

Policy Considerations for Designing Effective Anti-Corruption Strategies in Pakistan

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Abstract

This article focuses on analyzing essential ingredients to initiate and sustain a successful anti-corruption strategy. The basic objective of this policy paper is to recommend a set of policies based on the lessons drawn from the success of anti-corruption strategies in other countries. Taking Pakistan as the test-bed, it relates to the design, initiation, and pursuit of anti-corruption activities. The article elaborates a six-step anti-corruption strategy suggesting that to eradicate corruption effectively, the country must initiate these preconditions. It should: (1) restore the public confidence by showing political will to fight corruption; (2) restructure its main anti-corruption agency; (3) establish an anti-corruption inter-agency coordinating board; (4) reform the police, (5) initiate programs and curriculum for anti-corruption awareness; (6) establish a watchdog from the civil society with an advisory role. The strategies suggested in this article are based on the successes of anti-corruption agencies in Singapore, Hong Kong, Indonesia, and Georgia.

Key Words

Anti-Corruption,
Accountability,
Corruption Strategies,
Developing Nations,
Pakistan

JEL Classification: D02, D72, D73

Introduction

In the seventy years of its history, corruption has pervaded each layer of the society in Pakistan. Today, it's not only widespread but seems to be an acceptable norm of society and similar situations are to be found in majority of the developing nations. Chêne (2008) has explained that corruption is seen as systematic and widespread in Pakistan and is found at all levels of society.

Despite that eradicating corruption and building a transparent system of accountability has remained a part of the manifestos of almost all the political parties, corruption still remains one of the core politico-economic issues to be tackled by country's policymakers. In contemporary Pakistan, the need for eradicating corruption is again meriting attention in the policy arena. Keeping this in the backdrop, rather than examining empirical relationships between corruption and its determinants, as the existing literature has done, the purpose of this study is to build on that literature and to suggest a whole new set of institutional reforms, based on lessons learnt from success stories of neighboring nations, to eradicate corruption in the country. Although this paper focuses on one country, policies and strategies suggested here can readily be replicated to other nations having similar cultures of corruption. This paper, therefore, works as a generic template on tackling corruption in developing countries. In an era, where projects like China-Pakistan Economic Corridor (CPEC) can potentially be a game-changer for Pakistan (see Alam et al, 2019) overhauling its anti-corruption fabric seems imperative than ever.

Corruption, as defined by Treisman (2000), is the misuse of public authority for private gain. It comes in the forms of bribery, embezzlement of public funds, tax theft, nepotism and misuse of political office. Pakistan's National Anti-Corruption Strategy (NACS) 2002, has defined the corruption as; "A behavior on the part of the officeholder in the public or private sector whereby they improperly and unlawfully enrich themselves or those close to them or induce others to do so, by misgiving the position in which they are placed" (p.6).

As it has been argued that corruption is prevalent at every level in society and entrenched deeply in the public sector institutions, the question that remains to be answered is what policy and institutional reforms at the macro level have been taken by the policymakers and why these have been a failure? Success stories on eradicating corruption from countries like Singapore, Hong Kong, Indonesia, Columbia, and Philippines unfold the importance of 'institutions'. Without reforming institutions, the task of eradicating corruption and holding public officials accountable will remain a mere dream.

Some of the existing work on governance examines the importance of having good institutions. For example, Acemoglu and Robinson (2012) argue that the differences in the quality of institutions are to be held responsible for differences in the quality of life of societies having the same culture but different nations. They also emphasize the relationship between corrupt and inept public officials and the quality of life. While arguing that ballots without having an agenda for institutional reforms may not help eradicate corruption, Rose- Ackerman (1999) considers institutional reforms a prerequisite for the eradication of corruption by democracies. Similarly, Aidt (2011) held weak and ineffective institutions responsible for systemic and widespread bribery. Likewise, Khan (2006) and Baig & Feng (2016) suggest that the relationship between corruption and social and cultural factors, types of regime, economic development and the liberalization of economic policies can lead to ambiguous results if critical governance capabilities are not taken into account. Ayub and Hussain (2016) explain how some institutions survive and thrive in countries where the institutional milieu is both fragile and hostile. They have explored that it is possible for institutions to effectively deliver core services, earn legitimacy even in an otherwise 'tumultuous and prohibitive operational context'. Therefore regardless of the overall political situation in the country, it's possible to eradicate corruption. However, the pre-requisite is improving the quality of government institutions.

This is the backdrop, this study is concerned about reforming of policies and institutions specifically responsible for eradicating corruption in the country. Pakistan, being consistently among the most corrupt countries since the data on corruption is available, is perfect test-bed to propose a comprehensive and coherent corruption-fighting strategy. The state of quality of institutions in Pakistan can be gauged by the fact that the 'World Economic Forum's 2015 Executive Opinion Survey' ranked Pakistan 129 out of 144 countries – the second-lowest in the region, just above Bangladesh.

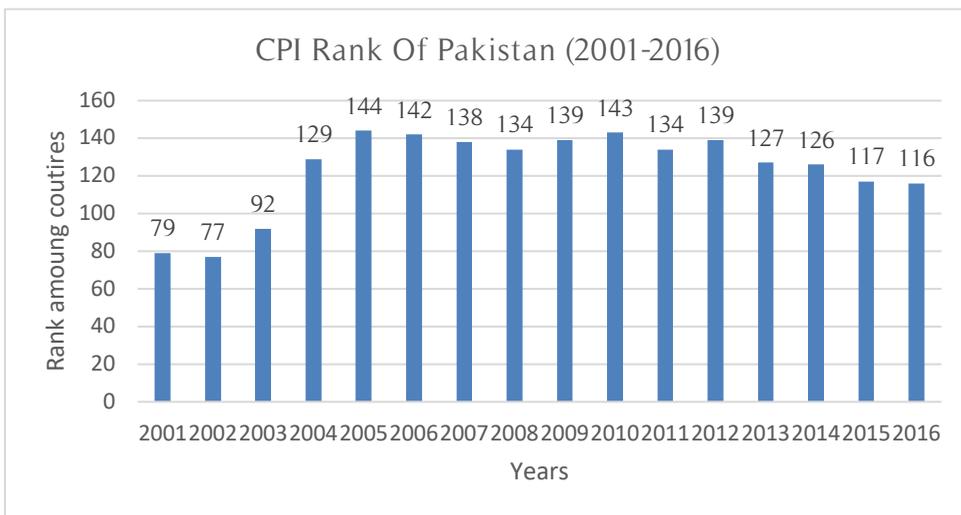


Figure 1: Corruption Perception Index for Pakistan

Source: TI-Pakistan (2017)

A more detailed trend over time is depicted in Figure 1 that outlines Corruption Perception Index for Pakistan for last fifteen years. Pakistan had the lowest level of corruption in the entire decade during the dictatorship of General Musharraf; the reason for having a high political-will to fight corruption especially political corruption. According to the World Bank Governance Indicators (WGI) (2015), Pakistan did better in terms of good governance and controlling corruption during Musharraf's initial regime (1999-2003). But the high political-will faded away as Gen. Musharraf's dictatorship transformed into a semi-democracy. "The country slipped from 42nd most corrupt state in 2009 to 34th in 2010" records Transparency International Pakistan (TI-P, 2012)

According to the National Corruption Perception Survey (NACS) (2011), the three most corrupt government institutions were Land and Revenue Department, Police and Taxation. For the first time in the last ten years Police ranking improved from being the most corrupt department to the second. Lack of accountability, imbalance between power and salary, willingness of people to pay bribery due to high frequency of encounters were among the top

reasons for perceived corruption in these institutions. Figure 2 shows top ten corrupt institutions as rated by the service users.

Given this state of affairs, revamping institutions responsible for eradicating corruption seems imperative. The rest of the paper is constructed as follows: the next section discusses the specifics of the policy recommendations. The paper ends with concluding remarks.

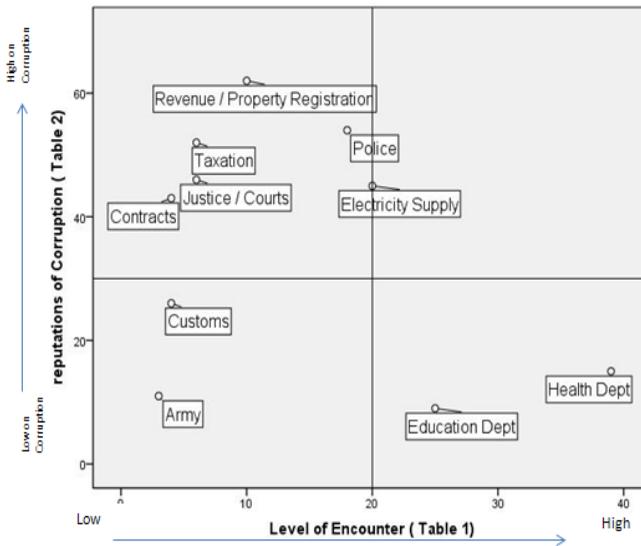


Figure 2: The reputation of Corruption Among Service Users

Source: Transparency International- Pakistan

Designing an Effective Anti-Corruption Strategy

Previous corruption literature on Pakistan has mainly discussed the causes and impact of corruption while a few studies have highlighted its gravity in recent years. This paper has proposed meaningful strategies to fight corruption in a comprehensive and coherent way. In doing so, the models from Indonesia, Singapore, Hong Kong, Columbia, and the Philippines were thoroughly studied. Utmost care has been taken to modify the conditions and strategies in these models to the local circumstances and only case studies that were implementable in Pakistan were considered. Each stage is discussed in the following sections. The six stages of the model can be overlapping and are not mutually exclusive.

Political Will/Restoring Confidence: Learning from Columbia

This section discusses the importance of 'political will' and restoring confidence in fighting corruption. For, almost all the success stories (including Singapore, Indonesia, Hong Kong) 'political will' was the first step in preparing their strategies against corruption. According to Johnston and Kpundeh (2004) "Political will—credible, demonstrated, and sustained a commitment to reform—is essential to overcoming apathy and outright opposition, to set clear priorities, and to mobilizing people and resources". In a similar line of arguments, Brinkerhoff (2000) considers "effective political will" necessary for the successful implementation of strategies for fighting corruption. The importance of having the 'political will' to fight corruption is summarized by the World Bank (2000 as "the lack of political will or inability to create an anti-corruption coalition, especially at the highest levels of the political system, have proven to be among the most serious risks to an effective anti-corruption strategy" (p.60).

Even fragile States like Columbia were able to demonstrate political will against corruption. In 1994 President Pastrana's campaign for his presidency was based on fighting corruption and restoring internal peace. Political will is the critical and effective ingredient to fight corruption, the incumbent and/or future governments, will restore public trust and demonstrate commitment to fighting corruption by implementing six ingredients in the following two measures.

The First Three Things:

- The appointment of a technocrat with experience in anti-corruption strategies would reflect the government's seriousness to fight corruption in the country. Any appointment should be transparent, on merit and without considering political affiliation.
- Appoint honest and able persons as ministers and head of key institutions: Any incumbent governments will be perceived to be corrupt by the public if corrupt and ill-reputed ministers get into the cabinet. The public would never trust their commitments to fight corruption until the corrupt ministers are sitting in the cabinet.
- Future Policy: It is imperative to provide a clear roadmap for the fight against corruption and create a national anti-corruption narrative. Once an advisor/technocrat has been appointed and honest ministers have been installed; designing a roadmap to fight corruption seems easier. The public would know government's commitment to fighting corruption in the long-term.

The Second Three Things:

- Partnership with Universities: Building partnerships with reputed national universities to study and fight corruption will make the policymakers' job easier. It would also ensure the continuity of government policies towards corruption. It would make the faculty and students an important stakeholder, a necessary ingredient to refine the strategies.
- Build partnerships with civil society and media: "Political will and civil society can reinforce each other" argues Johnston and Kpundeh (2004). There are two ways in which a strong civil society can play its part; first, by highlighting the level of corruption in the country that would complement and support government initiatives. Second by pinpointing and criticizing flaws in existing anti-corruption strategies.
- Build Partnerships with Businesses: Fighting corruption is not all about anti-corruption reforms in public sector institutions. Long-term and sustainable anti-corruption strategies require input from all the sectors of the society and especially from business community. Including the input of business community in the anti-corruption strategies will fuel the political will and restore confidence in the business community as well. This can be done either through economic instruments like subsidies and tax credits for businesses willing to adopt anti-corruption reforms or by offering them different incentives like social status designations and VIP treatments. Motivating them through continuous consultations, seminars, and workshops can yet be another strategy.

Restructuring NAB: Lessons from Singapore, Indonesia, and Hong Kong

When replicating policies from another country, one might ask about the feasibility of doing so. The policy borrowing country should have three prerequisites to ensure practicality of such policies, argues Rose (2005). The three prerequisites are: government should have the commitment to introduce a new policy; second, it should have the financial resource to do so and finally, there should be no cross-cultural complexities between the two countries. Pakistan is fulfilling all the three prerequisites to a greater extent. Legislation and structure for an anti-corruption agency already exist. No extra financial resources are required as Pakistan has an existing budget for the anti-corruption agencies and lesser cross-cultural complexities are prevalent being Asian countries.

NAB is Pakistan's main anti-corruption agency and its restructuring would allow the country to effectively combat corruption. According to Quah (2007), countries like Hong Kong, Singapore, and Indonesia focusing on a single anti-corruption agency have been more successful in the fight against corruption than countries relying on a multi-agency model. Pakistan can benefit from Indonesia and Singapore's positive anti-corruption reforms. NAB's past is not very different from Singapore's Corrupt Practices Investigation Board (CPIB). CPIB was established in October 1952 to curb corruption. People's Action Party (PAP) empowered and enhanced the effectiveness of CPIB by introducing Prevention of Corruption Act (POCA), after realizing its ineffectiveness and lack of resources. NAB seems a candidate for a similar revamps. Quah (2007) states, "There is a need to set new objectives, in order to consolidate achievements and be prepared for new challenges. In order to maintain, strengthen and enhance already achieved results and established mechanisms as a result of sharing international experience" seems true for NAB as well.

Table 1 discusses the flaws in existing policies of NAB and proposes policies that brought greater success to Singapore, Indonesia, and Hong Kong. Figure 3 has the new organizational structure of NAB based on proposed policies in Table 1.

Table 1. Existing and Proposed Policies

Policy	Existing Procedure	Flaws	Proposed	Lessons from CPIB, KP, and ICAC
Appointment of Chairperson	President appoints chairperson by consultations with PM and leader of Opposition.	In reality, the President doesn't consult the two and appoints at his own.	President should nominate 6 names to a committee of Chief Justice of SC, PM and Opposition Leader. Each of the three should have veto power.	In Singapore, the CPIB Chief reports to the Prime Minister but regularly reviews the performance of CPIB to ensure accountability through two separate committees. In Pakistan, it can be referred to either the Supreme Court or the TI-P.
Qualification of Chairperson	President picks.	Most of the previous Chairpersons were either retired or serving the military person.	Persons with a vast background in law, judiciary and knowledge in public policies.	
Powers of Chairperson	Order non-bail able arrest, order freezing of assets, call for information from or examination of any person; request a foreign state, release an accused.	Too arbitrary powers and can be used to politically victimize opponents if the chairman is an appointee of government.	Need to devolve powers to departments and institutionalize the agency. Five Deputy Chairpersons should be nominated to decentralize powers	KPK is led by a five-person commissioner appointed to serve up to two terms of up to four years.
Policy towards Judiciary and Army	Judiciary and the Armed Forces exempted from NAB	Corruption Perception Index 2011 ranks Judiciary as the fourth corrupt and Army as the tenth corrupt institute	Amend the ordinance to include.	KPK is entitled to prosecute any official, including parliamentarians and judges. The KPK can investigate the army, but it cannot prosecute it. No such exemptions by CPIB (Bologaita 2010)
Investigation and Prosecution	These departments are working separately	Lack of coordination between the two. Philippines Ombudsman had failures due to a similar policy.	Combine the two departments under the supervision of a deputy chairperson	KPK combined the two and had successes. According to Bologaita (2010), "KPK, investigators and prosecutors work closely to ensure that an investigation gathers sufficient evidence for prosecution".

Approach and style of Investigation and implementation	Policing/non-friendly/like Intelligence Agencies.	Dissent in public/afraid to cooperate.	Establishment of Awareness and Communication Department to educate the public and help businesses for developing corruption-free culture.	Hong Kong experienced great successes.
Introduction of Score Cards	Nil	Public unaware of the level of corruption at different institutions	Develop a grading/scoring system according to the severity of corruption.	ICAC of Hong Kong won the goodwill of public by introducing community-friendly anti-corruption policies.
Partnerships	Nil	Limited Outreach	Develop Partnerships with Civil Society, Media, and Businesses.	ICAC had successfully developed similar partnerships.

The following figure 3 suggests the organizational structure of NAB, which can be followed to work effectively and help eradicate corruption.

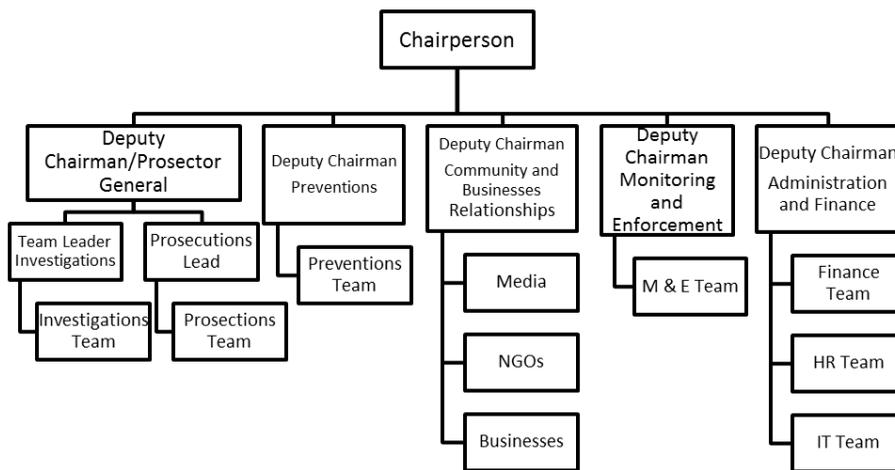


Figure 3. Proposed Organizational Structure of NAB

Establishment of Anti-Corruption Interagency Coordinating Board (AICB): Lessons from Georgia

The merger of all agencies with an anti-corruption mandate into a coherent single agency increases its performance, according to Johnston (2010), and Cooter (2007). Currently, no coordination mechanism exists amongst these agencies in Pakistan. In Georgia, Anti-Corruption Interagency Coordination Council (AICC) was established in 2008. AICC has members from the congress, Justice Department and civil society. The nature and composition of such a council in Pakistan would be different. It should include all the anti-corruption agency/wing heads. The chairmanship can rotate, giving each member equal opportunities to lead the board once or twice during their term of office. In structure, it would resemble KPK of Indonesia while its role would be advisory and information sharing like Georgian AICC. This Board may be named as Anti-Corruption Interagency Coordination Board (AICB). Figure 4 presents the composition and organizational structure of AICB.

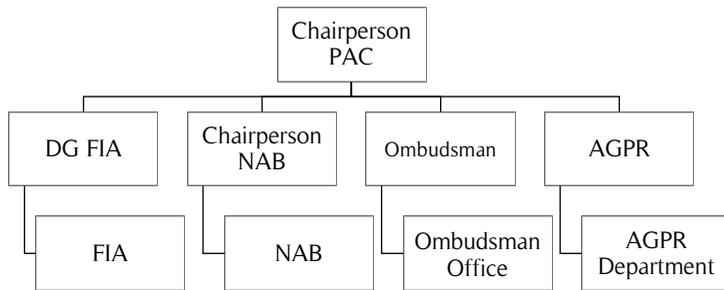


Figure 4. Proposed Organizational Structure of ACIB

Reforms in Police: Learning from Hong Kong and Georgian Experience

Corruption is prevalent at all levels of the police department from street corruption to bureaucratic corruption. In addition, police are also involved in criminal corruption by providing protection to illegal activities of criminals. Corruption is so embedded in police that it is now considered a norm and part of the culture of the department. Reforming police department in Pakistan would not be an easy job to do but if done it is highly rewarding to the society. Understanding the corruption formula given by Klitgaard (1988) seems imperative for the much-needed police reforms:

$$C = M + D - A$$

Where C is corruption in the formula, M is a monopoly, D is discretion, and A is accountability. Bribery exists where officers have absolute authority, a power-to-wage imbalance and the system has no accountability mechanism (Klitgaard, 1988). The establishment of a balance between salaries and resources, the abolition of monopoly powers and a transparency system for controlling discretionary powers would be the right start to police reforms. This leads to the invention of reforms formula;

$$R = (A + S + P) - M - D$$

Where R stands for reforms, A is accountability, S is for salary (balance between salary and powers), P represents professional training, M stands for monopoly and D is discretion. On the basis of these two formulas, the following paragraphs list a few other strategies for reforming Pakistan Police.

Fry the Small Fish along with the Big Fish! Georgian Government fired 16000 officers in one go. The small fish in the police department in Pakistan is the main source of street corruption, but firing them means firing the whole police department that doesn't seem plausible. Instead firing the big fish would be a signal to the small fish to mend their ways. This experiment in Georgia remained successful.

Change the Uniform. Not only the public in Pakistan but the police itself thinks that the black uniform is a symbol of corruption. The Motorway Police and Islamabad Police got new uniforms a couple years ago and public perceives them to be lesser corrupt. Changing the uniform would have psychological effects both on police and public.

Increase in Salary and Professional Training: Low salary is the most cited reason for corruption in the police. Developing a mechanism that would create a balance between powers and salary could enhance their efficiency. Professional training is yet another instrument that can discourage corruption

Developing Moral Values: Lessons from Hong Kong

Developing and implementing new approaches for anti-corruption is not the end of the story. Sustaining these strategies is as important as their implementation and sustainability cannot be achieved by enforcement alone. Hong Kong has developed a long-term strategy to educate masses against corruption (for a detailed description of HUI (2014)). As a result, public resisted corruption and willingly reported corruption cases. Sustainability of Pakistan's anti-corruption reforms can be accomplished through the implementation, maintenance and refinement of school-based anti-corruption curricula at civil service academies, military academies, and police training centers. However, Johnston (2010) proposed that a comprehensive and systemic national campaign against corruption should be launched by government and anti-corruption organizations through print and electronic media. Awards to honest officers and its publication in media would develop a sense of competition among other officers as well.

Citizen's Transparency Watch: Enforcement and Monitoring

For the Philippines, Johnston (2010) suggested setting up an "Eminent Persons Group (EPG)" from many segments of society to advise and oversee reform evaluation, report to the government, and appoint/remove the head of the

unified anti-corruption body. Likewise, while discussing the constraints that hampered the implementation of a successful anti-corruption strategy in Vietnam, Fritzen (2006) considers "the lack of an organizational platform for an independent watchdog function within civil society" as one among many.

The same design can be extended to Pakistan with few modifications. The credibility and reliability of such groups would be much higher. Transparency International-Pakistan has already signed MoUs with several public and private sector institutions. TI-P is given the official status of transparency watchdog in the country, no MoUs would be needed to monitor and enforce the transparency requirements.

On the basis of the arguments and discussions on the anti-corruption models in countries having a success record in the preceding sections, the final proposed composition and organizational structure for the country's national watchdog is presented in Figure 5.

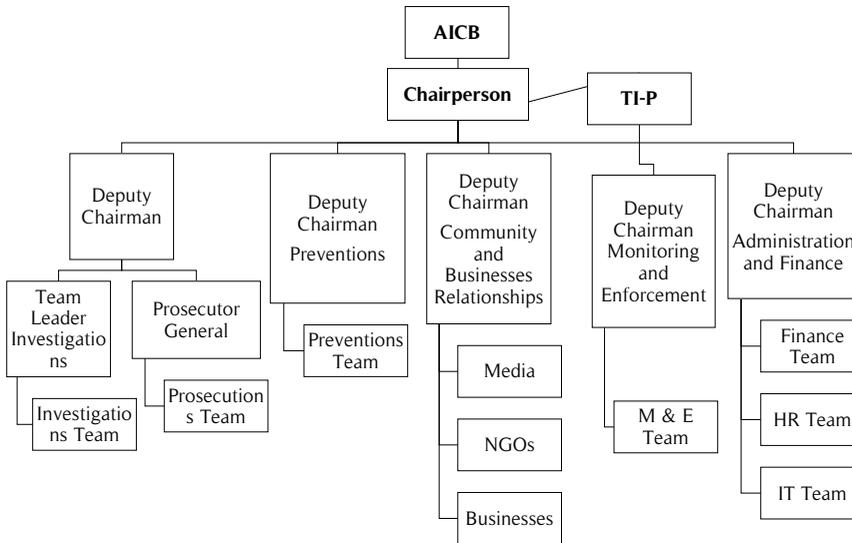


Figure 5. Final Organizational Structure for NAB

According to this proposed structure, the Chairperson of NAB will be a member of the Anti-Corruption Interagency Coordination Board (AICB). As AICB is a coordinating and information sharing body, the new proposed structure will enable NAB and the rest of the anti-corruption agencies to avoid operational overlapping and thus saving national exchequer. TI-P will act as Johnston (2010) "Eminent Persons Group" and will have an advisory and watchdog role. This proposed structure greatly reduces the monopoly powers of the chairperson of NAB, as has been accused by the critics, and enhances its credibility.

Conclusion

Public office has been widely misused for private gains in Pakistan as evident by corruption statistics. It comes in many forms like bribery, embezzlement of public funds, tax theft, nepotism and misuse of political office and is prevalent at every level of the society. For many decades, Pakistan has consistently been ranked low in the Corruption Perception Index. Owing to various reasons that include lack of political will to fight corruption, coordination issues among the corruption controlling agencies, and the structural issues the anti-corruption campaign remained ineffective in the country. As the Supreme Court of the country recently disqualified an incumbent prime minister on corruption charges, need for eradicating corruption is again meriting attention in the policy arena. Keeping this in the backdrop, building on the existing literature examining empirical relationships between corruption and its various determinants, and based on lessons learned from success stories of neighboring nations, this paper has suggested a six-stage strategy to fight corruption. Lessons from Hong Kong, Singapore, Indonesia, and Georgia have been modified and incorporated in this strategy. The six-stage strategy considers political will to be the necessary condition for the success of any anti-corruption reform. Furthermore, I suggest restructuring of National Accountability Bureau, creating a new interagency coordinating board, reforms in police, developing moral values and finally civil society's role as a transparency watchdog. These policy recommendations can be a good base for any beginning to fight the menace in the country

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