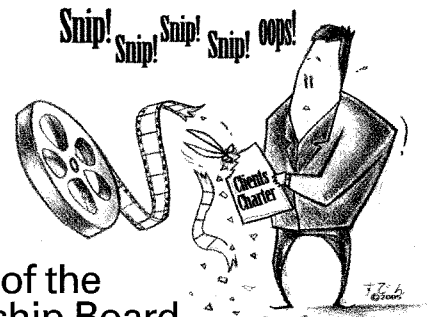




Keeping the Abuse of Power in Check



Lately, the Visa, Permit and Pass Division of the Immigration Department and the Censorship Board have come under scrutiny for all the wrong reasons. This warrants a check and balance mechanism to be put in place.

TWO recent articles in our newspapers caught my attention – one was an interview with the Director of the Visa, Permit and Pass Division of the Immigration Department, and the other, with the chairman of the Censorship Board.

The two interviews touched on topics that have initiated much debate and discussion of late. They are the awarding of Permanent Resident (PR) status and the decisions of the censors. The main issue here is the lack of transparency, and as some have put it, the apparent lack of accountability.

Much has been said about transparency and accountability in the civil service. The biggest and most vocal proponent of this has been no less than the Prime Minister Datuk Seri Abdullah Ahmad Badawi. He has repeatedly persuaded, pleaded with and even warned civil servants to be transparent in their dealings with the *rakyat*.

Let us first look at the criticism hurled at the Visa Division of the Immigration Department. The main grievance is that it is not transparent in its dealings. Of course, given the sensitivity of its role, one can hardly expect it to explain its every action, but should we allow the bureaucracy to hide behind this excuse all the time?

Something is not right in the granting of PR status when deserving applicants such as professionals and spouses of Malaysians are rejected while foreign workers are granted such status speedily.

We are, of course, not questioning the right of the department to decide who gets PR status and who does not. But given some very serious allegations against it, including that of corruption, surely a more transparent process of vetting applications should be introduced. This will, in fact, help protect its image.

When there is too much subjectivity and power granted to civil servants in the approval process, there will be room for abuse of power or corruption. This is why Client Charters have been introduced, even in other sections of the Immigration Department as to the standard of service expected.

It is all too simple for the division to say that the granting of PR status is a privilege and not a right. Well, the issuance

of passports to Malaysians is also a privilege and not a right. And yet, there are very few complaints here. Why? Because there is a set of guidelines to be followed and if you abide by it, you would get your passport. If you are rejected, you are usually told the reasons.

It would perhaps be timely for the government to set up an independent panel of appeal to look into grievances of PR applicants. This will minimise accusations of being biased or abusing power.

At the end of the day, any decisions by civil servants must be in the interest of the nation. Undesirable elements such as terrorists and criminals should be rejected. On the other hand, applicants with something useful to contribute to the well-being of the country should be considered.

There are times when Malaysians are arbitrarily denied entry into other countries for no apparent reason. We quickly berate their immigration authorities. Is it not ironical that we too are sometimes guilty of this?

As for the Censorship Board, many would have been enlightened by the article but not convinced of the comments of its chairman. The board has often been accused of questionable decisions when approving both local and foreign films.

But the most severe accusation against it is that it is killing the local film industry by using its own value judgement. For example, how would you assess violence, religious sensitivities, horror or counter-culture in a film?

Eyebrows are raised when a similar scene is cut in one film but not in another. Is there favouritism or interference from influential people? The Prime Minister once commented that too much subjectivity in the decision-making process can be abused.

While we have no doubts that the majority of our enforcement agency staff are honest and hardworking, it only takes a small minority to smear the good name of the rest.

Greater transparency should be introduced in areas where there is potential for abuse of power and corrupt practices. Those who feel that they have been victimised should be given a fair hearing. We need a check and balance mechanism. **mb**