

'I Am Sure All Of You Have Nothing To Fear'?

MalaysianMirror.com

28 January 2012

Dr Francis Loh

One of the most important features of any democracy, no doubt, is that its leaders and top officials do not abuse their positions for financial gain, and/or misappropriate public funds for private profiteering.

It is in this regard that Aliran welcomes the move by the Pakatan Rakyat-led Penang state government to declare publicly the assets of Chief Minister Lim Guan Eng and the other 10 members of the State Executive Committee on 12 January 2012. Audited by an independent accountancy firm, their assets are now accessible to all on the website of the state government.

In a separate move the following day, Chief Justice Arifin Zakaria announced to his senior judges (in the Federal Court, the Court of Appeal and High Court) and judicial commissioners that they too might soon be required to declare their assets.

His announcement comes at a time when numerous allegations are circulating that this or that judge has been bribed to obtain a favourable decision in Court. With the overall reputation of the judiciary having been tainted and brought down, perhaps to an all-time low, by these allegations, such a move would be most welcome. Confident of his judges, the Chief Justice added, "I am sure all of you having nothing to fear."

For the Malaysian Centre for Constitutionalism and Human Rights (MCCHR), the Judiciary should go one step further by declaring "potential conflicts of interests either by relationships or previous corporate and commercial dealings".

Zaitun Zawiyah Puteh, chairperson of the Anti-Corruption Advisory Board, next proposed that federal cabinet ministers should also declare the assets of their spouses and children when they submit their yearly declaration of assets to the PM. In fact, she further stated that a copy of the declaration should also be made available to the MACC. "If they have nothing to hide, why not?" she quipped.

But Nazri Abdul Aziz, the minister in the prime minister's department, shot back that he is firmly against the idea of federal cabinet ministers declaring their assets publicly. His reason? Revealing details about the amount of money and properties owned by ministers and their families would expose them to 'danger' and make them a target for robbers. No confidence in our world-class crime-fighting police, it appears! For Nazri, it suffices that the ministers declare their assets to the PM and, "if the PM insists", to the MACC as well.

It is not unlikely that Nazri might be overruled by his own boss and a declaration of sorts by the cabinet ministers might be made public after all. For we are at a stage of 'great transformation', and there is a clamour from the rakyat for greater transparency in the operations of government. What's more, GE-13 is around the corner.

In this regard, we wish to pull together various proposals made by Ramon Navaratnam of ASLI Centre of Public Policy Studies and the others mentioned above on this matter of declaring assets. Taken together they might add up to something more:

- The declaration of assets must be comprehensive and include liabilities, not only of the ministers but their spouses and children. (After all, 'contributions' usually go towards the settlement of the liabilities of a person holding public office);
- This declaration exercise should extend downwards to the state and local government levels as well; why, perhaps all intending MPs, Aduns, and local government councillors should declare their assets and

liabilities and those of their family members.

- A system and mechanism must be developed to monitor these declarations regularly and to bring to the MACC's attention any suspicious increases of assets and/or, decreases of liabilities, which the MACC should then investigate.

- Yes, there is a need to appoint or to set up another body, independent of the MACC, to investigate and to monitor these movements; after all, the MACC's reputation does not inspire much public confidence! A worthwhile proposal is to appoint the Public Accounts Committee or some judicial commission to carry out this task. And why not ask a few NGOs to help in this task? Aliran would like to volunteer.

- It must be stressed that corruption will be lessened but not eliminated even after all these proposals have been attended to. For the 'mother of corruption' in Malaysia is not the absence of a declaration by some leader or his or her abusing public assets by purchasing some condo somewhere. It is instead, the evil of 'money politics' that has emerged wherein political parties and politicians have increasingly penetrated into the realm of business, with all the to-ing and fro-ing between them. Many now seem to be entering politics to get rich quick rather than to serve the people and to contribute to society.

- And finally, elected representatives and political leaders must fear having to deal with this independent body. It's a give-away – a sure sign of a toothless oversight policy – if they have 'nothing to fear'.

DR FRANCIS LOH is President of Aliran

(The views expressed above belongs to the author in its entirety and does not represent the opinion of Malaysian Mirror in any way)

Copyright © 2012 www.malaysianmirror.com
<http://www.malaysianmirror.com/media-buzz-detail/6-nation/56409>