

ETHICS IN GOVERNMENT: ANTI-CORRUPTION MEASURES

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ABSTRACT

Unethical behavior in government is viewed as a situation where there is fraudulent or dishonest conduct or improper behaviour by people who are in a position or power. Bribery, extortion, embezzlement, the use of legislated powers by government officials for illegitimate private gain, nepotism, rent seeking etc. are some examples for unethical behavior in government.

How to deal with unethical behavior in government?. How to curb corruption? Experience demonstrates that establishing an ethical government is not an easy task. There is no single approach to curb (political) corruption effectively. Instead, controlling (political) corruption requires a wide range of strategies. This descriptive survey aims to explore the anti-corruptions measures in general.

Key Words: corruption, political corruption, anti-corruption measures.

JEL Classification: D72, D73

I. INTRODUCTION

Establishing an ethical government is not an easy task. There is no single approach to curb corruption effectively. Instead, controlling corruption requires a wide range of strategies. This introductory paper aims to explore anti-corruptions measures in general.

II. ANTI-CORRUPTION MEASURES

1. Education and Culture

In societies where the number schools and the literacy rate are low, it is possible to assert that political corruption is highly observed. Departing from this point, we may indicate that education comes prominently among the most effective measures in reducing and removing political corruption.

Concerning struggle against political corruption, followings are the practices required in the field of education:

- Education of ethics should be cared in all education institutions from primary schools to universities.
- Personnel in all public institutions and agencies should be offered seminars relating to behavioral rules in public services.
- An institutional structuring should be realized in public institutions in order to offer training and seminars in ethics.
- In public institutions, a statement called “*Ethics Statement*” should be hung in a place, which can be seen by citizens, and public officials should take care of conforming to the principles indicated in this statement in terms of behaviors and actions.

While emphasizing the importance of education, the following fact should not be disregarded: Even in societies where the level of education is high, it is possible to observe behaviors and actions not conforming to “required/expected” code of ethics in cases where the individuals’ own interests are in question. In institutions where educational and cultural level is high (for instance in universities and in other education institutions) those who are working and who have good educational background may have sometimes behaviors that are not in compliance with normative code of ethics. Therefore while the “human quality” is tried to be improved through education, it should also be aimed to ensure “system quality” by setting rules to limit misbehaviors and actions. Removal of political corruption depends on improving both the system (rules and institutions) and human quality.

2. Political Will and Effective Leadership

In societies where the public managers are in political immorality and fraudulence, political corruption becomes an “epidemic” and spills over all fractions of the society.

Struggle against political corruption should start with the “top management” and should continue with down management levels.

Political will that is dedicated to struggle against political corruption and expressing its sincerity in this regard is absolutely necessary. Without political will and intention, it is not possible to achieve in struggle against political corruption.

In brief, primarily the political will and intention should be available in order for removal of political corruption.

It should be remembered that in emergence of political will, social will (civic will) also plays a determining role. For formation of social will and intention, active role of non-governmental organizations in struggle against political corruption is essential.

After putting forth the social will and political will, *effective leadership* is needed in order to struggle against political corruption.

It is important that first and above all, the President/Head of the State and the Prime Minister, and all the top-level management should play an effective role in struggle against political corruption. In assignment and appointment of senior level representatives of Legislative, Executive and Judicial organs, seniority principle should be respected anyhow.

3. Democratization and Effective Civil Society

Democracy is one of the most effective ways of struggling against political corruption.

- Basic elements of true democracy;
- Political Freedoms
- State of Law

- Limitation of the Power
- Separation of Powers
- Transparency
- Civil Society

are pretty effective antidotes to prevent directly or indirectly the political corruption. Without the above-mentioned basic elements, democracy is out of question.

Today in many countries that claim to be governed by democracy, political corruption such as leader dictate, majority despotism, secrecy and cover up, interest and pressure groups that have become “focus of power”, etc. is observed. However, prescription for such disorders stems from the fact that main rules and institutions of the “real democracy” are insufficient.

Solution for mitigating and removing political corruption is “real democracy”.

In struggle against political corruption, political participation (political involvement) is of great importance. Political involvement means strengthening of civil society. The following political involvement tools should be given importance for democratization and strengthening of civil society:

- Freedom of political involvement,
- Freedom of obtaining information,
- Opportunity to join to Parliament conventions,
- Establishment of Public Advisory Boards in Political Governance Organs (for example in municipalities)
- Right to recall,
- Ombudsman, etc.

4. Restructuring and Downsizing of the State

In order to overcome the political corruption, it is important to concentrate on settlement mentality as “from diagnosis to treatment”.

Diagnosis: Main source of political corruption is State. The more State means the more political corruption.

Treatment: Roles and functions of the State should be determined very well (redefinition of the State) and within this framework the reform on restructuring and minimizing the State should be achieved.

The following restructuring policies should be attached importance in struggling against political corruption.

- Restructuring of government ethics,
- Restructuring of central and local administrations, within this framework, implementation of reform on “localization”
- Implementation of total quality management in all public institutions and agencies.
- Restructuring of justice and judiciary services.
- Restructuring of procurement and incentive system.
- Restructuring of incentive system.
- Restructuring of budget system etc.

Apart from these restructuring studies, State activities should be narrowed down certainly by considering the variable role of the State. That’s why the privatization should be put into implementation.

Privatization is one of the main prescriptions for removal of political corruption. Privatization practices should be conducted carefully and painstakingly. Otherwise it can result in political corruption, which should be kept in mind.

5. Removing the Centralist and Bureaucratic Government Structure

Major part of political corruption occurs during execution stage. Especially a centralist and bureaucratic government structure continuously produces political corruption. In order to remove corruption in bureaucracy the following measures should be taken:

- Laws should be regulated in a way applicable to everyone in “general” and in a way that doesn’t bring privileges for effective, efficient and fair functioning.
- Centralist structure should be given up and financial and administrative decentralization should be implemented.
- Bureaucracy has tendency to grow constantly in terms of both tools-equipment and service units. Growth of bureaucracy engenders a cumbersome state. Bureaucracy should be prevented from allocating new staff permanently under pressure of political powers.
- Ombudsman offices should be set up to serve for settling the complaints of clients (citizens) regarding the function of bureaucracy.
- In order to ensure effective and efficient functioning of bureaucrats, performance contract should be concluded between the government and the appointed bureaucrat. Bureaucrat should commit to attain certain performance and success standards during his/her term of office. It is always possible to set certain standards and criteria relating to performance measurement and evaluation.

6. Economic Constitution Reform

Recommendation of a serious and radical reform on removal of political corruption emerges from economists working in the research field named Public Choice and Constitutional Economy. Public choice theorists and constitutional economists claim that main reason of corruption emerging in decision making processes is maximization of private interests by political actors (voters, bureaucrats, politicians, interest groups). According to these economists, maximization of private interests results in enlarging the government activities and increasing government interventions. Constitutional economists defend the idea that the government provokes corruption. Again these economists say that political powers may abuse their authorities such as coin of money, expenditure, taxation, borrowing etc. and in order to prevent this, the powers and authorities concerned should be limited within the constitution.¹

¹For more information about public choice and constitutional economics, see: Geoffrey Brennan and James M. Buchanan, *The Reason of Rules, Constitutional Political Economy*, New

Briefly, constitutional economists, with the Economic Constitutional reform, defend;

- Determining optimal activities of the government (rightsizing)
- Narrowing economic activities of the government (downsizing)
- Limiting the government's powers and authorities in the field of economy with constitutional norms.

According to constitutional economists, political corruption is an inevitable result of growth of the government. Therefore, the most effective solution is to limit the government.

7. Law on Government Ethics

A Law on Government Ethics regulating the procedures and principles required to be respected in public management should be put into implementation in order to remove political corruption. The following issues should be regulated within this law:

York:Cambridge University Press, 1985.; James M. Buchanan, *The Limits of Liberty, Between Anarchy and Leviathan*, Chicago University Press, 1975.; James M. Buchanan, *Freedom in Constitutional Contract, -Perspectives of A Political Economist*, Texas:Texas A-M University Press, 1977.; James M. Buchanan, "Constitutional Restrictions on the Power of Government", in:J. M. Buchanan and Robert D. Tollison (eds), *The Theory of Public Choice II*, Ann Arbor:The University of Michigan Press, 1984.; James M. Buchanan, "Constitutional Economics", in:J. M. Buchanan, *Explorations into Constitutional Economics*, College Station:Texas A-M University Press, 1989; James M. Buchanan, "The Public Choice Perspective" in, J. M. Buchanan, *Liberty, Market and State-Political Economy in the 1980's*-Harvester Press, 1986.; James M. Buchanan, and Tullock, G., *The Calculus of Consent, Logical Foundations of Constitutional Democracy*: Ann Arbor: University of Michigan Press. 1962.; Anthony Downs, *An Economic Analysis of Democracy*, New York: Harper Row. 1957.; Richard McKenzie (ed.), *Constitutional Economics, Constraining the Economic Powers of Government*, Mass:Lexington Books, 1984.; Dennis Mueller, *Public Choice*, London:Cambridge University Press, 1979.; Gordon Tullock, "Public Choice", in:*The New Palgrave Dictionary of Economics*, London:The Macmillan, 1987, 1040-44.; James D. Gwartney and Wagner, Richard E. (1988) *Public Choice and Constitutional Economics*, New York: JAI Press Inc.

- *Higher Council of Government Ethics* and *Government Ethics Institution* should be established and functions and authorities of these organs should be identified.
- *Political Corruption Supervision Board* should be set up and its working principles should be identified.
- Principles regarding audit of public institutions and agencies by private independent auditing companies should be determined.
- Legal norms relating to obligation of declaration of property should be included in this law.
- Legal norms relating to ensuring transparency in governance should be guaranteed in constitution and within this law.
- Ombudsman Institution should be set up and duties and working principles should be included in the Law on Government Ethics.
- Legal norms should be set in order for assignment of trustee for incomes and estates of senior level public officials.

In order to ensure democracy within the party, *Parliamentary Internal Party Democracy Monitoring Committee* should be established and relevant legal norms should be identified.

8. Transparency and Accountability

Transparency in governance ensures reducing political corruption significantly. In order to ensure transparency in governance, basically the following reforms should be realized:

- Right to obtain information should be a constitutional right and should be guaranteed by the constitution. Right to obtain information is the right of citizens to access to any kind of information and document regarding the governance by the State. In which fields that right may be limited should be clarified clearly in constitution and in laws. Which information and documents are confidential should be indicated beforehand in constitution and/or in laws.

- Public institutions and agencies should prepare a report relating to their activities at least once a year and should submit it to public opinion. This report should include information such as organization table of that institution, affiliated units, tables related to employment and financial status, activities carried out during that certain period and similar information.
- Decisions and practices regarding public policy should be declared to the public beforehand. Public opinion survey, even a referendum should be made if needed vis-à-vis important public decisions and practices.
- Citizens should be able to participate in institutions' meeting in which public decisions are taken. For instance, they should be able to be involved in municipal council meetings in order to institutionalize a public-oriented local management mentality and local democracy.
- Penalty conditions regarding corruption in the form of confidentiality and cover-up should be clearly stipulated in laws.
- Principles relating to employment of consultant at public administration should be identified and this issue should be clarified. Qualifications to be sought in consultants (level of knowledge and expertise, educational level, experience, etc.) should be absolutely regulated within a law beforehand and limitations should be brought in order not to cause unnecessary increases in such vacant positions.
- Principles relating to employment of public officials in public administration should be clearly explained within a law. Especially, criteria should be set for prevention of favoritism (being supported by an influential person) in public personnel entrance exams.

9. Effectiveness in Justice and Judicial Services

So as to treat political corruption, effectiveness should be ensured in justice and judicial services.

Order and peace in community is ensured through justice. In order to build justice in the community, some basic principles should be adopted and these should be

rendered applicable in relations among individuals or in relations between individuals and government.

- *Fair Laws*: Legal rules regulating social relations should be fair.
- *Equality before Law*. No one and no organization should be granted privilege before laws. Legal rules should be applied to every one equally.
- *Protecting the Vulnerable, Punishing the Offender*. In order for justice, offender should be punished and vulnerable should be indemnified financially in line with the nature of offense.
- *Time management*. In order to ensure justice and judiciary service as fast as possible, time loss should be minimized.
- Granting the right to the rightful owner, punishing the wrongful appropriately. Indeed, justice is defined as “*granting the right to the owner*”. Therefore, distinction between “rightful” and “wrongful” should be done in the most appropriate and fair way.
- *Separation of Powers and Independent Judgement*. Courts liable for justice and judiciary services, judges and prosecutors who are working in these courts should be able to make judgments independently without pressure and influence of any power.

Existence of all these principles reduces political corruption. In justice and judicial services;

- Institutional reform,
- Legislation reform,
- System and process reform,
- Human resources reform should be achieved.

10. Institutional Reform

In struggle against political corruption, the following institutions should be established:

A *Commission of Ethics* should be set up affiliated to the Parliament. This commission should be responsible for particularly searching and investigating political corruption that emerges in the legislation stage. This commission should undertake the task of declaring its view on investigation of deputies' behaviors and actions incompatible with political ethics and removal of political immunity of deputies.

A *Bureau of Government Ethics* that is directly affiliated to the Prime Minister should be set up. Bureau of Government Ethics should determine behavioral rules and "ethical standards" that should be observed in all government services. Bureau of Government Ethics should also undertake the responsibility of top-level coordination in ensuring behaviors and procedures compatible with "government ethics" in all public institutions and agencies.

A *Political Corruption Supervision Board* should be established to be responsible for supervision of political corruption within the public administration, which will work affiliated to the Parliament. Only independent inspection staff reporting to the Parliament should work in this board. Inspection members should be appointed upon the decision of two-third majority and they should not be removed from office-unless they display illegal behaviors and actions- before the end of their term of office.

Parliamentary Internal Party Democracy Monitoring Committee should be established in order to monitor and investigate anti-democratic practices within the political parties.

Government Ethics Ombudsman Bureau, which is authorized to carry out investigation of any kind of complaints relating to public administration should be established.

11. Political Corruption Inspection Board

For struggle against political corruption, it will be beneficial to set up an institution named *Political Corruption Supervision Board*, which will work directly affiliated to the Parliament. Working principles and principles related to duties and authorities of this institution should be identified clearly in the Law on Government Ethics.

12. Establishment of Parliamentary Internal Party Democracy Monitoring Committee

In contemporary pluralist democracies, even though it is said that political parties are undeniable elements of democracy, in practice, however, parties are not democratic in their internal structure. Personalization of the power, party discipline and leader dictate prevents democracy. Discipline Boards set up within the party may acquire wrongful and arbitrary decisions and some deputies may be punished with unjust expulsion. In order to institutionalize the democracy within the party, an Internal Party Democracy Monitoring Committee should be established which will work affiliated to the Parliament. This institution should monitor rigid party discipline, and binding group decisions and it should have the authority to resort to Constitutional Court in for prevention of illegal and antidemocratic behaviors and actions.

13. Ombudsman System

A “*voluntary semi-public institution*” named *Government Ethics Ombudsman Bureau* should be established. This bureau can be authorised to investigate illegal behaviors and actions within public administration. The institution concerned should function in accordance with the principles below:²

- Ombudsman Bureau should be a semi-public institution that investigates offensive acts in its personal capacity and/or upon complaint, within the scope of Law on Government Ethics, which is proposed to be pun into effect within this study, and that notifies such factors to the authorised levels. Ombudsman Bureau should especially have the right to request from the relevant public institution to compensate any mistake or injustice in cases where investigation and prosecution of actions and behaviors of public officials are not required.
- Those to be assigned in Ombudsman Bureau should be appointed among people who believe in universal and ethical rules, democracy and human rights and they should be appointed by the parliament.

²For more information concerning Ombudsman, see: Gary Pienaar, "The Role of the Ombudsman in Fighting Corruption," paper presented to the *9th International Anti-Corruption Conference, Durban, 10--15 October 1999*; Guy Powles, "Citizen's Hope: Ombudsmen for the 1980s," *Commonwealth Law Bulletin* 5:522. 1979.

- Those who will work in Ombudsman bureau should be able to act directly upon complaint applications made to them or to the institution, notices, and information released in press.
- Ombudsman Bureau should not have sanction power; it should only communicate arising issues to administrative and judicial authorities in case an offensive act is found following an investigation about the issue.
- Ombudsman Bureau should function as an institution directly affiliated to the Parliament in Constitutional status.
- Prosecutors supervise whether the administration and citizens act in accordance with existing legal rules or not. However, people who will be assigned in Ombudsman Bureau should be able to act independently without being entitled to orders of any person or institution other than the Parliament.

14. Term Limitation

Experiences lived in contemporary democracies have shown that any public official who has power and authority in his/her hand can abuse his/her post and can make use of his/her status and position power for the sake of “private interest”. Long term of office of both the President/Head of State/Prime Minister and deputies, and top-level bureaucrats may cause political corruption in many ways.

To what extent term limitation of those (deputies) who have come to office by election in democracies is democratic, is one of disputed issues in literature. However new developments in the understanding of democracy have engendered the idea that the voting mechanism can never reflect the “genuine” civic will because of the following reasons:

-Rational voter ignorance: This notion implies that the voters do not have full and accurate information while selecting their deputies. Indeed, due to various reasons, (low level of literacy, cost of obtaining information about parties, defective and partial information (propaganda) submitted by parties to the voters, etc.) voters may not make a rational preference while voting.

-Rational voter irrelevance: This notion implies that some of the voters are not interested in political decisions. Some of them think that they don't acquire any

direct interest in involving in political decisions and therefore they may be irrelevant to politics and public decisions. It is possible that voters may not be informed enough about parties and candidates while voting.

Briefly, at least because of these two factors, people or party candidates who get the most votes shouldn't be considered as representatives reflecting the genuine "civic will".

Limiting terms of office of the deputies selected by the public as well as restricting their powers and authorities does not necessarily mean an antidemocratic act. Besides, it is probable that those who come to office by election can stay in their position for a long period and may abuse their powers and authorities. It is because of these reasons that democracy intellectuals suggest that terms of office of those who have significant position and status should be limited by constitution and laws.

15. Regulation and Transparency in Campaign Finance

For prevention of political corruption, financing resources and expenditures of political parties should be rendered transparent.

As known, there are basically three legal ways in financing expenditures of political parties:

- Public financing model,
- Private financing model,
- Public financing model that allows private donors and assistance.

In the first model, political parties carry out their activities completely by the help of State. In the second model, political parties finance their expenditures by incomes they draw from private persons and agencies, not by the help of State. In the third model, even though the main resource of parties is government budget, they are allowed to collect donation from private persons and agencies.

Let us note that each model has its own advantages and disadvantages. Our belief is that the following recommendations had better be taken into consideration for prevention of political corruption:

- Main financing resource of parties should be the government budget. Procedures and principles regarding resource allocation to parties from government budget should be identified carefully.
- Procedures and principles regarding how the parties will spend the money they obtain from government budget should be identified.
- Financial budgets of parties should be made transparent.
- Party accounts should be audited at least once a year by independent financial auditing agencies. Results of the auditing and approved financial balance sheet should be published in Official Gazette.
- Private persons and organizations should be allowed to provide donation and assistance to parties; nevertheless its upper threshold should necessarily be determined in the law (in the Law on Political Parties and Government Ethics).
- Donations and assistance provided to political parties outside the rules stipulated in the law should be prohibited and at the same time penalties for private persons and agencies should be adopted.

16. Removing the Political Immunity of Deputies

Those who are selected deputy should be judged just like citizens pursuant to the existing laws in case they commit any crime no matter what the reason is. Main principles regarding political immunity of deputies should be regulated in the Constitution and in a private law (Law on Government Ethics).

The Prime Minister should be able to initiate research and investigation procedures on Minister and Deputies upon the proposal of one-third of the members of Ethics Commission to be established in the Parliament. Apart from this, Chief Prosecutor of Court of Appeals should be allowed to file suit in political corruption cases.

17. Declaration of Property

All public officials should be made declare their property. All public officials, selected or appointed –even by administrative contract-, should be obliged to declare their properties in taking up the office, during the term of office in certain intervals and at the end of their term of office; to indicate in this declaration all incomes and estates of their dependent children and other persons and to explain the differences between the following declarations. Incomes and other cases concealed in the declaration together with incomes and estate increases that are not explained in the declaration should be seized upon court’s verdict on behalf of the government. Declarations of property should be published in Official Gazette. If the conclusions made by the auditors who are assigned to do examination on declarations of property necessitate resort to court, the court’s verdict should also be published. The administration should be able to ask from public officials who have given up their position due to any reason explanation of increases in their incomes and estates, their spouses and other dependent persons, and increases that cannot be explained should be subjected to the same procedure.

In brief, public officials’ declaration of property should be regulated considering the following principles:

- All public officials should be required to submit declaration of property annually in a specific month.
- A person who starts working as a public official should be obliged to prepare and submit declaration of property within one month following the start of term of office to the institution where he/she is working. Any public official who leaves his/her position or who is removed from the office due to any reason should be obliged to do the same within one month following the resignation or removal date.
- A department and archives should be set up within Government Ethics Institution in order to monitor declarations of property of all public officials.
- Declarations of property should be sent to the Government Ethics Institution.

- All details related to incomes and properties of the public official, his/her spouse, and his/her dependent children should be recorded in the declaration of property.
- Reasons of increases in properties in sequential declarations should be explained.
- All declarations of property should be kept and monitored closely in “*Electronic Intelligence Archives of Declarations of Property*”

18. Recommendation of Trustee Board

Administration of incomes and estates of high-level public officials should be assigned to Trustee Board. Changes in incomes and estates of some high-level officials should not raise any doubt. Therefore administration of estates pertaining to the president, prime minister and their spouses as well as their dependents should be delegated to trustee boards during their terms of office.

Procedures and principles regarding trusteeship system should be determined in the Law on Government Ethics.

19. Auditing

One of the solutions for reducing political corruption in terms of both nature (type) and quantity is auditing. Primarily the following measures have to be taken in that regard:

Importance should be attached to inspections in institutions where political corruption is observed largely. For example in municipalities, customs offices, tax offices, register offices, execution offices, state-owned enterprises and other institutions and agencies, audits should be carried out regularly and effectively.

Audits should be relieved of being a “routine” task and they should be carried out seriously. Inspectors/auditors should believe that their reports would not be disregarded by higher authorities and that these reports will be addressed seriously during judicial process.

- Importance should be given to “electronic auditing”. In an era where electronic government has gained importance and transactions are being

carried out by computers, traditional auditing should be replaced by electronic supervision.

- Auditing of legislation, execution and jurisdiction should be made effective.
- A supreme financial audit authority should be established. This body should be independent of the government, with the power to inspect, regulate and report on all aspects of the financial management of the state assets. Financial management controls (external audit controls, internal financial auditing and reporting etc.) aim to prevent or deter corrupt practices in government.
- Incomes and expenditures of some public institutions and agencies (for instance publicly owned enterprises, municipalities, etc.) should be subjected to cross inspection.

20. Budget Reform

Part of political corruption stems from budgeting system. Therefore, in order to cure political corruption, budget system and budget institutions should be rearranged. Our recommendations concerning these can be itemized as follows:

- “*Principle of generality*” should be practiced in budgeting in the literal sense. Budget incomes and outlays should be included in the budget in gross amount by abandoning the practice of distributing certain incomes among certain outlays (allocation).
- “*Principle of unity*” should be practiced in the literal sense. All budget incomes and outlays should be included in a single budget. Only the budgets of publicly owned enterprises and local administrations should be allowed to prepare their private budgets and apart from them, all other public institutions’ incomes and outlays should be covered under a single Government Budget. Unity principle of the budget should be regulated anyhow in the Constitution.
- Budget auditing should be made effective. Audits performed by Court of Accounts should be relieved of being routine tasks and they should be re-arranged in a purposeful way.

- Existing government accounting system should be regulated in accordance with internationally acknowledged principles.
- Accounts and balance sheets of public institutions and agencies should be audited by independent private auditing companies. Audit results and balances should be put in progress reports of public institutions. Balance and progress reports, prepared by independent external auditing companies should be submitted to the Parliament and should be made open to public audit.

21. Tax Reform

Likewise budget system, tax system is one of the effective factors in emergence of political corruption. Especially heavy tax burden and bureaucracy in tax-related transactions and other similar factors may lead taxpayers and institutions to bribe and officials and auditing personnel to accept bribe. These reasons may be extended.

In our opinion, in order to reduce political corruption, tax system should be restructured based on the following principles:

- Tax system should be simple, clear and understandable,
- Tax burden should not be heavy,
- Transactions carried out by tax offices should be faster,
- Exemptions in tax system should be removed totally, but tax rates should be fixed based on low rates
- Severe penalties should be laid down for tax evasion etc.
- Information related to income, expenditure and properties of taxpayers should be collected in “electronic financial intelligence archives” and should be tracked closely.

22. Restructuring in Grant (Subsidy) Programs

Government grants play an effective role in emergence and expansion of political corruption. Grant (subsidy) system and grant legislation should be surely arranged in a way preventing political corruption.

Grant types should be determined in way to improve the market economy. Types of subsidies should be less as possible as it can be but they should have significant effectiveness. Instead of in-kind and/or in-cash grants; grant types such as tax incentives, guarantee incentives and etc. should be emphasized.

An independent agency should be set up in relation to implementation, monitoring and supervision of grant policy. Authorities and responsibilities vis-à-vis grants should be gathered under this independent institution.

It is important to gather grants under single legislation. Principles related to grants to be provided to sectors should be compiled under this legislation. Implementation period of grants should be defined clearly and in this way, investors and managers should be assured. Briefly, grant policy should not be changed frequently and it should be lasting. By “lasting” it isn’t implied that grants will be endless. On the contrary, grants should be removed upon development of the sector.

Grants legislation should be clear, net and understandable. Transparency of the institution that is liable for implementing the grants, application conditions and criteria for acceptance of applications should be determined and explained beforehand.

As well as types of grants, the stage in which the grants would be provided is also important. They should be given in the stage of production, investment and management. If grants are monitored and supervised carefully, they become useful in economic growth and development. Export grants are those that are provided in the final stage unlikely investment and management incentives. It is not certain that export grants, particularly those provided in cash be directed towards investments again in economy. From this perspective, investment and management grants should be more weighted and comprehensive than export grants within the scope of incentive policy.

Financing resources of grants should be sound and sufficient. Bureaucracy and paperwork should be minimized in provision of grants.

Grants are indeed transfer expenditures. Grants are anything but transfer of monies, which have been paid as tax to certain sectors and regions. Utilization of

grants out of purpose, may have negative impacts on tax awareness and tax ethics. That's why grants should not result in extravagance, waste and theft.

Total amount of grants should be within reasonable and acceptable limits. Budget cost of transfer expenditures should be a certain and reasonable proportion of total public expenditures and GNP. A constitutional limitation may be brought in this respect.

23. Whistleblowing

One of the ways of struggling against political corruption is protecting and rewarding individuals and agencies that notify public authorities about political corruption pursuant to a particular law.

Protecting and rewarding whistleblowers may have positive impact on prevention of political corruption. Within the context of Law on Government Ethics, which is to take effect, there should be provisions about rewarding for whistleblowing and protecting the whistleblowers.³

24. Human Resources Management

Human resources management reform occupies an important place in prevention of political corruption. Our recommendations concerning this issue can be itemized as follows:

- Single and common law should be put into force for all public officials. A particular law comprising personnel rights of all public officials should be effected and financial and social rights of workers should be regulated in this law.

³For more information about whistleblowing see: S. Bok, *"Blowing the Whistle"*, in J. Fleishman (ed), *Public Duties: The Moral Obligations of Government Officials*, Harvard University Press, Cambridge CN, 1981, pp.204-220.; P.H. Jos, *"The Nature and Limits of the Whistleblower's Contribution to Administrative Responsibility"*, *American Review of Public Administration*, 21 (2), June 1991, pp.105-118.; Quentin Dempster, *Whistleblowers: People with the Courage to Put the Truth First*, Sydney: ABC Books for the Australian Broadcasting Corporation. 1997.; Tom Devine, *The Whistleblower's Survival Guide: Courage Without Martyrdom*, Washington DC: Fund for Constitutional Government (Government Accountability Project) 1997.; Kimberly Henderson, *Whistleblowers*, Berlin: Transparency International (TI), 1995.

- Job definitions of all public officials, their employment and/or preconditions for their appointments should be clearly defined in the law. Job definitions and conditions for employment of all public officials from top to bottom should be clear.
- “Public official entrance exam” should be prerequisite to become a public official. Entrance exam should be designed as two separate exams, for career and non-career duties. Career exam should be held for positions requiring expertise in specific field. For judges, prosecutors, doctors, lecturers, engineers and similar specialization fields, special career exams should be held. Besides, for positions that do not require expertise or that may offer short-term professional training after employment, examination should be held named “non-career public official entrance exam”. Exams should be offered through a central organ several times (for example 4 times a year) a year.
- In public official entrance exams, oral exams should be abolished since they open the way to favoritism. If oral exams have to be done as necessitated by professions requiring major qualifications, in this case, necessary criteria should be set in order to ensure objectiveness.
- Principles and criteria for appointment to a public position without being entitled to entrance exam should be defined clearly. As mentioned above, entrance exams should be held as a main rule. However, if appointment is to be made without entrance exam for some special services, rules to govern these conditions should be very clear and it should be based on seniority principle. For instance, in case a person specialized in his field is to be appointed as consultant to the Prime Minister, exemption from exam may be considered normal. However, relevant principles had better be defined.
- Criteria regarding transfer of public officials should be determined in a way not causing any favoritism, bribery and other abuses.
- Imbalances in the salaries of public officials should be eliminated.
- Practice of arranging register reports in the public sector should be given up. This practice should be abolished completely, which may reflect

arbitrary appreciation and value judgments of managers far from being objective. Instead of this, decisions and relevant information to be given by judicial bodies in case of an offensive act should be evaluated.

25. Aggravation of Penalties

Aggravation of political corruption is one of the methods of struggle against political corruption. Major part of political corruption addressed in this research hasn't been defined as "offence" in existing laws. Therefore, the first action to be taken is to abandon defining the term "political corruption". Second action is to lay down fair penalties in accordance with the nature and severity of the offence. "Penalty justice" has major significance as well.

The following penalties may be envisaged for political corruption:

- Fine,
- Imprisonment,
- Debar from civil servant post etc.

26. Effective Struggle Against Mafia and Gangs

One of the serious political corruption cases in government is the linkage among public officials with mafia and gangs. Especially politicians, senior level bureaucrats, some members of army and security forces working at high or lower levels, etc. may be in cooperation with illegal groups such as mafia, tribe, gang and etc. in order to acquire particular interest.

Illegal organizations such as mafia, gang, and tribe may assume roles in getting incentives on behalf of certain groups, in mediating and in bidding, etc.

Serious precautions should be taken in order to remove such organizations. Primarily the following precautions may be taken in that regard:

- Very severe penalties should be laid down in exiting laws for public officials who are confirmed to be in cooperation with illegal organizations like mafia, gangs and tribes.
- Transparency should be ensured in state government.

III. CONCLUSION

In all efforts to combat corruption, effective political leadership and a strong and an active civil society are essential. If these requirements are met, then it is needed to implement constitutional and legal reforms, and take administrative, financial and economic measures. A successful anti-corruption reform requires appropriate rules and institutions.

In conclusion, it is possible to curb corruption if there is a strong political will. Needless to say, the situation becomes untenable if such political will is lacking. Another important conclusion is that eliminating corruption requires a holistic approach and measures.

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