutes corruption.

Obviously, abuse is a factor basic to the making of the phenomenon. But what is it that, when abused, produces the kind of corruption that brings down governments and destroys nations?

Power! Power, it is said, corrupts and absolute power corrupts absolutely.

When power is abused, trouble begins because the natural course of events is diverted and distorted to meet the needs of very narrow interests - usually self-interest.

Corruption makes the existence of meritocracy impossible. It kills initiative. It bleeds the economy. Most importantly, it strikes at the roots of society's morals.

Corruption is the playground of immortality. And because it is a playground it is a powerful adversary. To eradicate it is to take away from those privy to its profits the very pleasures that make it the temptation that it is.

Yet, kill it in our midst we must. The policeman who takes RM20 from a traffic offender for making an illegal turn may seem inconsequential to many, not least because he takes away the numerous hassles attendant upon a summons.

The harm to society as a whole of these seemingly harmless acts is similar to that wrought by wars - destruction!

How then do we tackle the abuses of power?

There is always the option of appealing to individual morality. We are enjoined by religion to be honest. So why is it we cannot depend on this noble instinct to rid Malaysia of corruption? Because if we could, the problem would not here in the first place. Voluntarism alone then is not the answer.

The law makes a corrupt act illegal, hence the reason for shrouding all doubtful dealings in almost impenetrable secrecy. Getting people involved to snitch on another is only effective when arrangements between the parties go wrong.

Under these conditions, bodies such as the Anti-Corruption Agency (ACA) become avenues of recourse for the aggrieved partner in crime. Therefore, while this method might get some instances of corruption reported it is not a preventive measure.

What, then, is the most effective form of prevention? Transparency in procedure would be a definite boon. For instance, awards for government

tenders should follow a modus operandi that is not only inflexible and free of individual meddling in its execution but also open to public scrutiny.

This need for transparency also applies to the alienation of public land for private development. Decisions to alienate should be gazetted, the basis for the decisions made public and a reasonable period for the registration of any possible justifiable objections by the public be allowed.

In situations where the public will be affected, public meetings between the Government, the private interests standing to benefit and ordinary citizens must be held.

In short, public scrutiny makes for transparency, and, not forgetting too the contribution of open government towards this same end.

Closely allied to transparency is the whole notion of accountability. The person entrusted with public office, for example, is potentially powerful.

Now, he can make important decisions that could adversely affect public interests with little need to refer to others. Even when the need for consultation arises, deference, which is often synonymous with fear, paralyses the guardian of public interest.

Under these conditions, there is every opportunity for abuse of power, especially for personal gain. Even where the public interest is served alongside private gain, this act of enriching oneself as spoil of office cannot be other than unacceptable.

There have been instances in this country where politicians holding high office were prosecuted for corruption, found guilty and imprisoned.

In Brazil, a president was impeached because he was found to be corrupt. In Britain, an MP from the outgoing Conservative Party was accused of making money for lobbying on behalf of private interest.

Not long ago, a member of the Dutch Royal House was implicated in a bribery scandal involving a former Japanese Prime Minister. And the list goes on.

Corruption lurks in the the corridors of power, waiting to rear its ugly head at the slightest chance. Strength and fortitude alone are inadequate guarantees against it. Unless mechanisms of accountability are put in place, only a saint can hold powerful public office.

One obvious mechanism of accountability is the general election when politicians go back to the people to seek a fresh mandate to govern in their name. This is the chance for the voter to take account of a politician's past before allowing him into an office of public trust.

However, elections at whatever level cannot perform the function of accountability adequately when not supported by freedom of the Press, speech and expression.

Laws of libel safeguard a person from mischief, therefore limiting the possibility of unsubstantiated allegations of wrongdoing. Together these two elements of democracy make for accountability.

The office of Ombudsman is another essential mechanism of accountability. Giving the public access to complaint procedures against public authorities empowers the private individual, thus ensuring wariness on the part of those holding public trust to think carefully before acting irresponsibly.

Political surgeries by Members of Parliament and State Assemblymen can be another avenue of public accountability.

Complaints from the constituency not only make for political kudos where the politician is concerned, it serves also as a channel for public grievance. Given that this is a mutually beneficial arrangement for both the politician and his public, one is left wondering why there is not more

of it.

But there exist situations where transparency and accountability alone are insufficient safeguards.

Take the law, for example. By the very nature of their jobs, judges are exposed to a high risk of corruption. They sit in judgement over the least scrupulous of human beings who are definitely not above buying their innocence for large sums of money.

And, if the judges cannot be bought, then they will be threatened. Under these circumstances, public trust can only be protected by ensuring adequate remuneration and privacy for purposes of safety for those holding such offices.

The problem of corruption is as complex as the configurations of power will allow it to be. In the final analysis, the principles of the rule of law and the separation of power remain the best defence against this social ill.

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