

THE ASSOCIATION OF VOICES OF PEACE, CONSCIENCE AND REASON
(PCORE)

GIVERS AND TAKERS: THE INTEGRITY - CORRUPTION CONTINUUM

15 February 2014

KEYNOTE ADDRESS

Tun Abdul Hamid Mohamad
(Former Chief Justice of Malaysia)

Actually, it is very easy to speak at the close of a conference. That is because everything that need and should be said (including what need not and should not be said) had been said. The participants are tired and hungry. But, if I were merely to say *"Thank you. See you again next time and enjoy your lunch."* the organizers would be disappointed. So, I'll have to balance between the two opposing interests. That is what Judges always do, anyway.

Integrity and corruption are interconnected. A person with integrity will not commit corruption. A person who commits corruption loses his integrity, if any.

Integrity is one thing which is very difficult to define but you know it when you see it. Indeed, when you see a person whom you know about, it is not just his face that you see. Your insight penetrates through him, summarises and evaluates his whole character, indeed his whole life instantaneously, faster than any Broadband, Wifi or Unifi, and what you really see in him is his integrity. He cannot run away from it. He cannot cover it. He cannot pretend to be otherwise. The bottom line is that integrity is the sum total of a person's life, the end product of a person's life, the truth about a person's life.

The integrity scale of a person bears no relationship with his position in the society, his wealth or poverty, his intelligence or otherwise, the powers he holds or the lack of it, his fame or otherwise and so on. It stands independently, in spite of all those factors. It is the only true benchmark of a person's life. Such is the importance of integrity in a person's life.

While a person's integrity is being measured every time someone who knows him sees him or thinks of him, there are two occasions which are really important. They are when a person retires and when he dies. The two days are, in a way, like Judgement Days in a person's life, before the final Judgment Day.

We now come to corruption. Who does not know what corruption is? Who does not know that corruption is wrong, bad, unlawful, sinful and all the rest. But, why do people commit corruption? I would say the most important factors are need and greed. However, in between there are other factors like the attitude of the society towards it and opportunity.

Talking about civil servants in Malaysia, I think, need is not really a very important factor provided a person tries to live within his means, appreciates what he has, do not waste and put in a reasonable effort. These things seem to be lacking in our society. My Cambodian and Indonesian maids say that Malaysians expect the government to give them everything. I agree with them. Besides, they also want

things the easy way. That is why they believe in Pak Man Telo and others like him and even in “Tuhan Harun”. If god is your friend, drinking *teh tarik* with you, what more do you want? Just ask him for whatever you want. That is the mentality. On the other hand, others are, by nature, greedy. They are just not satisfied with what they have.

All said and done, how many times in your life, when you go to a government office or a government clinic that you have to pay a bribe to be attended to? From my observation, our government officers are more efficient and punctual now than 40 years ago. However, those in small towns still do not seem to have a sense of urgency. The “*seimbang-seimbang*” culture is still there.

Talking about corruption, it may be quite different in the case of enforcement officers. There are more opportunities and temptations there, because there are people, especially, business people, who are prepared to pay their way through.

From my enquiries, it appears that, at the lower level, enforcement officers prey on people with criminal records asking them for money or else they would be harassed or even arrested. The other common modus operandi is to demand for money in exchange for the release or no further action. What worries me is when money is asked in exchange for tempering with the chemist report on the urine test in a drug case from positive to the negative. I don't know whether that is true. But, if chemist reports could be tempered with, I am really worried.

Yet, there seems to be another new aspect to the practice of corruption. Asking for and receiving bribes is no longer something that is done quietly by individuals. It appears to have become an accepted norm and to be shared by all. Example varies from asking a person who wants to meet his son in the lock up to buy breakfast for the officers on duty to asking someone to sponsor a dinner for the officers at an expensive restaurant. In both these examples, it is not driven by need but something that has become a norm: you want us to do something for you, you should give us something in return. Or, it could simply be the pleasure of getting a free meal, an off-shoot of the “*belanja*” culture which, in turn, is the off-shoot of the *kenduri* culture, which has now been entrenched as national events on mega scale by both the government and the political parties.

Yet, there is a religious twist to the practice of corruption too. We may call it “religious money laundering”, “cleansing of haram money” (as Islamic banks do) or “Islamisation of corruption”, something that Islam never approves! I am referring to the sponsoring of “*majlis buka puasa*” at expensive hotels or may be even *umrah* trip. To me, that is corruption of religion.

At the higher level, it is a question of percentage in the ascending order, like the volume of your mobile phone alarm. Many of you might have heard the story about the bridge and the bridge that could not be seen, the difference being 10% and 100%.

That brings us to the other side of the coin: the giver. One small time contractor told me that to get into the lift of a Government Ministry that deals with tenders, you have to pay the security guard RM50. Assuming that is true, how did it get started? I am

very sure it was not the security guard who started it by asking for it. I am very sure it must be a businessman or a contractor who wants to impress his colleagues that he gets a special treatment even by the security guards in the Ministry. Over a period of time, the security guards get used to it and begin to expect it.

Farmers in a Northern State complain that a rice mill owner pays lorry drivers to take their rice to his mill, using the money deducted from what is due to the farmers. Not only that, the farmers are not allowed to transport their own rice to the rice mill of their choice. You see the clutches of businessmen, which reminds me of the “*padi kunca*” system in 1950s.

How do we change the culture of giving and receiving? It is not easy. That is because one party is prepared to give and the other party is prepared to receive or the reverse.

You are trying it in your own way. I congratulate you for that. But, the trouble with conferences is that the people who attend them are not the culprits, be it the giver or the taker. They are neither. They are the good people. How do we get across to the people who are involved in corruption who certainly do not attend anti-corruption conferences. That is the real challenge.

I think that in this country, there is a very strong perception that the real problem regarding corruption lies with the politicians and the businessmen, the so-called “big fish”. There is no doubt that compared to neighbouring countries, more “big fish” have been arrested and prosecuted in Malaysia. But, the problem is far from over. The trouble is that civil servants tend to emulate their political masters or what they perceive their political masters are doing. Secondly, amongst the politicians of the opposing camps, there seem to be the attitude: today is my/your turn and tomorrow will be your/my turn depending on which side they are. The bottom line is the same, given the opportunity. If there is any difference, may be it is a matter of degree. That again depends on opportunity.

We talk about business people first. Here two important factors are necessity and greed. Regarding necessity, it may be that there is an unwritten norm or in extreme cases, even demands coming from politicians who in turn are influenced by the same factors: necessity and greed. Then there is greed to secure the tenders and to make as much profit as possible, no matter how. Morality, even lawfulness is irrelevant. How do we change them? That is the real challenge. There is no general election to oust them. As far as the shareholders, the more profit the company makes the better. How many shareholders had ever asked whether a company makes profit legally and morally?

We now come to the politicians. Let me begin by telling you story, a true story and it is not hearsay. I heard it myself from the mouth of the speaker. About three decades ago, an Exco Member in a State who later became a Federal Minister (now deceased), in a conversation, said: *“Of course I make money. I’ll be stupid if I don’t. I worked so hard to be what I am. I don’t know when I’ll be out.”* I think that is the kind of reasoning that plays in the minds of most politicians, across the board. Indeed, with a few states falling into the hands of the other camp, we have already started seeing the same thing happening.

We will look at necessity now. I think that one of the factors is that we have started off our practice of democracy wrongly. We started off by calling "Members of Parliament" "*wakil rakyat*" making the "*rakyat*" think that those "*Yang Berhormats*" are there to serve them, including giving them money when they need it. A veteran politician who had served both at the State and Federal levels told me that it is very distressing when he gets home at 1.00 am, there is still someone waiting for him to ask for money, purportedly to pay for the children's schooling when even text books are given free. Those are the ordinary voters. What about his own workers and supporters who not only work for him during the general election but also during party elections? They have to be taken care of and their expectations too get bigger and bigger by the day.

The expectations from the voters and supporters get higher when the general election is around the corner. At least, the fence sitters, if not the hard core opponents, will also have to be won. While a section of the community expects hand-outs, the more business minded group came with specific demands. Yet, even where the demands are met, there is no guarantee that the votes are forthcoming. Whether the votes were delivered or not, the party needs money to meet the expectations and demands.

For short term gains, unwittingly, we create new problems. Unfortunately, the problems get bigger and remain forever. That is our dilemma.

(Perhaps the only election promise that costs no money and it is a real big promise and a large number of naïve voters believe it, is the promise of paradise. Indeed, the promisor need not fulfil the promise at all because "the maturity date" only comes when the world comes to an end, "*kiamat*" or doomsday. Even then he could still pass the blame to God. The person who invented it must be a political genius!)

Coming back to election expenses, just think of the amount of money spent on banners, posters, flags, stickers, gatherings, *jamuans*, presents, sponsorships, hand-outs and so on. On two occasions I happened to be in the United States on the Presidential Election Day. I did not see a single poster. Similarly I was at The Hague on one general election day. I would not have known about it had my daughter not told me so because there wasn't a single poster, flag or banner around.

We had created the culture. Now we are stuck with it. General elections get more and more costly. Corruption steps in. From what I see, Singapore does not have this problem. So are the developed countries.

If our politicians, both in the government and in the opposition, are really sincere about eradicating corruption, as a first step, I suggest that they should come to an agreement to reduce the wastage and expenditure incurred by them in general elections. If that is done, at least one reason for the need to raise huge amounts of money to finance the election campaigns is removed. Logically, one factor that leads to corruption is removed. Of course, there is no guarantee that other factors may not surface. It does not matter. We'll tackle the problems one by one. We can't change entrenched habits and practices overnight. I am prepared to be the facilitator or mediator (whatever you want to call it) if I am of any use. Of course the Election

Commission must come in. The coming Kajang by-election would have been a good test case. Unfortunately, it is now too close. We'll wait for the next one, a by-election arising from real necessity, not an "artificial" one, I hope. I am concerned about the waste of public funds as well as the need for political parties to raise funds to finance the by-election, which, as I have argued, could be a factor contributing to corruption.

I will stop here and wait for the response. I'll be very happy if one person from a political party responds positively to my suggestion. I will not be disappointed if there is none because that is expected. In that case, if I may borrow the words of Omar Khayyam, "*And out by the same door as in I went*". Penang people put it more simply: "*Pi mai pi tang tu.*"

To all of you, please don't be disappointed. Do what you think is right. Let that be a satisfaction by itself. Anything more is a bonus!

Thank you.

tunabdulhamid@gmail.com
<http://www.tunabdulhamid.my>