

# INTEGRITY IS COURAGE: LESSONS FROM THE JUDICIARY FOR CORPORATE LEADERSHIP

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## INTRODUCTION

Assalamualaikum                      warahmatullahi  
wabarakatuh and a very good evening.

It is a distinct honour to be invited to the PETRONAS Leadership Centre. When I first received the invitation to address the Group Procurement Managers, I admit I paused to consider the nexus between our two worlds. Although no specific topic was assigned, I noted your general theme of Leadership and Transformation.

To highlight the parallels between our roles, I have taken the liberty of titling my address: “Between the Gavel and the Gatekeeper: Leadership, Integrity, and the Art of Transformation.” This, in my view, enabled me to draw out the key parallels between our two worlds. I spent my judicial career dealing with statutes, constitutional interpretation, and the liberty of the subject. You deal with vendors, complex supply chains, and commercial value. I dealt with the currency of justice; you deal with the currency of the nation. As I reflected on the connection between the Judiciary and Procurement, I realised the distance is not so great after all. In the Judiciary, we are the intended gatekeepers of the Rule of Law. In Procurement, you are the gatekeepers of corporate governance. We both are in the seat of judgment. We are thus decision-makers in our contexts.

I wish to share my reflections on the burden of leadership during turbulent times. My address will focus on three indispensable pillars that define a culture of effective leadership: the agility of Transformation; the discipline of Managerial Capability; and above all, the courage of Integrity.

## LEADERSHIP AND TRANSFORMATION – THE DIGITAL SHIFT

Let us begin with Transformation. There is a common misconception that the Law is static — meaning that it sits in leather-bound books, unchanging and immovable. While legal principles are indeed timeless, the administration of justice must move with the times. If it does not, it becomes irrelevant.

During my tenure as Chief Justice, the Malaysian Judiciary faced one of its greatest tests: the COVID-19 pandemic. We were an institution steeped in centuries of tradition. The image of the court was physical: the wood-panelled room, the physical presence of the accused, the face-to-face advocacy. When the lockdowns began, we faced a critical choice. We could pause the machinery of justice and wait for the storm to pass — which would have led to a catastrophic backlog and the denial of rights to those in custody. Or, we could do the unthinkable: we could take the courtrooms further into the digital world.

We chose the latter. We accelerated the implementation of e-Kehakiman and moved to remote hearings.

I share this because I know many of you face similar friction. When you introduce a new procurement system, an AI-driven analytics tool, or a digital compliance framework, you likely hear the same voices I heard: “This is not how we do things,” or “The old way was safer.” Transformation requires the courage to identify and remove what is obsolete. In the landmark decision of *Lai Hen Beng*,<sup>1</sup> the Federal Court judicially repealed Section 498 of the Penal Code. This was a pre-Merdeka law that treated women as the property of their husbands.

We declared it unconstitutional because it violated Article 8(2) of the Federal Constitution regarding gender equality. We did not simply amend it; we judicially repealed it within the bounds allowed by the Federal Constitution because section 498 was entirely inconsistent with the Federal Constitution’s guarantees against gender-based discrimination. I think this was most fitting because in any event, section 498 was, as observed, an archaic relic of a bygone era.<sup>2</sup> I draw this parallel for you: In your transformation journey, you too will encounter “section 498s” in your procurement manuals — archaic processes or rigid habits that no longer serve the modern objectives of efficiency and sustainability. Leadership is the courage to repeal them. It is the refusal to accept “impossible” as an answer.

For PETRONAS, as you navigate the energy transition and volatile global markets, your procurement processes cannot be rigid. You must remain agile and flexible. But remember this: we did not digitise the courts merely to make the job easier for the Judges – although that was one benefit; we did it to make the system

better for the public, to ensure access to justice remained uninterrupted. Similarly, your transformation must not just be about cutting costs or speed – although those maybe attendant benefits; it must primarily be about serving the ultimate objective of the organisation — sustainability and value creation — more effectively. And, to some extent: as PETRONAS is a government-linked corporation, your efforts will no doubt trickle down in some form or another to the public.

## **MANAGERIAL CAPABILITY – THE JUDICIAL MINDSET**

This brings me to the second pillar: Managerial Capability. Often, in large organisations, we mistake managerial capability for technical competence. We assume that if someone knows the financial regulations or the supply codes, they are a capable manager. But true capability is defined by decision-making.

Both areas are giants in their own respects and honestly speaking, we very often meet those who are gifted in technical know-how or very skilled in decision making. But, rarely do we find a person who is adept at both. That is merely a fact but not an excuse because limited as we maybe in one field or the other, we must nonetheless strive to do our best.

In the courts, one of our greatest enemies is backlog. Justice delayed is justice denied. As Chief Justice, my role was not only to hear appeals, but to manage the “docket” of the nation — to ensure that cases moved efficiently without sacrificing the quality of our judgments throughout the country. I see a direct parallel here. You, as procurement managers, are constantly balancing two opposing forces: Speed and Scrutiny. If you are too slow, businesses suffer; operations stall. If you are too fast, you risk oversight, non-compliance, or

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<sup>1</sup> *Lai Hen Beng v Public Prosecutor* [2024]

<sup>2</sup> *Ibid.*, at [100]

awarding contracts to entities that cannot deliver. How did we, in the Courts, manage this? We did it through what I call the 'judicial mindset,' which is anchored in reasoned decisions.

More than 2,400 years ago, the philosopher Socrates identified the qualities of a good judge: "To hear courteously; to answer wisely; to consider soberly and to decide impartially." To this, my predecessor, the late Tun Dzaiddin Abdullah, added a fifth quality: "to discount whatever prejudices, whether they relate to race, religion or politics." I urge you to adopt these Socratic qualities in your procurement decisions. When you evaluate a tender, do you hear the proposal courteously? Do you consider the risks soberly? And most importantly, do you decide impartially, discounting prejudices regarding the size or origin of the vendor?

It is my view that when you consider these factors, you reduce the risks of overlooking important factors but at the same time, speed up the process of decision-making by limiting your mind to whatever is strictly necessary while leaving out what is not. Managerial capability is the discipline of documentation and the courage of conviction. It is easy to make a popular decision; it is much more difficult to make a sound one. There were times I had to make administrative decisions regarding the empanelling of judges or the prioritisation of cases that were unpopular within the fraternity.

In fact, those Judges who accepted quite early, for example the idea that you cannot make everyone happy are much happier in their judicial career. There will always be a losing party and even if neither of them makes a fuss, there will always be members of the public, society, or politicians who think you should have decided differently. Particularly in cases of public interest, some lay members of the public who disagreed with the court's

decision suddenly think that they know the law better than the judges and the lawyers.

So, in that sense, leadership is not a popularity contest. It is a fiduciary duty. You must have the capability to look at the facts dispassionately. In the courtroom, we say we must decide "without fear or favour." In the boardroom, you must decide without fear of internal pressure or favour towards familiar vendors. That is the essence of capability.

## **INTEGRITY – THE GAVEL AND THE CONSCIENCE**

Finally, I must touch upon the most vital aspect of our shared burden: Integrity. We often speak of integrity intuitively, defining it as compliance with the law or the procurement manual. But integrity is far more profound. It is composed of two equally significant and interrelated components. The first component is internal; it concerns our conscience. The second component is our response to external factors. It is in navigating these external stimuli — political winds, personal biases, and the relentless pursuit of profit — that the strength of our integrity is truly revealed.

I faced the ultimate test of this external resilience during my tenure. There were moments when the Judiciary was forced to make decisions that were unpopular, controversial, and politically charged. I am still criticised for some of these decisions till today and probably till I am long gone. Even so, the test for me was knowing that I did what I think was right based on reason and principles and the idea that I should sleep well at night.

In the cases of Nik Elin,<sup>3</sup> and SIS Forum,<sup>4</sup> the Federal Court struck down certain State enactments. We did so not because we opposed the precepts of Islam, but because the State Legislatures had transgressed their constitutional limits. They had enacted criminal laws that were the exclusive domain of the Federal Parliament. These decisions were purely about legislative competency and the supremacy of the Federal Constitution. Yet, the narrative was spun viciously. I was labelled an enemy of Islam. My faith was called into question. I was accused of degrading Islamic law. These attacks were painful, but they were ‘fitnah’. They were attempts to use the sacred religion of Islam as a political excuse to justify legislative overreach.

Despite the vitriol, I maintained my stand. Why? Because a judge’s loyalty is to the Federal Constitution, not to the applause of the gallery. As I said in my final Opening of the Legal Year speech in January 2025: “I wake up every day praying that Allah accepts my ‘ibadah. It is not for me to question the faith of others, and I will not stoop to the level of those who question mine.” My conscience was clear because my decision was based on the law, not on sentiment.

I share this with you because you, as procurement leaders, face your own version of this pressure. You will encounter situations where you must reject a tender from a vendor who is politically connected or influential. You might be pressured to overlook non-compliance because “this bidder is important to us.” You might be vilified or accused of being “difficult” or “anti-business” for enforcing governance.

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<sup>3</sup>Nik Elin Zurina bt Nik Abdul Rashid & Anor v Kerajaan Negeri Kelantan [2024] 2 MLJ 150.

<sup>4</sup>SIS Forum (M) v Kerajaan Negeri Selangor (Majlis Agama Islam Selangor, intervener) [2022] 2 MLJ 356.

In those moments, remember this: Integrity comes first. You must do what is right, no matter who the bidder is. Just as we could not allow the State to usurp Federal powers even under the disguise of the noble religion of Islam, you too cannot allow a vendor to bypass governance even under the banner of “strategic importance”. Integrity is not merely the absence of corruption. It is the presence of courage. It is the courage to say “No” when “Yes” is the easier path.

In Sahih Muslim, it is narrated that Abu Jahl, observing the Prophet Muhammad (SAW) praying at the Kaabah, asked his people, “Does Muhammad sully his face with dust in your presence?” When they replied yes, Abu Jahl swore by his idols, Lat and Uzza, that he would tread upon Rasulullah SAW’s neck and cover his face with dust.<sup>5</sup> He approached Rasulullah SAW to do just that. But suddenly, he turned on his heels and retreated, shielding himself with his hands. When his people asked what happened, Abu Jahl said, “I saw between me and him a ditch of fire, and terror, and wings.” Rasulullah SAW later said, “If he had come near me, the angels would have snatched him away limb by limb.” Abu Jahl acted with impunity because he possessed what he thought was great worldly power. He forgot the ultimate witness – Allah. As Allah revealed in verse 14 of Surah Al-Alaq regarding this very incident:<sup>6</sup>

*“Does he not know that Allah sees?”*

This question is the ultimate test of integrity. Integrity is doing the right thing even when no one is watching, for verily, even when no one is watching, Allah sees, just as Allah watched Abu Jahl. Let us not

<sup>5</sup> Sahih Muslim (2797) (Book 52, Hadith 21), available here.

<sup>6</sup>Al-Quran, 96:14.

be like Abu Jahl, arrogant in our power, thinking our hidden misdeeds will go unnoticed. Remember that when we do the wrong thing, thinking we are unobserved in a closed meeting room or a private negotiation, Allah is watching and will call us to account for it one day.

Even when you are met with rebuke for doing the right thing — when you are pressured or scorned for rejecting a non-compliant tender — remember that the scorn you face from human beings can never even come close to the calamity of the scorn you might face against Allah. That was and remains my motto. Come what may in this world, I live for the next. Insya Allah.

## CONCLUSION

To conclude, in the courts, the scales of justice represent the weighing of evidence. In your world, you weigh cost against quality, speed against risk, immediate gain against long-term sustainability. But the hand that holds those scales must be steady. It cannot tremble in the face of pressure.

As you move forward into the future, tackling new challenges in leadership and transformation, I ask you to view your role differently. Do not see yourselves merely as managers of spending. See yourselves as Guardians of Value and Stewards of Trust. The legacy of a Judge, including a Chief Justice, is found in the judgments left behind — do they stand the test of time? Do they uphold the law without compromise? The legacy of a Procurement Manager is found in the contracts you build — do they create sustainable value? Are they built on a foundation of ethics that enhances the reputation of this great organisation?

I have every confidence that this group possesses the capability, the vision, and the integrity to lead that transformation. When you sign a procurement order, remember that you are not just spending

money. You are casting a vote for the kind of company — and the kind of country — you want to build. And I pray that the Almighty will guide each and every one of you to remain steadfast in doing what is right for Petronas and the country.

Thank you.