



Columns

Wanted: Code of Conduct for MPs

View(s):

If the nagging questions over his marital strife which he said was shared by 95 per cent of this country's people were not enough for him to handle for one week then questions as to his financial affairs raised in the same week concerning his purchases of many valuable properties were enough to make the Sports Minister Mahindananda Aluthgamage come out of his corner charging furiously into the attack.

In reply to a question raised in Parliament last week he told the House that he did not live on the salary he gets as a member of parliament but on his other businesses as well. "None of the MPs could live on their salaries alone," he said. "They all have other businesses and so do I."

Apart from the astounding statement that a minister cannot live on a tax free salary package of over Rs. 300,000 per month which includes free telephone charges, free mobile chargers, free fuel for a convoy of duty free cars, free security guards, freebie lunches, free foreign travel and expenses plus an assured free indexed pension to boot which affluent lifestyle over 95 per cent of the populace, alas, do not have the good fortune to share with him but can only dream of as they struggle in the

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 'THE SUNDAY-BEST SUNDAY SLAM'

bottomless pits of existence to survive eking out a living on the simple, bare necessities of life, the minister's frank admission that he, along with the other members of Parliament who get a package deal of over Rs 200,000 each, cannot live on their parliamentary salaries alone but have to engage themselves in other private businesses to prop the deficit and to tide them over handsomely, even enabling them to buy valuable lands, is indeed revealing and demands inspection.

Not long ago it was the practice for people to contest elections and enter Parliament out of a genuine selfless desire to serve the people and the nation. Many are the instances when such admirable characters had sacrificed their personal wealth and even sold their lands to render service unto their fellow men with no expectations in return save that of honour, good name, and prestige; and, possibly, well balanced and checked power mainly exercised to give effect to their noble aims inspired by a profound sense of altruism.

Today however it is clear to all that those exalted motives have fallen by the way side and instead there has emerged a new breed of cavaliers whose brazen approach to politics is not inspired to serve the public wealth but to serve themselves first, second and last. Thus the minister's candid admission that he is hard put by with his ministerial salary is to be commended since it did not contain the hypocrisy that service to the people was sufficient recompense for the pecuniary penury of his parliamentary income.

But his reference to the need for parliamentary members and ministers to have other businesses to survive these hard times they are perforce to endure raises the vital and justifiable question whether the encumbered duties of the seats they have been elected to occupy conflict with the interest of the financial businesses they pursue simultaneously for their sole profit?

The question becomes even more pertinent when raised in the backdrop of the controversial case concerning the letter issued by the prime minister's office apparently without his knowledge and consent by his politically appointed coordinating secretary ostensibly as a means of granting a favor to a fellow party member. On Wednesday rising to the Prime Minister's defence, Mangala Samarawera of the UNP stated in Parliament, "sending a letter seeking demurrage waiver for a container was not something illegal. When I was the minister of Ports, I, too, received letters daily seeking such concessions."

The LSSP Leader and Scientific Affairs Senior Minister Tissa Vitarana followed suit and declared at a news conference, "not only from PM, people are coming to us as well asking for letters for different purposes. It's the nature of the political arena of this country and even in other countries the situation is no different."

Be that as it may and if it is indeed the culture of the political arena of this country, isn't it reasonable for the public to ask how many such letters may have been issued by ministers or their secretaries at their behest for the benefit of their own businesses or those of their business friends? And isn't it justified for the public to further inquire how much richer those businesses have been made and how much poorer Lanka has been rendered as a result? How many liberal helpings have the members served onto their own over brimming plates from their own silver spoons they solely wield and use at their sole discretion, without their cup of avarice ever running over?

This year has seen a resurgence of government's attempts to introduce a code of ethics for the media. Much in news at the moment is the code of ethics that is proposed for judges. But before all these codes are introduced or even formulated isn't it paramount for the law makers of this country to introduce a code of conduct for themselves, a code of ethics for members of parliament?

The present requirement for members of Parliament to reveal their yearly assets and liabilities does not serve its purpose for the

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public have no right of access and bereft of the much demanded Freedom of Information Act cannot petition the courts to gain details of each minister's acquired wealth. Clothed in the cloak of confidentiality and with an ever helpful Inland Revenue Department looking askance at the glaring evidence of new found wealth lining every carpeted roadway, the corrupt are allowed to escape scot free vested with the liberty and the license to amass more. The right to privacy of financial dealings is not a privilege that can be enjoyed by one assuming public office. The sacred trust demands transparency.

The code of conduct should be based on the lines outlined by the Global Task Force on Parliamentary Ethics (GOPAC) which mentions, amongst others, the following principles: Legislators should not act in such a way as: to place themselves in positions in which they have or could have a conflict of interest; to use their office for private gain; to demean their office or position; to allow their integrity to be called into question; or to endanger or diminish respect for, or confidence in, the integrity of the Government.

A special task force should be set up by Parliament comprising representatives of all parties, along with senior members of the judiciary and other eminent and respected people to formulate the code which also should include the setting up of a business interest register kept at Parliament in which MPs must list out their business interests, shares held in companies, immovable purchase etc and this must be updated at regular intervals. This list must be open to the public and to the media to whom a legal right of access should be granted.

The purpose of such a register is not to make holding such interests illegal but to promote more transparency in Parliamentarians' conduct. The people must have the right to know, for instance, whether a minister is pulling out all stops on having casinos in Lanka because he firmly believes it will fill the nation's coffers or whether he is promoting it because he has business interests in the casino trade.

Even as company directors are required by law to declare their business interest for the shareholders to determine whether it is in conflict with the interests of the company they are directors of, so must ministers be required by a code of conduct to declare their personal business interests so that the people can peruse it and determine whether it is in conflict with the national interest.

As the GOPAC report states, "The purpose of disclosure is to highlight the potential for a conflict of interest.. It means developing a register of all MPs' interests which is periodically updated during the lifetime of a parliament. It is easier for parliamentary authorities to manage, and to identify where MPs have failed to declare an interest. It also constitutes an indispensable element in investigating and prosecuting crimes of corruption."

It must also use a clause, as India adopted last Friday in her own code of conduct, stating that "after taking office, and so long as he or she remains in office, the Minister shall uphold the political impartiality of the civil services and not ask the civil servants to act in any way which would conflict

with the duties and responsibilities of the civil service."

But the code of conduct will be rendered redundant if it is not accompanied by an independent Ethics Committee to inquire into any alleged violation of the code along with the stipulation that all its findings must be open to public scrutiny and be made subject to judicial review. Or else the code of transparency will become another convenient carpet under which all the sleaze deals can be conveniently swept under with the readymade tag "No Violations due to lack of sufficient evidence. Case Closed," enabling the culprits to be acquitted and cleared of all charges.

Good governance demands a code of conduct to be introduced pronto to stop the inevitable slide down the slippery slope to the quagmire of wholesale corruption and mass opposition. For when compared to a corrupt politician's irresistible urge to add another lining to his already richly lined pocket in pursuance of his insatiable want to feed his ravenous appetite, it does not seem such a ludicrous excess to add another hue upon the rainbow or "with taper light to seek the beauteous eye of heaven to garnish."

Turn the Logos into Rhema this Christmas

AND SO this is Christmas but do the majority of the Christians, amidst the Christmas holly and mistletoe, amidst the Christmas tree and the Christmas cards, amidst the stuffed Christmas turkey and mulled Christmas wine, amidst the Christmas carols and Christmas bonbons, amidst the lip service paid to the customary and mandatory Christmas mass dressed in their Sunday Best clothes, spare a Christian thought for what have they done or instead for what they have bought and are about to receive as Christmas presents?

As the Archbishop of Colombo stated on Thursday Christmas has been commercialised by big businesses and the people have forgotten it is a feast dedicated for the poor. Yet, take heart. It is not too late to atone. Celebrate this Christmas practicing Christ's encompassing creed of 'Love thy neighbor. Turn the Logos into Rhema, the Word into action and live Christ in the spirit this Christmas.

Merry Christmas to all!

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