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Tajuk : "THE CIVIL SERVICE AND DEMOCRACY" TO SINGAPORE SENIOR CIVIL  
SERVANTS  
Lokasi : THE RAFFLES HOTEL SINGAPORE  
Tarikh : 20-11-1993

Many countries have to grapple with the difficult problem of how to achieve a harmonious relationship between bureaucracy and democracy. This problem normally arises as a result of the enlargement of the scope of modern administration and changes in its function. Generally, the relationship between bureaucracy and democracy has depended on the bureaucratic status in the governmental structure of each country.

Democracy may be described as a system of government under which the people exercise the governing through their representatives whom they periodically elect. These representatives are members of the legislative and the executive. Policy matters and decisions rest ultimately with the elected representatives of the people. The civil service implements the policies and programmes of the government, and may be described as a professional body of officials, permanent, paid and skilled. Civil servants in Malaysia writing to the public appropriately sign themselves as "your obedient servant". Despite the make-believe humble position as servants of the public by whom they are paid and employed and to whom they serve, they are in practice most important for the well-being of the country. The civil service is a bastion of institutional memory and expertise. So, the permanent civil servants will view problems, solutions, and actions in a historical context. In a democracy, it is most essential to have an intelligent, honest and efficient public service, and to ensure this, it is important that the public service be paid fairly, and that there should be security of tenure. Civil servants are lodged firmly in the corner of stability.

In Malaysia, the government abides by the constitutional provisions that appointments, promotions and disciplinary procedures are conducted fairly and impartially by independent commissions, and the civil service promotion and disciplinary boards. The civil service cannot be efficient unless it has some say in who should and who should not be promoted.

The civil service in Malaysia strengthens the democratic government through the observance of the following tenets and principles. Firstly, the conduct of all civil servants is subject to the laws of the land.

Civil servants must abide by the ordinary civil and criminal laws that apply to all citizens. There are, in addition, particular statutes like the Official Secrets Act 1988 which restrict the disclosure of official information. A professional value which all civil servants must hold dearly to is the ethic of secrecy and confidentiality of official information. It is an offence under the Prevention of Corruption Act, 1957 for a civil servant corruptly to accept any gift or consideration or an inducement or reward, and there have been many prosecutions under this Act. Cases which are referred by the Anti Corruption Agency to the disciplinary authorities for action are continuously being monitored. Secondly, the exercise of authority by civil servants affecting individual or other interests must rest on legitimate and legal foundations. For example, powers exercised by civil servants must be derived directly or indirectly from the statutes, administrative or delegated powers. The conduct of civil servants is also susceptible to the scrutiny of judicial reviews. Since civil servants owe obedience to the law, the precise nature and scope of a civil servant's legitimate obligations must be clear, proper and in accordance with the law, rules and regulations. It is for this reason that the Government has formulated a precise code of conduct for civil servants which set out a number of general principles which apply to all members of the civil service, such as the avoidance of conflict between official duty and private interests; refraining from private activities that might bring discredit to the public service; honesty not only in fact, but also conduct that does not lay one open to suspicion of dishonesty; and maintenance of a proper reticence on matters of public and political controversy, so that one's impartiality is beyond question.

Thirdly, the civil service in Malaysia is no longer an isolated institution. The Malaysia Incorporated concept has taken in a number of new dimensions. Selected officers may participate in attachment programs in companies chosen by the respective chambers of commerce and industry and by multi-national companies. There is participation by civil servants in seminars, workshops, conferences,

dialogues and in games and sports organized by the private sector and vice versa. The potential benefits of the attachment programs is to provide opportunities for civil servants to gain managerial and entrepreneurial experience outside the bureaucracy and to enable their departments to benefit from the knowledge and expertise acquired by the officers. It is important that civil servants should be seen to be above any suspicion of impropriety. A tight code of conduct is required to prevent the erosion of public confidence in the traditional impartiality of the civil service, especially in a world where the public and private sectors increasingly interpenetrate. Fourthly, the civil service is always open to suggestions. Senior civil servants are now publicly identified by the media. They are regularly named and sometimes profiled. On occasions, serving officials have also dropped their masks and discuss their work with the media, on such issues as their departments' competences and accountability. Senior civil servants are vested with a lot of authority under the various laws of the country. Some are vested with regulatory powers on commerce and industry, on security etc. In the exercise of their powers, they have been asked to establish criteria for decision-making so that their decisions can be defended; so that there will be uniformity in dealing with their clients. Civil servants must perform in accordance with the rules and regulations, and procedures. If the rules, regulations and procedures are dilatory and inhibitive to commerce and industry, the legitimate channel for review is the various Malaysian Incorporated Consultative Committees, through dialogues with Ministries and departments, and through other proper channels, and, recommendations can be made to the Government. Fifthly, civil servants are committed to act impartially and to treat all persons alike without fear or favour. The civil servants must follow the principle of providing service fairly and justly to all, and treating each person with dignity. These principles or tenets have become an integral part of our chosen profession and are crucial to the stability and success of the Malaysian democratic polity.

The cornerstone of democratic governance in Malaysia is the abiding mutual respect for and recognition of the respective roles of the institutions that make up the polity. The harmonious relationships between three branches of government: the Legislative, the Executive, the Judiciary, and the Public Services have contributed to the successful functioning of democracy in Malaysia. The Armed Forces, the Royal Malaysian Police and the Civil Service which make up the Government Service in Malaysia, recognise and respect each other's roles and functions. For example, the Armed Forces and the Royal Malaysian Police recognise that service and establishment matters, such as the creation of posts in their respective services is the domain of the Civil Service. The heads of the legal service, the Armed Forces and the Royal Malaysian Police are members of the meeting of Secretaries General and Heads of Services, chaired by the Chief Secretary to the Government. The meeting of the Secretaries General and Heads of Services which is held regularly, is the forum through which the Chief Secretary to the Government, who is also the Secretary to the Cabinet, conveys the thinking of the Government on major public issues, monitors the implementation of Government policies, and discusses matters of concern in the Public Service. This is the highest civil service meeting and it reflects at once the mutual respect for and recognition of the respective roles between the various Government institutions as well as the embodiment of the democratic ideals of a fully responsive and accountable Public Service.

Concern about government productivity centres around issues of efficiency and accountability. Whereas private organizations can readily point to increases or decreases in the "bottom line", Government departments must take a broader view. In Government, considerations of quality and productivity are inevitably intertwined. The Government of Malaysia productivity improvement program defines productivity as the efficiency with which resources are used to provide a government service or product at specified levels of quality and timeliness. Efficiency is to be achieved by reducing unit cost (total ringgit value of inputs divided by total number of outputs) associated with a product or service. Quality is the extent to which a product of service meets customer requirements. Timeliness implies meeting a schedule for design, development and delivery of a product or service. Basically, our concern is how government agencies can achieve their objectives as efficiently and effectively as possible - in other words, how they can improve their performance. The productivity improvement efforts will seek to increase service levels while holding costs constant and to decrease costs for current service levels, or ideally, to increase performance and service levels while simultaneously reducing costs. All government agencies in Malaysia are required to illustrate their performance through appropriate indicators or indices in their annual reports. This is part of the accountability ethos being instilled in the civil service.

We have embarked on a journey to build a culture of excellence in the civil service through the adoption of the Total Quality Management. We have recently introduced the Client's Charter, in order to institutionalise the quality ethos. The Charter is a written commitment made by all government agencies pertaining to the delivery of outputs or services to their respective customers. In essence it is an assurance by agencies that their outputs or services will comply with the declared quality standards - that is, in conformance with the requirements of the customer. An important component of the Client's Charter is service recovery. The customer would be in a position to obtain an explanation as to the reasons for the shortfall in the standard of output or service that has been provided. We believe that the Client's Charter is a starting point in bringing about the empowerment of the citizenry vis-a-vis the Civil Service. In fact, the Client's Charter is the very embodiment of our recognition of the citizens as sovereign in the democratic nation. It will instill a culture of trust in the civil service.

The civil service has also embarked on a behavioral change in the civil service. To change behaviour in the civil service, the basic incentives that shape that behaviour must be changed. We have created a new set of dynamics through the use of competitions, the measurement of results, the decentralization of authority, and the creation of real consequences for success. We have instituted a plethora of quality and innovation awards. Under the Excellence Service awards, civil servants whose performance appraisal merit them what is described as diagonal salary progression, will receive a bonus equivalent to a month's salary. It has also been decided that civil servants who receive the vertical salary progression after the performance appraisal will also receive a bonus, whose quantum will be decided soon. The awards of these bonuses annually to 5% of the civil service population is consistent with the government's policy to reward civil servants on the basis of quality performance.

We also need to change some beliefs and accepted practices that may be basic to our administrative culture.

As we change these beliefs and practices the administrative culture will also change in response. An example of a belief to be re-examined and changed: it is bureaucratic to think that all functions of planning and control have to be done by the head or deputy head of department. To be customer-focused or achieve total quality, much of the planning, controlling, reacting, responding and flexing must be done by front-line people - by people who do not manage others, but manage the achievement of quality, or who manage the satisfaction of customers. Regardless of what the head of department or management wants, says or does, if the front-line people are not in the team, the mission does not get achieved. We have established quality control circles to look into work procedures, processes and to come up with innovative ideas. The head of department must now think that the people who achieve the quality or satisfy the customers are as important as the management. An example of an accepted practice to be re-examined and changed: it is bureaucratic to act as though the administrative process is more important than the outcomes. So we have instituted the practice of the "morning prayer" system. Heads of Ministries or Departments are required to meet weekly with their senior department heads to consider all applications for licences, permits or other approvals on an integrated basis, cutting redtape, and thinking not in terms of their narrow departmental interests, but the national interest.

The Public Complaints Bureau has been restructured and strengthened to enable it to effectively perform its role as a grievance redressal agency and to safeguard against maladministration. A Permanent Committee on Public Complaints chaired by the Chief Secretary to the Government is responsible to oversee that public complaints are managed efficiently, expeditiously, and in a just and fair manner.

The Annual Report of the Public Complaints Bureau is released for public consumption. Thus citizens now have access to information pertaining to administrative malpractices. More importantly, the citizens now have an effective channel to seek redress and thereby exercise their democratic rights. While in the case of the Ombudsman, a single legal entity is made responsible to provide the remedy for administrative lapses and malpractices, our Public Complaints Bureau derives its clout from the combined authority of members of the Permanent Committee which comprises the Chief Secretary to the Government, who is the Chairman of the Promotion and Disciplinary Boards for the senior civil servants, the Director General of the Public Service Department, who supervises the disciplinary boards at all levels of the civil service, the Director General of the Anti Corruption Agency, who could initiate legal action

against errant civil servants, and the Director General of the Malaysian Administrative Modernization and Management Planning Unit, who can recommend changes in the administrative system, if the processes provide loopholes for maladministration. In this sense, we think that the Public Complaints Bureau is a more effective mechanism to handle complaints against the civil service.

The public service is a special calling in a democracy. Those who participate in the public service, regardless of background or occupations, are guardians of a public trust. Public administrators must assume leadership in establishing a high moral tone. The values and commitments they represent should become models for all organisations. Trust in the civil service will occur only if the public is convinced that those in office seek the public interest, and that they do so with skill and responsibility. The civil service should be committed to democratic ideals such as responsiveness, accountability and justice. When our commitment to such ideals or practices are clear to all, then the civil service will establish itself as the highest calling in our democratic society.