

CONSTITUTIONAL LAW AND HUMAN RIGHTS IN MALAYSIA

Selected Issues



KHAIRIL AZMIN MOKHTAR

IIUM PRESS
INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA



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**EDITOR
KHAIRILAZMIN MOKHTAR**

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HUM Press

Published by:
IIUM Press
International Islamic University Malaysia

First Edition, 2011
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Perpustakaan Negara Malaysia

Cataloguing-in-Publication Data

Khairil Azmin

Constitutional Law and Human Rights in Malaysia: Selected Issues
Khairil Azmin

ISBN: 978-967-0225-75-3

Member of Majlis Penerbitan Ilmiah Malaysia – MAPIM
(Malaysian Scholarly Publishing Council)

Printed by :
IIUM PRINTING SDN. BHD.
No. 1, Jalan Industri Batu Caves 1/3
Taman Perindustrian Batu Caves
Batu Caves Centre Point
68100 Batu Caves
Selangor Darul Ehsan

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CHAPTER ELEVEN

The General Principles of Good Governance in Public Administration in Malaysia: A Judicial Approach*

*Ibrahim Bin Ismail***

Introduction

The expression 'good governance' has been constantly used lately in both public sector as well as private sector. In the context of a private body it should be within the framework of the statute, which governs the body and also its constitution. In the public sector, it means that the administrators should not abuse and misuse the power given to them. They are regarded as the trustees of the public at large. The focus of this paper is on good public governance in the public sector or to be exact, good governmental administration as interpreted by the judiciary especially through its judicial review power.

It would be wise for this paper to elaborate on certain key words appearing in the topic. The word 'governance' comes from the word 'govern' and has several meanings. First, it means rule by authority; conduct policy and affairs of State; and secondly, the activity or manner of governing; action, manner, power of governing. Technically, governance means the process of decision-making and the process by which decisions are implemented (commission) or not implemented (omission). Legally, it means the management and administration of a body should be within the boundary of legal frameworks.