



STRATEGIES, SYSTEMS AND SOLUTIONS

Initiatives to improve standards of governance worldwide have until recently overlooked what promises to be the most significant approach of all: the systematic and conscious reshaping of a country's national integrity system. Even the expression is of recent origin, having emerged from discussions within the anti-corruption movement and widely popularized by development agencies.¹

Although the basic concepts and foundations of an integrity system need to be clearly understood, it is equally important that solutions be grounded in reality. More than this, a particular solution must relate to other parts of the overall system; hence the need to adopt a holistic approach. Many anti-corruption strategies have failed because they have been too narrowly focused. There are no simple solutions and no “magic bullets.”

SOME NATIONAL STRATEGIES

Lithuania's legislature, the Seimas, adopted a national anti-corruption program in January 2002 containing measures to be implemented during a long-term period between seven and ten years. The overall objective of the strategy is to reduce the level of corruption to the point where it no longer undermines social, economic and democratic development.

The program includes three main elements – corruption prevention, investigation and enforcement, public education – which are to be implemented in parallel, without giving priority to any of one of them. The program also establishes provisions for increasing the effectiveness of investigations of corruption, for involving society in combating corruption, and for the development of anti-corruption teaching programs.

All the active political parties cover the corruption issue in their own policy documents. The Seimas regularly receives reports from legal and other institutions (e.g. the custom department) and passes resolutions obliging the executive to implement specific anti-corruption measures. The anti-corruption measures themselves occupy an important place in the government's own agenda. The presi-

dent addresses the corruption issue in each of his annual addresses.

These issues are well covered by the media, which also highlights significant corruption cases. Often the media itself exposes corrupt officials and investigates the spread of corruption within various institutions. The Lithuanian media enjoys broad freedoms, and is not censored.²

The country strategy calls for increased transparency in the funding of political parties as well as improving the current system of land acquisition. Corruption-prone sectors are targeted and remedial measures provide for the curbing of political corruption, administrative corruption (including corruption in tax and customs, public procurement and privatization, health care and law enforcement). It is not a static document and may be reviewed, if necessary, every two years.³

In Hungary, a national action plan to curb corruption has been developed as part of the UN's Global Programme against Corruption⁴ pilot project. It is intended to serve as a model for other newcomers to the European Union. The anti-corruption measures are aimed at integrating national level specifics with the EU regional requirements and the United Nations' global approach.

Romania's action plan is also driven in part by the prospect of EU accession (anti-corruption measures are examined as in the context of the “Copenhagen Criteria”⁵ by which preparation for accession to the EU is assessed). In 2001, it established a National Committee for the Prevention of Criminality, within which a central group is responsible for the implementation of two programs, entitled The National Programme for Prevention of Corruption and The National Action Plan against Corruption.

The multi-pronged Romanian strategy targets sectors and other areas vulnerable to corruption. For example, the judicial reform program focuses on:

- *building a competent legal profession*
- *ensuring that the appointment and promotion of magistrates is both fair and independent*

- *ensuring that universities adopt ethics programs.*

The reform of public administration and management is based on the decentralization of public services and seeks to streamline and simplify administrative regulations and to strengthen the oversight roles played by the judiciary, audit organizations and ombudsmen. The National Programme also targets corruption in political activities and conflicts of interest, as it seeks to regulate and restrict both parliamentary immunity and political party financing.

The Romanian action plan is fortified by an ability to appoint a specialised anti-corruption group on the request of the Prosecutor's Office. The group, modeled on Spain's independent Anti-Corruption Special Prosecutor's Office, investigates claims of corrupt behavior and bribery allegations.⁶

A NATIONAL INTEGRITY SYSTEM

It is generally accepted that modern government requires accountability. Without it, no system can function in a way that promotes the public interest, rather than the private interests of those in power.

Basically, the task in developing countries and countries in transition, is to move away from a system which is essentially top-down; one in which an autocratic ruling elite gives orders which are followed, to a greater or lesser degree, by those down the line. The approach is to move instead to a system of "horizontal accountability", one in which power is dispersed, where no one has a monopoly, and where each person is separately accountable. The process is not new. It is one which industrialized countries have also experienced on their way to attaining a modern form of government.

In such a system, there must be a free press. But the press must respect certain limits imposed by law – for example, avoiding defamatory attacks on individuals. For even a free press is accountable, not only perhaps to a press council (which may or may not be a statutory body) but also, and ultimately, to the courts. For their part, the courts are no longer servants of the ruling elite, but rather act with independence and enforce the rule of law, and the rule under the law. Yet such independence is

not absolute. Judges are answerable for their individual decisions through a system of appeals, and each judge is accountable to another body, be it a legislature or a judicial services commission, for his or her integrity.

That body, in turn, is generally accountable to a legislature, and, thus, ultimately, to the people through the ballot box. The system of "horizontal accountability" results in a so-called "virtuous circle:" one in which each actor is both a watcher and is watched, is both a monitor and is monitored. Power is diffused, rather than monopolized.

But creating a "virtuous circle" is easier said than done. Age-old traditions and training have to be turned on their heads, and the process is obviously one that is likely to take a generation, if not generations, to perfect. Even then, ultimate perfection will always be elusive.

Although the contemporary wave of democracy has held much promise, in practice, democratic gains are being threatened and undermined by some of the very phenomena that were meant to disappear with construction of democratic states: corruption, abuse of power and nepotism. Simply to democratize is to introduce a different form of vertical accountability – downwards, rather than upwards. But the need to refashion instruments of governance runs very much deeper than simply moving from a totalitarian system to one in which the people periodically have a voice.

The shift is thus from a system of vertical responsibility to one of horizontal accountability, whereby a system of agencies and watchdogs are designed to prevent abuses of power by other agencies and branches of government. These agencies and watchdogs include the courts, independent electoral commissions, supreme audit institutions, central banks, professional organizations, legislatures (and their public accounts committees) and a free and independent media.

However, the passage of transition is slow and painful. In some societies it has been a question of rehabilitating what was once there before; in others, notably in Eastern Europe, it can be a question of constructing the modern state literally from the

ground upwards. There are no institutional memories of times of horizontal accountability.

Such accountability mechanisms, when designed as part of a national effort to reduce corruption, comprise an “integrity system.” This system of checks and balances is designed to achieve accountability between the various arms and agencies of government. The system manages conflicts of interest in the public sector, effectively disperses power and limits situations in which conflicts of interest arise or have a negative impact on the common good. This involves accountability, transparency, prevention and penalty.

An integrity system embodies a comprehensive view of reform, addressing corruption in the public sector through government processes (leadership codes, organizational change, legal reforms, procedural reforms in bureaucracies, etc.) and through civil reforms. Even if corruption is endemic, it tends to be the result of systemic failures. The primary emphasis is on reforming and changing systems, rather than on blaming individuals.

The whole integrity edifice is maintained (or undermined) by a bottom-up process. Corruption may filter down through poor leadership examples and practices, but it is public awareness and, where warranted, public outrage, that is a society’s ultimate defense.

However, the assumption underlying the approach advanced here, is that evolution can be an effective and preferable route to society’s participation – through democratic processes and involving the private sector, media, professions, churches and mosques, as well as non-governmental organizations. Thus, reform is initiated and sustained not only by politicians and policy makers, but also throughout civil society.

Reform programs, particularly those in developing countries and countries in transition which have been supported by international or donor agencies, have tended to focus on a single area to the exclusion of others. These are “single pillar” strategies. Frequently, the choice has been made of a “pillar” that is relatively “safe,” at the expense of addressing more difficult and challenging areas. For instance,

in one country, donor agencies invested heavily to strengthen the operational capabilities of a financial watchdog institution. However, although widely covered by the media, the institution’s highly professional reports were simply ignored, as the rest of the “system” remains effectively dysfunctional.

Certainly, a national integrity system reform program can accommodate a piecemeal approach, but this must be coordinated and within the bounds of a program which embraces each one of the relevant areas, and their inter-relationships with others.

Underpinning the integrity system strategy is the conviction that all of the issues of contemporary concern in the area of governance – capacity development, results orientation, public participation, and the promotion of national integrity – are integral to the performance of the overall strategy. General goals should include:

- *public services that are both efficient and effective, and which contribute to sustainable development*
- *government functioning according to the law, with citizens protected from arbitrariness, including human rights abuses*
- *development strategies which yield benefits to the nation as a whole, including its poorest and most vulnerable members, and not just to the well-placed elite*

BUILDING A COHERENT NATIONAL INTEGRITY SYSTEM

The ultimate goal of establishing a national integrity system is to make corruption a high-risk undertaking that yields low returns. Administration of the system, however, should not at the same time be difficult and cumbersome. It is not a pursuit of “absolute integrity,” which, as some writers have pointed out, can needlessly encumber administrators. Such an aspiration risks creating so many layers of checks and balances that officials are unable to do their jobs. Alternatively, the result can be so repressive and restrictive that officials are similarly impeded. The national integrity system approach avoids these

pitfalls as it is designed to prevent corruption from occurring in the first place at the same time as it leaves managers free to manage. Nor does it rely unduly on penalties after the event.

Every country already has a national integrity system of some description in place, however dysfunctional and ineffective it may be. The concept of a national integrity system helps to focus reformers on the overall strategy for fighting corruption. It is not enough to address a single element or “pillar” of the system in isolation from others.

There are variations from country to country, but typical pillars of a national integrity system include:

- *Executive*
- *Judiciary*
- *Legislature*
- *Financial Watchdog Institution*

- *Watchdog agencies (public accounts committee, auditor-general, ombudsman, police, anti-corruption agency, etc.)*
- *Public service*
- *Civil society (including the professions, the trade unions and the private sector)*
- *Media*
- *International agencies*

Complementing each of the national integrity system institutional pillars are core rules and practices. These rules and practices make up the toolkit employed by the various institutions. The absence of core rules and practices are clear indicators of weakness.

These rules and practices are not necessarily confined to any single part of society, as the following table illustrates:

Sector	Anti-Corruption Instrument	Main Goal
Society at large	Elections	Achieving integrity by evicting corrupt politicians
Parliament	Anti-corruption laws	Empowering anti-corruption enforcement
Judiciary	Courts	Punishing the corrupt; Corruption-free judiciary
Government	Anti-corruption reforms; adopting integrity regulations and policies	Integrity of the executive branch of government
Public service	Codes of conduct; auto-regulatory instruments	Limiting corruption and purging the service from corrupt officials
Business	Codes of professional ethics	Corrupt-free economy
NGO sector	Watchdog activities	Preventing corruption
Media	Publications; electronic programs	Exposing corruption; enhancing integrity standards

In their totality, the social sectors in the left-hand column together with the anti-corruption instruments and the main goals in the other two columns comprise the outline of a basic national integrity system.

Establishing a sound national integrity system requires the systematic identification of gaps and weaknesses, as well as opportunities for strength-

ening or augmenting each of these pillars into a coherent framework. If the system is wholly dependent on a single pillar such as, perhaps, a “benign dictator,” or only a very few pillars, it will be vulnerable to collapse. The system may give the outward appearance of functioning in the short term; for instance, in the case of clean-ups conducted by military governments on the overthrow of corrupt

civilian regimes. However, unless there is also a timely move toward accountable governance, societal institutions can gradually decay without a functioning integrity system.

The national integrity system approach unlocks a new form of diagnosis and potential cure for corruption. Instead of looking at separate institutions (e.g., the judiciary) or separate rules and practices (e.g., criminal law) and then focusing on stand-alone reform programs, the whole system is considered. For example, what is the benefit of a sound and clean judiciary ready to uphold the rule of law, if there is corruption in the police, investigators, prosecutors or the legal profession? The trial judges would simply not receive the cases they should hear; they would then sit in isolation – honest, capable, yet able to achieve little.

THE NATIONAL INTEGRITY WORKSHOP

One of the best mechanisms by which a national integrity system can be systematically examined and overhauled is through a national integrity workshop. This has the overwhelming advantage of bringing together the various stakeholders – officials and interest groups that may otherwise seldom, if ever, meet – and providing a broad ownership of the process, an essential element for success.

A national integrity workshop takes as its starting point the premise that:

- *People living in a country know and understand their problems far better than any outside expert. No outsider can better understand the social dynamics, the history and the political realities that underlie the incidence of corruption in a society, than can its own members. The expression “members” embraces civil society (including the private sector), no less than government.*
- *The issue of integrity transcends the divides of political parties and so should be something upon which all can agree.*
- *Without the active participation of leaders from all fields of government and civil society, meaningful reforms are unlikely to be achieved.*

- *Without the support of civil society, any anti-corruption reform initiative by a government is likely to lack credibility and be unlikely to succeed, let alone be sustainable in the longer term.*

The exercise, therefore, is wholly conceptualized, driven and owned by local participants. The process involves not just government stakeholders, as identified by the integrity pillars, but also non-governmental organizations, including business groups and professions, the media and political parties from across the political spectrum.

The essential dynamic must be an internal one. Similarly, the role of outside experts, to be effective, should be limited to that of facilitators for a project. They can inform and provide guidance as to what may have been found to work in other countries, but they cannot pretend to diagnose or to prescribe. People know their own societies best.

There is much evidence to show that prescriptions by external experts fail to take root and flourish. Such interventions tend to be based on a relatively unsophisticated implanting of approaches taken from one country and applied to another. In the processes described above, there is a clear and effective role for such experts, but as mentors who provide ideas and concepts, not solutions as such. Their role has to be contained to ensure that an internal dialogue takes place, and not an intrusive lecture by an external source on how other countries have approached similar problems, which may have little, if any relevance to the challenges facing the country concerned.

Above all, the reforms must be sustainable and be capable of outliving their initiators. The system must be able to cope with and contain the pressures that are placed upon it by changes of government. The process is likely to be slow, often frustrating and never ending. Experience in the developed world demonstrates that there can be no perfect solution. Rather, a fine-tuning of these reforms is required as the dynamics of society change.

To achieve reform, a coalition has to be built around a consensus in support of concerted action. It must draw in various stakeholders from civil society no less than from the formal state apparatus, and it

must gain their commitment to a concrete action plan. The agreed reform program must move forward with a very clear vision of how the people would like to see their country governed, not just for the present or the immediate future, but for future generations.

DEVELOPING A NATIONAL INTEGRITY REFORM PROGRAM

The design and implementation of a national strategy requires the whole-hearted participation of a variety of stakeholders. It is, therefore, important for these to be identified and brought into the process from the outset, both to build ownership but also to ensure that the resulting program reflects their own insights and experience.

Once the stakeholders have been identified, the formal process usually starts with the holding of a meeting to discuss the national integrity program.⁷ This brings together a broad-based group of stakeholders to form a shared understanding of the types, levels, locations, causes, and remedies for corruption and to promote better public service delivery by facilitating reform that increases accountability and transparency in institutions.

In a national integrity meeting, the objectives will normally be threefold:

- *To initiate a sharing and learning process*
- *To create a partnership between participants from different stakeholder groups, the immediate product of which would be an outline adopted by consensus which could serve as a focus for informed public discussion and political debate in the run-up to elections*
- *To create an environment where new roles could be tested and practiced in a fashion that may be replicated in society in general*

One of the workshop's focuses is to create partnerships between country participants, e.g. representatives of the government, media, religious and private sector groups, and NGO's. Partnerships can, however, be created between various other

stakeholders. For example, participants may wish to organize workshops involving donors as well.

As has been emphasized above, it is important that participants from donor agencies do not impose their own views on country participants. They can be observers who feed in their experience as and when the country participants ask for it and otherwise only listen and comment on group feedback by country participants during plenary sessions.⁸

One model emphasizes the production of tangible outputs, including both an action plan and an integrity pledge that express the consensus of the workshop on the issue of corruption and the personal commitment of those attending the workshop to address the issues meaningfully. The action plan and the integrity pledge should be given wide publicity at the end of the workshop by both print and broadcast media, both as a way to raise public awareness of the problem and also to create public expectation that those at the workshop will live up to their commitments.⁹

It is important for participants to devise solutions and action plans that:

- *identify the key policy instruments and programs that could potentially affect the national integrity system*
- *consider how policy instruments and programs could best be designed and implemented so as to enhance integrity*
- *review constraints internal and external to the organizations' effectiveness and efficiency, including coordination between government departments and between various other actors*
- *focus on sharing the learning process; i.e., what does work and what does not work within organizations, and among organizations in other countries/regions.*

NATIONAL INTEGRITY SYSTEM SURVEYS

There is a strong case for measuring and monitoring how countries address and deal with corrup-

tion. The national integrity system (NIS), through its constituent parts, offers a systematic, cohesive and coherent approach not only to what is being measured, and how, but also to encourage countries and donors to use it as the basis for national plans and to identify areas for further reform.

The National Integrity System Country Study Reports series, prepared by Professor Alan Doig, establishes not only that pillars for a national integrity system are identifiable (most countries in these reports had nearly all the pillars, though some had additional pillars) but that they provide a gateway through which a country's anti-corruption performance can be assessed.

Importantly, the NIS Country Study Reports come from organizations based within the countries themselves – primarily capable NGOs and specialist research institutes with the knowledge and expertise to monitor developments and draw attention to traditional and emerging patterns of corruption. Bulgaria and Lithuania are two countries among those that have been covered to date.¹⁰

This in-country research identifies the core laws, rules and practices that seek to protect societies from corruption through national integrity systems in the following areas: executive branch of government; legislature; political party financing; elections; auditor general; judiciary; police and state prosecutors; public service; public procurement; local government; media and civil society organizations.

The Country Study Reports outline a formal framework which provides for anti-corruption measures, in the following areas of public affairs: conflict of interest; declaration of assets; lifestyle monitoring; access to information; freedom of the press; freedom of speech; post-employment restrictions; whistleblowing; codes of conduct; blacklisting and complaints mechanisms.

This formal framework is followed by an assessment of what actually happens in practice. The assessment highlights deficiencies in the formal framework itself or in its implementation. For example, rules and procedures designed to reduce opportunities for nepotism and cronyism or other corrupt relationships may exist, but may not always be applied in practice.

The Country Study Reports also examine the governments' anti-corruption strategies (where such a strategy exists). In several cases, they make use of further surveys and indicators to measure progress. An overview report of the first 18 countries covered in the series draws together the reports' findings, providing examples from the individual countries and discussing how the national integrity systems' pillars interact.¹¹

INTEGRITY SYSTEM "MAPPING"

More recently, the use of the national integrity system as an auditing tool has been taken to a higher level by the development of "integrity system mapping."¹² The first system to be mapped was in the Australian state of Queensland. Queensland was chosen as the first jurisdiction for this project because it has a reasonably comprehensive list of integrity agencies and practices, many of which were developed comparatively rapidly during the early 1990s following a comprehensive investigation into long-standing systemic corruption, particularly in the police and in political processes. Moreover, the improvements were developed following a deliberate process of institutional reform via an electoral and administrative reform commission.

The Queensland pilot program (published as the Queensland Integrity Systems Assessment)¹³ involved:

- *A preliminary workshop involving major integrity agencies*
- *Interviews and questionnaires with 24 public agencies*
- *A second workshop to discuss the interaction between agencies*
- *A focus group to consider preliminary findings*
- *The compilation of a handbook*

The goals of the Queensland pilot program were to:

- *Describe and map the Queensland Integrity System*

- *Understand the interactions between elements of the Queensland Integrity System*
- *Develop a methodology for describing and mapping other such systems*
- *Lay the groundwork for developing best practice models*
- *Generate discussion of the Queensland integrity system and identify a range of issues which participants believed would benefit from review and reform.*

The Queensland national integrity system methodology is an ambitious undertaking and requires considerable resources. The more straight-forward country studies, on which the Queensland approach is based, provide an attractive entry point for diagnosis of the strengths and weaknesses of integrity institutions and practices, leaving it for later to decide whether to tackle more complex, second-generation mapping of national integrity systems.

ENDNOTES

- 1 The concept was first advanced in the first edition of what is now *Confronting Corruption: The Elements of a National Integrity System*; *The TI Source Book 2000* by Jeremy Pope (Transparency International, Berlin, 2000). The full text is available at <http://www.transparency.org/sourcebook/index.html>
- 2 In 1999, a sociological survey revealed that 73.8 percent of the businessmen interviewed considered that the media was the institution deserving the greatest praise for combating corruption. Other respondents also gave the media the first place.
- 3 *Anti-Corruption Plan for Transition Economies*: <http://www.oecd.org/dataoecd/48/57/1960725.pdf>
- 4 The GPAC was launched by the UNODC in 1999 in collaboration with the United Nations Interregional Crime and Justice Research Institute (UNICRI) to assist member states in their efforts to curb and prevent corruption by increasing the risks and costs of abusing power for private gain. "The manifestation of corrupt practices in public life, and the lack of effective institutions to counter it, has long-term detrimental effects on sustainable development," UNODC Executive Director Antonio Maria Costa stressed at Brussels on 12 June 2003 at the ? National Conference on Cleaner Public Life in Hungary.
- 5 European Commission Strategy Paper and Report 2003: http://www.fifoost.org/EU/strategy_en_2002/node7.php
- 6 The Spanish model has been recommended for Slovakia.: See: http://www.vlada.gov.sk/bojprotikorupcii/twining_eng/anticorruption_prosecution_spanish_slovakia.doc

- 7 The UN Anti-Corruption Toolkit contains a detailed description of how national integrity workshops can be organized and executed: http://www.unodc.org/unodc/corruption_toolkit.html
- 8 There should be no more than 15 people per group and facilitators should ensure that all group members have an opportunity to speak. Facilitators should prevent participants from dominating discussions.
- 9 Examples of integrity pledges include Papua New Guinea (peb.anu.edu.au/pdf/PEB18-1Iarmour-policy.pdf); Honduras (<http://216.239.39.104/search?q=cache:cqm0MxiPuzlJ:www.wri.org/wri/governance/pdf/ncsds-gfed/honduraspledge-eng.pdf+Honduras,+%22integrity+pledge%22&hl=en&ie=UTF-8>.)
- 10 Transparency International National Integrity Systems Country Reports: http://www.transparency.org/activities/nat_integ_systems/country_studies.html
- 11 The full overview report can also be downloaded as well as the country studies at http://www.transparency.org/activities/nat_integ_systems/nis_index.html. The series is being continued by Prof. Alan Doig and Stephanie McIvor of Teesside Business School, University of Teesside, United Kingdom.
- 12 The project partners are TIRI (the governance-access-learning network) (www.tiri.org) and the Key Centre for Ethics, Law, Justice and Governance at Griffith University, Brisbane, Australia (<http://www.gu.edu.au/centre/kceljag/>).
- 13 The study and the handbook that was developed are available at: <http://www.gu.edu.au/centre/kceljag/>