

Political hamstring: The 'magic pen'
Malaysiakini.com
August 07, 2010

The letter of support that led to the expulsion of Klang municipal councillor Tee Boon Hock (below) from his party DAP, has dragged that practice into the public arena.

NONE In fact, it is not a part of the government procurement procedures but instead created to allow politicians to have a say in bureaucratic decision-making.

Bureaucrats could be easily subjugated by politicians, especially by those from the ruling party or holding government posts, because the latter can influence the job assessment of civil servants, affecting their promotion as well bonus and salary increment.

Surprisingly the letter of support, sometimes dubbed the "magic pen", enjoys support from both sides of the political spectrum, including those self-claimed reformists in the party such as Umno Youth chief Khairy Jamaluddin and PKR Kapar MP S Manikavasagam.

Malaysiakini has compiled the reasons of those who support the practice:

a) Check-and-balance on little Napoleons

NONE Khairy (right) had argued in an article posted in his blog that there are 'little Napoleons' in the civil service who act under certain motivations, causing the applicants to seek help from politicians.

"What is the point of having elections to elect peoples' representatives if matters such as writing letters of support is not even allowed?

"If a representative failed to prove his/her ability to assist and defend the people, he/she would be voted out whereas civil servants are not elected," said the Rembau MP in his blog.

He suggested that if civil servants were asked to report politicians' support letters, then it would only be fair for politicians to be allowed to forward unfairly rejected applications to the relevant government agencies.

b) Breaking the monopoly by contractors close to previous government

This is the view shared by many Selangor Pakatan politicians.

They argued that many who had secured contracts during the BN regime continue to do so due to their familiarity with internal procedures and contract demands as well as their close ties with civil servants.

This had created a monopolised market, hindering the entry of new contractors.

Hence the letter of support by politicians is necessary to help newcomers break the monopoly and create healthy competition.

Another important political consideration is to hand out contracts to companies which support or are close to the Pakatan.

Under the current system those who wish to be included in the qualified contractor list of the state government need to register with the Selangor State Economy Planning Unit (UPEN) which requires the endorsement of Pakatan-elected representatives.

c) Affirmative action to assist disadvantaged groups

The letter of support is issued for underprivileged groups such as the single mothers association, organisations for the disabled and hardcore poor, to help them secure contracts, licence and other opportunities.

d) Requested by civil servants

Many claimed that civil servants ask for such letters from contractors to shrug off responsibility when a contract is awarded without keeping to proper procedures.

When the contract is questioned or investigated by an enforcement agency, they would give the excuse that they were acting under the directive of politicians who signed the support letter, a BN Selangor assemblyperson told Malaysiakini.

Sometimes the civil servants receive 'signals' from the politicians.

"They do not want to offend the politicians, so they ask the preferred contractor to get a support letter from that particular politician. If something happens later, they could use the letter to dodge responsibility," he added.

Realising the political and legal implications in issuing the letter of support, many politicians would include a disclaimer in it, stating that the recommendation was still subject to guidelines and other criteria of the relevant authority.

e) To please the constituents

Due to the public misconception that the letter of support is "very powerful", many voters demand them from their Yang Berhormats which they are forced to sign just to please the constituents.

NONEMenteri Besar Selangor Khalid Ibrahim (right), who said it is hard to do away with the practice, conceded the existence of the problem to the media.

"Sometimes people come to our office 20 miles away, they come just to meet us and get our recommendations and signatures, we cannot turn them away because that will be very disastrous in political terms, we have to receive them and make them feel comfortable.

"So let them sign, make these people (feel) comfortable."

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.
Source : <http://www.malaysiakini.com/news/139448>