



## Politicians vs Civil Servants

Lately, we have seen cases where moves by the civil service seemed to be in direct conflict with the government's policies. Where do we draw the line?

RECENTLY, WE SAW THE RETIREMENT OF TWO TOP PUBLIC SERVANTS IN THE COUNTRY. But, perhaps, what was unusual about their retirement was that both men exited their illustrious careers amidst controversy.

The first to retire was Chief Secretary to the Government Tan Sri Samsudin Osman. Just days before he left, he was berated by Members of Parliament for attempting to curb their so-called immunity. They were apparently irked that an MP was exposed for trying to interfere with the Customs Department's enforcement duties.

A week later, it was the turn of the country's Police Chief Tan Sri Bakri Omar, who was caught in a controversy as he retired after more than 30 years in the force. Days before he left, the police caused an uproar when they arbitrarily decided to slash the fines for traffic offences.

This got Transport Minister Datuk Seri Chan Kong Choy all riled up, who didn't mince his words in criticising the move. The Cabinet subsequently stepped in and annulled the police move and allowed only reductions for certain offences.

Both these incidents bring to light an interesting aspect relating to the powers vested in civil servants as opposed to the powers enjoyed by politicians. Is there a clear demarcation of duties, or is it something that is subjective to be left to interpretation?

Whatever the argument, of paramount importance is the division of powers between the various players vested in the Federal Constitution.

For example, should civil servants be obliged to serve the government of the day blindly or should they be allowed to use their discretion in the interest of the nation? More importantly, should politicians attempt to interfere or influence civil servants for their own vested interests?

The fact remains that it is the politicians (in this case the legislature or Parliament) who formulate the law and it is executed by civil servants, including the police and other uniformed bodies.

Even so, the question we should be asking is whether politicians have the right to tell civil servants to 'close one eye' or refrain from carrying out his or her duties. While the Cabinet and other MPs rally to defend any politician under fire (being politicians themselves), who will defend the civil servants who are merely carrying out their duties?

It is only natural that as the top civil servant, the Chief Secretary to the Government defends the non-partisan stand and integrity of the civil service. This is not about who has more power. It is about doing what is right for the nation.

On the other hand, let's look at the police's decision to reduce traffic fines. Were they right or rather, did they have the power to do so?

Yes, they do have the power to compound the offences and, in some cases, reduce the amount. But in this case, the issue is more than just that. It's about road safety, of the increasing number of road accidents and number of fatalities on our roads. The minister as a policy maker decided that the government would substantially increase the fines as a deterrent to errant

motorists.

It is the duty of the police to enforce this policy. It is not for them to reverse the policy or defy it. As lawmakers, they should know better.

So, in this instance, the police may have erred in drastically reducing the fines as it was seen as going against the government's road safety policy.

But at the end of the day, it is not about who will win the turf war. After all, there are as many rotten civil servants as there are rotten politicians. The trick is to weed out the rotten ones regardless of who they are.

Politicians should realise that they serve at the pleasure of the people. Civil servants, too, should know the boundaries of their power. What is important is that both parties put the nation before self-interest. **mb**

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