

# Governments, NGOs and Anti-Corruption

The new integrity warriors

*Edited by*

**Luís de Sousa, Peter Larmour  
and Barry Hindess**



Routledge/ECPR Studies in European Political Science

# Governments, NGOs and Anti-Corruption

The purpose of this book is to understand the rise, future, and implications of two important new kinds of ‘integrity warriors’ – official anti-corruption agencies (ACAs) and anti-corruption NGOs – and to locate them in the wider context and history of anti-corruption activity.

Key issues of corruption and anti-corruption are discussed in an integrated and innovative way through a number of country studies including Taiwan and South Korea, South East Europe, Fiji, Russia and the Baltic States. Some of the questions used to examine the development of new anti-corruption actors include:

- In what context were these born?
- How do they operate in pursuing their mission and mandate?
- How successful have they been in relation to expected results?
- To what extent are governmental and non-governmental actors aware of each other and how far do they cooperate towards the common goal of fighting corruption?
- What explains the shift in emphasis after the end of the Cold War, from national to international action?

*Governments, NGOs and Anti-Corruption* will be of interest to students and scholars of corruption, public policy, political science, developmental studies, and law.

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**To the memory of Véronique, for her friendship and courage**



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# Foreword

*Yves Mény, President of the European University Institute*

The volume edited by de Sousa, Larmour, and Hindess sheds fresh light on the field of corruption politics, or rather on the less-explored area of anti-corruption strategies, policies, and groups. The authors are very conscious of the universality of corruption both in terms of time and space, but at the same time are slightly puzzled by the outburst of corruption over the past 20 years or so. It is difficult to find a convincing explanation capable of covering the multifaceted dimensions of this worldwide phenomenon. I will try myself to offer a few hypotheses which need to be empirically checked.

First, most attention is focused on corruption between public authorities and private persons and companies, and much less between private actors only. Corruption is primarily perceived as the violation of the red line separating public and private interests. If we accept this observation, it might be possible to infer that corruption is offered new opportunities when the relationship between state and market changes (which has dramatically happened recently). The more drastic the crossing of the line, the more sensitive the corruption issue. The hollowing out of the state and the corresponding rise of market values have offered a splendid opportunity for corruption because of the uncertainty about the respective roles of state and market. This is furthermore accentuated when the redefinition of rules, roles, and practices occurs abruptly, as has happened in Russia and China and in many developing countries.

A second hypothesis might be linked to the growing gap between formal rules and institutions on the one hand and values and principles on the other hand. A kind of vicious circle is developing: more and more institutions and practices are imposed rather than chosen by interested parties. Democracy and good governance are desirable objectives but they are also straitjackets imposed from outside by powerful actors (the US, the European Union, the former colonial powers, the international organizations). In many cases, while paying lip service to these beautiful concepts, political regimes lack the substantive understanding or practices that are at the heart of democracy and good governance. Corruption runs parallel to the formal rules. The vicious circle starts when the external mentors require further checks, controls, and punishment which in their turn offer further opportunities for cheating and misbehaviour.

A third hypothesis is related to the ongoing globalization process. Globalization as such should not be a factor of corruption. On the contrary, it favours transactions, opens new opportunities, increases competition, etc. However, the actual situation is a bit different given the huge imbalances and differences between actors in terms of power, influence, wealth, regulatory or fiscal constraints, etc. Corrupted actors play on a larger field using the facilities created by fiscal paradises, the cynicism of some politicians, the weakness of bureaucratic ethics in many countries, etc. In such a context, there is a big risk that competition characterized by such differences in rules and values ends up in a 'race to the bottom'.

International bodies might bark a lot; but they do not bite much. Paradoxically they have contributed to making corruption practices more sophisticated and complex. Most governments and large corporations wish to present themselves with clean hands to avoid negative perceptions at the international level. In practice, the music is different. The dirty job is done by local companies, offshore accounts, consultants and intermediaries. Hypocrisy has reached a climax, as recent 'affaires' testify. How is it possible for a company such as Siemens to claim it knows nothing of the use of hundreds of millions of Euros? How is it possible that the British government refuses any investigation into the BAE dealings involving Saudi Arabian rulers? How is it possible that so many billionaires have popped up in Russia and in the Third World in so few years? But globalization has also brought to the fore social and political movements that act globally as anti-corruption fighters. In principle, we should rejoice that international mobilization combining powerful networks with the use of modern technology and the media is directed against corruption practices. However the results are more problematic.

On one side of the coin there is the relative impotence or incapacity of these movements to seriously reduce the level of corruption. On the other side, we have to acknowledge that the anti-corruption organizations are a mixed bag of activists propped up by very different motivations and objectives. There are pure idealists who combat corruption whatever the consequences might be. There are others who have less pure ideals and use the anti-corruption motto as a tool to push elites out of power. This can be observed in many European countries, for example, where the anti-corruption stance has been a favourite of extreme-right or populist parties. If there is any common denominator between the otherwise extremely heterogeneous protest parties, it is the denunciation of corrupted elites. Populism has flourished with these anti-corruption campaigns and can be considered as one of the collateral damages inflicted on Western democracies.

In the developing countries, the pressures of the anti-corruption groups have neglected not only the local cultures and traditions which might have different views about the distinction between private and public, conflict of interests, and corruption – all concepts born out of the Western culture over centuries – but they have also imposed rules and regulations not sufficiently

backed by the interested parties. This does not mean that anti-corruption policies should not be put in place. In fact, when it comes to deficient implementation, anti-corruption policies are not an exception. There is no chance that a policy can be fully implemented if it is not understood, accepted, and made their own by those who are supposed to put it in force. Most of the time anti-corruption policies conceived without prior and careful consideration of these implementation requisites have not only resulted in total failure, they have contributed to further destabilize fragile administrative and political systems. As the French put it, *le mieux peut être parfois l'ennemi du bien*.

## Series editor's preface

Being against corruption is a bit like favouring sunshine over rain. Most people agree that corruption is a bad thing and should be avoided. However, this does not necessarily mean that all anti-corruption measures and all anti-corruption activists are necessarily benign and pursue exclusively uncontroversial goals. What is more, there are always unintended side effects, and even the most good-willing campaigner may eventually realize that their well-minded campaign has led to rather undesirable outcomes. This is, in a nutshell, the theme of the present volume which takes a sceptical look at the politics of anti-corruption around the globe. It focuses on anti-corruption activities by NGOs, government agencies, and international organizations like the World Bank, the United Nations or the OECD.

As the editors rightly point out in their introduction, the frequently used terminology of a 'war on corruption' invokes a claim to moral superiority that may, in some cases, not be without dangers for liberal societies. Furthermore, there is a general problem with the legitimacy of self-appointed campaigners for the common good – but this is clearly an issue all NGOs and (new) social movements share. They tend to benefit from a high level of public support if they choose a generally accepted cause. As a matter of fact, they are often regarded as morally superior compared to governments or, even more so, industry. Yet, they frequently receive large donations from international organizations, corporate donors, and national governments which may (in some cases) raise questions concerning their independence.

This volume addresses those and other questions by focusing on the shift from national anti-corruption activities to an internationalization of anti-corruption efforts which can, to a degree, be regarded as the inevitable consequence of the growth of global governance structures. How do national anti-corruption agencies (ACAs) and NGOs work and how do they interact? How successful are their efforts? And, importantly, what are the unintended (or intended) side effects of their activities?

Naturally, any discussion of these questions requires a clear conceptualization of corruption, which is a complex and multi-faceted phenomenon with different shades of grey indicating (rather than clearly marking) the boundary to legal and legitimate exchanges like lobbying.

Intimately related to these conceptual problems is the simple question whether corruption has indeed become more widespread. Alternatively, our impression that there is more corruption out there may simply be the result of an issue attention cycle. Furthermore, it may also partially be due to the activities of an 'anti-corruption industry' which aims at ensuring its organizational survival by drawing public attention to its cause – or, indeed, inflating it.

Clearly, this is not to say that anti-corruption activities should be regarded with principled suspicion, and the contributors to this volume are far from doing so. Nevertheless, they draw our attention to a range of highly relevant problems, including the inherently ambivalent nature of anti-corruption efforts. This is shown, for example, by the fact that they are often linked to wider campaigns for economic liberalism and representative democracy while the Communist parties of Vietnam and China, on the other hand, instrumentalize anti-corruption campaigns as a means to secure the control over state, economy, and society.

In addition, there are a number of undesirable side effects of anti-corruption campaigns which deserve more attention. They are likely to lead to additional layers of supervision which may limit the effectiveness of public administration because they inevitably involve the introduction of additional paper trails and sometimes cumbersome checks and controls. Daniel Smilov argues that there is a danger that excessive emphasis on anti-corruption breeds cynicism with economic and political elites in transition countries in Eastern and Central Europe. These are but two examples that show that a differentiated account of the politics of anti-corruption is appropriate. This extends also to the actors themselves who frequently thrive on the moral superiority that flows from being regarded as challengers to the established political machinery. Yet, as Steven Sampson forcefully argues, Transparency International is not a movement but a professional agency depending on donors, and a considerable share of the money comes from within the established political and economic machinery.

To be sure, a volume such as this cannot provide conclusive answers to all the questions raised, but it certainly represents an important stepping stone to improving our understanding of the complex nature of the politics of anti-corruption.

Thomas Poguntke, Series Editor  
Bochum, May 2008

# Preface and acknowledgements

Like many edited books, this one has a diverse and complex origin. At one level, it results from a research project on 'Transparency International and the Problem of Corruption' funded by the Australian Research Council and coordinated by Barry Hindess and Peter Larmour (both of the Australian National University) with the collaboration of Luís de Sousa (currently at RSCAS/EUI, Italy) who was Research Associate on the project in Canberra during 2004–05. We are very grateful to Peter Rooke of Transparency International, to his colleagues in TI Berlin, particularly Robin Hodess, and to participants at a TI AGM in Nairobi, who agreed to be interviewed for the project.

However, most of the book's contents derive from papers presented by the stimulating group of younger scholars and established authorities in the field of anti-corruption studies who joined us at two scholarly gatherings in the first half of 2006: *The International Anti-Corruption Movement*, coordinated by Luís de Sousa and Barry Hindess, Workshop 2 at the ECPR Joint Sessions in Nicosia 25–29 April 2006; and second, the international workshop *European Anti-Corruption Agencies: protecting the Community's financial interests in a knowledge-based, innovative and integrated manner* organized by Luís de Sousa, in collaboration with Peter Larmour, with the support from the Hercule Grant Programme of the European Anti-Fraud Office (OLAF) in Lisbon, 17–19 May 2006.

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An earlier version of Chapter 1 appeared in *Third World Quarterly* (26(8), 2005), and parts of Chapter 8 are drawn from a paper in the Pacific Islands Policy Series published by the Pacific Islands Development Program at the East-West Center in Hawaii <<http://www.eastwestcenter.org/publications/series/>>.

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We are grateful to the Editors of *TWQ* and the Pacific Islands Policy Series for permission to reproduce their material here.

Last, but not least, a special thanks to all the contributors for their interest and effort in helping us to put together this book. Without their precious contributions this collective work would have not been possible.

# Abbreviations

ABA	American Bar Association
ABC	Australian Broadcasting Corporation
ACA	anti-corruption agency/agencies
ACC	Anti-Corruption Commission
ACMG	Anti-Corruption Monitoring Group
AGM	annual general meeting
AICPA	American Institute of Certified Public Accountants
AMM	Annual Members' Meeting (of TI)
AusAID	Australian Agency for International Development
BPI	Bribe Payers' Index
CBO	community-based organization
CEE	Central and Eastern Europe
CEO	chief executive officer
CIDA	Canadian International Development Agency
CLD	<i>Corporación Latinoamericana para el Desarrollo</i>
CPI	Corruption Perceptions Index
CPIB	Corrupt Practices Investigation Bureau
CPV	Communist Party of Vietnam
CSO	civil society organization
DANIDA	Danish International Development Agency
DFID	Department for International Development (UK)
DMP	Democratic Progressive Party
DNA	National Anti-Corruption Department (Romania)
DPP	Democratic Progressive Party (Taiwan)
DPPT	<i>Dirección de Planificación de Políticas de Transparencia</i>
EBRD	European Bank for Reconstruction and Development
ECPR	European Consortium for Political Research
ESCAP	United Nations Economic and Social Commission for Asia and the Pacific
EU	European Union
FCPA	Foreign Corrupt Practices Act
FDI	foreign direct investment
FICAC	Fiji Independent Commission Against Corruption



G8	Group of Eight (the G8 is an annual summit meeting that brings together the leaders of Canada, France, Germany, Italy, Japan, Russia, the United Kingdom, and the United States. In addition, the European Union participates and is represented by the president of the European Council and the President of the European Commission, but it cannot host or chair the forum)
GCR	Global Corruption Report
GNP	gross national product
GRECO	Group of States Against Corruption
GTZ	<i>Deutsche Gesellschaft für Technische Zusammenarbeit</i>
IACC	International Anti Corruption Conference
ICAC	Independent Commission Against Corruption (in various countries)
IG	Inspector General
IGO	international government organization
IMF	International Monetary Fund
INDEM	Information Science for Democracy
INGO	international non-government organization
IPSIG	Independent Private Sector Inspector General
ISO	International Organization for Standardization
JTInstitute	Jon Tönisson Institute
KICAC	Korea Independent Commission Against Corruption
KMT	<i>Kuomintang</i>
LAC	Latin American countries
LAWASIA	The Law Association for Asia and the Pacific
LDC	Less/Least Developed Countries
MC	Multinational Corporation
MENA	Middle East and North Africa
MJIB	Ministry of Justice Investigation Bureau
MOJ	Ministry of Justice (Taiwan)
MP	Member of Parliament
MSI	Management Systems International
NAK	<i>Natsional'nyi Antikorrupsionnyi Komitet</i>
NATO	North Atlantic Treaty Organization
NC	National Chapter (of TI)
NGO	non-governmental organization
NHS	National Health Service (UK)
NIS	National Integrity System
NLTB	Native Land Trust Board
NMSII	National Movement Simeon II (Bulgaria)
NORAD	Norwegian Agency for Development Cooperation
OCMPIC	Organized Crime and Money Politics Investigation Center (Taiwan)
OCTF	Organized Crime Task Force

OECD	Organisation for Economic Co-operation and Development
OLAF	European Anti-Fraud Office
OSCE	Organization for Security and Co-operation in Europe
PACO	Programme against Corruption and Organised Crime in South-Eastern Europe
PAM	Permanent Active Member (of TI)
PCAC	Presidential Commission on Anti-Corruption (Korea)
PHARE	Poland and Hungary: Assistance for Restructuring their Economies
PMU	Project Management Unit
PWD	Public Works Department
SDL	<i>Soqosoqo Duavata ni Lewenivanua</i> (United Fijian Party)
SFO	Serious Fraud Office
SIDA	Swedish International Development Cooperation Agency
SIS	Special Investigation Service (Lithuania)
SME	small to medium enterprises
SPAI	Stability Pact Anti-corruption Initiative
SRV	Socialist Republic of Vietnam
TAN	Transnational Advocacy Network
TI	Transparency International
TILAC	TI Latin American and Caribbean group
TI-S	TI Secretariat (Berlin)
TVR	Television Romania
U4	Group Utstein-group (initially (1999) composed of four development agencies MinBuZa (the Netherlands), GTZ (Germany), Norad (Norway), and DFID (UK). CIDA (Canada) and Sida (Sweden) joined in 2005, BTC (Belgium) in 2008)
UK	United Kingdom
UN	United Nations
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Programme
US	United States of America
USAID	United States Agency for International Development
VDR	Vietnam Development Report
WB	World Bank
WEF	World Economic Forum

