

Najib's "Off-Site" Solution To Civilian Suits Against Tajuddin Is A Clear Cut Case Of Pandering To Billionaire Cronies
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The Prime Minister Najib Abdul Razak's meek attempt to explain the withdrawal of civilian suits against Tajuddin Ramli as an "off-site" solution epitomises the former's complete lack of political will to fight patronage, rent-seeking and cronyism in Malaysia. In fact, the "off-site" solution by Najib suggests some secret rendezvous between the two parties to thrash out a handshake deal by subterfuge.

In his oft-quoted speech to foreign investors at the launch of his landmark New Economic Model (NEM), Najib said that "we can longer tolerate the behaviour of rent-seeking and patronage". However, the crude and blatant attempt to direct all Government Linked Companies (GLCs) to withdraw their multi-billion suits against Tajuddin to reclaim outstanding debts as well as other alleged misendeavours when he was the Chief Executive of Malaysian Airlines System (MAS) leaves a bad taste in the mouth.

The directive proves beyond doubt that Najib is not only failing to live up to his NEM promise, he is doing the complete opposite. The Prime Minister is more than tolerating behaviour of rent-seeking and patronage, he is protecting the richest cronies who have benefited from the largesse handed down by the Barisan Nasional government.

In one of the most outrageous bail outs in Malaysian history, the Malaysian government paid RM1.79 billion to acquire MAS shares belonging to Tajuddin's corporate vehicle at RM8.00 per share despite its market price then being only RM3.62 per share. In addition, gross mismanagement by Tajuddin since 1994 has resulted in MAS suffering billions in losses and was laden with RM9.5 billion in debt.

Despite MAS debts being whittled down via a "asset unbundling" exercise where Penerbangan Malaysia Bhd (PMB) was set up to acquire all MAS aircrafts and their associated debts, MAS never really recovered from Tajuddin's maladministration with its share price today struggling below RM1.80 per share.

The attempt by Najib to withdraw all suits against Tajuddin, and to even replace all the lawyers independently appointed by the GLCs with a well-known UMNO lawyer smacks of letting Tajuddin getting away scot free.

Is Najib trying to tell us that when the respective GLCs including MAS, Telekom Malaysia, Prokhas (formerly Danaharta), many of which are listed, were poorly advised and did not know what they were doing when they filed their suits against Tajuddin?

Is the Government telling us that the existing panel of appointed lawyers, including some renown names, were wrongly advising the GLCs to claim billions of ringgit in debt and damages from Tajuddin? Were their advice so bad that they must be replaced wholesale by an UMNO lawyer?

Given the billions of ringgit in rakyat's money involved, the Government must be completely transparent in its actions and not sweep everything under the carpet. The public interest in this case is paramount and must be protected at all cost.

Najib must immediately withdraw the directive to GLCs to drop the suits against Tajuddin because it is improper, an abuse of power and a corrupt practice to protect a billionaire crony. The Government must instead make public the case against Tajuddin to prove the Prime Minister's determination to eradicate rent-seeking behaviour, political patronage and cronyism.

Did Minister in Prime Minister's Department Nazri Aziz really finish law school?

I have asked yesterday for the Minister in the Prime Minister's Department, Nazri Aziz to be investigated under Section 2(1) of the Emergency (Essential Powers) Ordinance No. 22/1970 where "Any member of

the Administration, Parliament or State Legislative Assembly or any public officer who commits a corrupt practice shall be liable to a term of imprisonment of 14 years or a fine of RM 20,000 or both.”

A “corrupt practice” in this case is defined as “any act done by a member...in his capacity as such member...whereby he has used his public position or office for his pecuniary or other advantage...”

When questioned on the above, Nazri retorted that I was “practising double standards”.

Nazri told The Malaysian Insider, “I want to ask him (Pua): When (PAS president Abdul Hadi Awang asked the Damansara Utama Methodist Church (DUMC) and Jais (Selangor Islamic Religious Department) to see him and explain the recent church raid, why did he not rebuke Hadi? Because what power does Hadi have in doing so? He is not the menteri besar of Selangor and neither is he the minister for religious affairs. So why the double standards, Tony?”

I’m completely shocked by the absurdity of the analogy used to accuse me of being hypocritical and practising double standards.

Firstly, PAS President Abdul Hadi Awang did not ask DUMC and JAIS to see him. Hadi asked to see them to better understand the recent controversy at DUMC.

Secondly, PAS President did not give any directive to JAIS, a government body – whether to withdraw from investigation the alleged offences or to take action against any party.

Thirdly, even if Hadi did in effect express an opinion on the issue, one way or another, it does not constitute a directive especially since Hadi is not a “member of the Administration” who is able to exercise the powers of his public office over JAIS.

On the other hand, Nazri as a Minister is clearly a “member of the Administration” who has “used his public position or office” to unduly exercise improper influence over the actions of Government Linked Companies (GLCs) by-passing the GLCs Board of Directors, possibly to obtain “pecuniary or other advantage...”

It is the exact same law used to find Anwar Ibrahim guilty of alleged abuse of power in 1999 where he was sentenced to jail for 6 years. Anwar, while holding the post of Deputy Prime Minister and Minister of Finance, was found guilty of having “committed corrupt practice” by giving alleged directives to two police officers.

If there is a relevant analogy at all, it has to be with the former Deputy Prime Minister’s case. The comparison between his actions and that of the PAS President is that between night and day, which raises the question of whether Nazri is qualified to take on the role of Minister in-charge of law.

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