

RM2.6 billion in Najib's personal accounts is corrupt money – Din Merican
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As reward for supporting beleaguered Prime Minister Datuk Seri Najib Razak, the new Cabinet appointees, especially Datuk Abdul Rahman Dahlan and Datuk Seri Azalina Othman are posturing, as a mark of gratitude, with ridiculous ideas that are not only perverse but also blatantly mocking of the whole purpose of preventing corruption.

Rahman and Azalina are now defending the secret huge sums of RM2.6 billion found in the prime minister's personal bank accounts as political funding and that Najib is holding the sludge fund as a trustee of Umno.

It is unbelievable that they can come up with such a spin.

The argument is perverse in its logic of defending the indefensible, because it is flawed in facts:

a) Umno is a registered political organisation. Its accounts must be duly accounted for to the Registrar of Societies. This was not done until the account was closed. Just check with the Companies Commission of Malaysia (CCM);

b) if the money is held as a trustee for Umno, how come this trust account is unknown to Umno itself that is the deputy president and Supreme Council are unaware of it until Rahman and Azalina raised this excuse that it is a political trust fund in the prime minister's name. If so, was there a trust document; was it discussed when it was created and disbursed by approval at any Supreme Council meeting? and

c) if it is political donation, how come Najib has such difficulties to be open and transparent about it and has been unable to give us straight answers. His answers so far are wishy-washy not in the manner now argued by Rahman and Azalina.

Let us be very clear, money kept in secretive ways is a red flag that it is for an improper corrupt purpose. Now let us deal with the legal issue which will show that Rahman and Azalina are propagating views which are totally contrary to the provisions of the MACC Act, 2009.

Section 3 (S.3)

S.3 of the MACC Act defines Najib, Rahman, Azalina, 4 Public Accounts Committee (PAC) members, all the Cabinet members and all parliamentarians as "officers of a public body" by virtue of them being "members of the administration" or "members of State Legislative Assembly" or "officers of Government of Malaysia or Government of a State". They are all prohibited from receiving any form of gratification.

Gratification has a long definition to include not just money but also donation, gift, loan, fee, office, post, dignity, employment, contracts, service, forbearance,

protection.

Section 50 (S.50)

S.50 of the MACC Act clearly states that anyone of these officers of public body who gives or receives gratification is presumed to have done so corruptly.

Section 16 (S.16)

S.16 of the MACC Act provides that any of them who gives or receives corrupt gratification commits an offence punishable by 20 years' imprisonment.

Thus:

- a) Najib who received the secret fund has committed an offence of corruption;
- b) Najib who offered Cabinet posts to the four PAC members to disrupt their duty from reporting to Parliament on the Auditor-General's report commits not only obstruction of justice but also corruption by offering them Cabinet posts so that they forbear reporting negatively against him in their PAC report;
- c) The four PAC members who abandoned their duty in the PAC have not only betrayed their duty to report to Parliament but also created a conflict of interest whereby they now have information that they can use to protect the prime minister, and by accepting to be cabinet members have also committed the offence of corruption;
- d) Rahman, Azalina, the other cabinet members and all the Umno Supreme Council members who are aware of the now admitted "slush fund" have also committed abetment of the corruption.

That is what the law says.

Thus, Rahman and Azalina whose oath of office as parliamentarians and as ministers have breached their oaths of office by saying something contrary to the law. They have, in fact, encouraged the public and the Malaysian masses to breach the law. They should be hauled up by the MACC.

No excuse for committing corruption

If guidance from history is needed that there is no excuse for committing corruption, just read this passage on the conviction of Datuk Harun Idris who was once a hero of the Malays. Tun Razak may also be a hero. But, make no mistake, Najib is not.

Just look at all his policies that are causing endless miseries not only to the rakyat but also to the future generations when they will have to pay for the crimes committed today.

A footnote in history per Almarhum Sultan Azlan Shah, when sentencing Allahyarham Harun Idris for corruption in 1976:

"It is painful for me to have to sentence a man I know. I wish it were the duty of some other judge to perform that task. To me this hearing seems to reaffirm the vitality of the Rule of Law. But to many of us, this hearing also suggests a frightening decay in the integrity of some of our leaders. It has given horrible illustrations of Lord Acton's aphorism 'power tends to corrupt, and absolute power corrupts absolutely', and has focused concern on the need of some avowed limitations upon political authority.

"... the law is no respecter of persons. Nevertheless it will be impossible to ignore the fact that you are in a different category from any person that I have ever tried. It would be impossible to ignore the fact that, in the eyes of millions of our countrymen and women, you are a patriot and a leader. Even those who differ from you in politics look upon you as a man of high ideals. You had every chance to reach the greatest height of human achievement. But half-way along the road, you allowed avarice to corrupt you.

"It is incomprehensible how a man in your position could not in your own conscience, recognise corruption for what it is. In so doing, you have not only betrayed your party cause, for which you have spoken so eloquently, but also the oath of office which you have taken and subscribed before your Sovereign Ruler, and above all the law of which you are its servant." – dinmerican.wordpress.com, August 3, 2015.

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