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CORPORATE SCANDALS IN MALAYSIA: A POLITICAL ECONOMY

ANALYSIS OF CORPORATE GOVERNANCE REFORMS

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ABSTRACT

This study is about a paradox: Why is it, despite the extensive corporate governance reforms initiated by the Malaysian government after the 1997 Asian Financial Crisis (AFC), corporate scandals recur in the country? An assessment of this paradox inexorably converges attention on an important phenomenon – power and its concentration in a hegemonic state and its executive arm. This issue, a major gap in the literature about corporate governance, constitutes the focal point of this study. This study will adopt a multiple case study approach, examining four corporate scandals, which include Port Klang Free Zone Project, Sime Darby Berhad, National Feedlot Corporation and Tajuddin Ramli/Malaysian Airline System (MAS) Berhad. Utilizing Sherman's (1978) cyclical scandal-reform logic model, this study will extract cogent thematic areas and analytical perspective of national corporate governance based on political economy and institutionalist thinking underlying the state's failure or reluctance to mitigate the recurrence of corporate scandals in Malaysia.

ABSTRAK

Kajian ini adalah mengenai paradoks: Mengapa, walaupun pembaharuan tadbir urus korporat yang banyak yang dimulakan oleh kerajaan Malaysia selepas 1997 Krisis Kewangan Asia (AFC), skandal korporat berulang di negara ini? Penilaian pada paradoks ini dengan begitu menumpu perhatian kepada fenomena penting - kuasa dan kepekatannya dalam keadaan hegemoni dan cabang eksekutifnya. Isu ini, jurang besar dalam kesusasteraan mengenai tadbir urus korporat, merupakan pusat tumpuan kajian ini. Kajian ini akan menggunakan pendekatan kajian kes berganda, memeriksa empat skandal korporat, termasuk Projek Zon Bebas Pelabuhan Klang, Sime Darby Berhad, National Feedlot Corporation dan Tajuddin Ramli / Syarikat Penerbangan Malaysia (MAS) Berhad. Dengan menggunakan kitaran model logik skandal-pembaharuan Sherman(1978), kajian ini akan mengekstrak tema-tema penting dan analisis atas tadbir urus korporat negara berasaskan ekonomi politik dan pemikiran institutionalist mendasari kegagalan negeri atau keengganan untuk mengurangkan berulangnya.

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LIST OF ABBREVIATIONS

ABD Asian Development Bank
ADW Additional Development Work
AFC 1997 Asian Financial Crisis
AGC Attorney-General's Chambers
AIG American Insurance Group

APRA Australian Prudential Regulation Authority
ASEAN Association of Southeast Asian Nations

ASX Australian Stock Exchange

BCCI Bank of Credit and Commerce International

BLS Bank-led Governance Model
BMF Bumiputera Finance Malaysia

BN Barisan Nasional
BOD Board of Directors
CBT Criminal Breach of Trust
CEO Chief Executive Office

CLERP 9 Australian Corporate Law Economic Reform

Program

CPI Corruption Perception Index
EMS Market-based Governance Model
EPF Employees' Provident Fund
ETP Economic Transformation Plan
FBS Family-based Governance System

FDI Foreign Direct Investment
FPI Foreign Portfolio Investment
GDP Gross Domestic Product
GFC 2008 Global Financial Crisis
GFI Global Financial Integrity
GLC Government-Linked Company

GLIC Government-Linked Investment Company

GTP Government Transformation Plan HLFC High Level Finance Committee

IPO Initial Public Offering

IQSIndependent Quantity SurveyorIRGImplementation Review GroupJAFZAJebel Ali Free Zone AuthorityJAFZIJebel Ali Free Zone International

JPPH Valuation and Property Service Department

KDSB Kuala Dimensi Sendirian Berhad KLCI Kuala Lumpur Composite Index

KMT Kuomintang

KPPL Koperasi Pembanguan Pulau Lumut Berhad

KUB Koperasi Usaha Bersatu Berhad LTAT Lembaga Tabung Angkatan Tentera

MARA Council for the Advancement of Indigenous Races

MAS Malaysia Airlines System Berhad MCA Malaysian Chinese Association

MCCG Malaysian Code on Corporate Governance

MIC Malaysian Indian Congress

MMC Mitsubishi Motors Corporation

MOAMinistry of AgricultureMOFMinistry of FinanceMOTMinistry of Transport

NACD National Association of Corporate Directors

NDP National Development Policy

NEM New Economic Model
NEP New Economic Policy
NFC National Feedlot Center
NFCorp National Feedlot Corporation
NIE New Institutional Economies
NYSE New York Stock Exchange

OECD Organization for Economic Co-operation and

Development

PAC Public Accounts Committee PCF Politically-Connected Firms

PCG Putrajaya Committee on Government Linked

Companies

PKA Port Klang Authority
PKFZ Port Klang Free Zone

PNB Perbadanan Nasional Berhad
PPB Konsortium Perkapalan Berhad
PTP Perlabuahan Tanjung Pelepas
PwC PricewaterhouseCoopers

RM Ringgit Malaysia S&P Standard & Poor's

SEDC State Economic Development Corporation

SMPSecond Malaysia PlanSNAPSarawak National PartySOEState-owned Enterprise

SOSCO National Social Security Organization of Malaysia

SPDP Sarawak's People Democratic Party

TH Pilgrimage Fund Board
TI Transparency International
UDA Urban Development Authority
UEM United Engineers Malaysia Berhad
UMNO United Malays National Organization

USD United States Dollar

WBA Whistle Blowing Act 2010 WBGB Wijaya Baru Global Berhad

WBHSB Wijaya Baru Holdings Sendirian Berhad