

COMBATING CORRUPTION IN THE ASIA-PACIFIC COUNTRIES: WHAT DO WE KNOW AND WHAT NEEDS TO BE DONE?

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ABSTRACT

Corruption is a serious problem in the Asia-Pacific, judging from the rankings and scores of the 32 Asia-Pacific countries included in the Transparency International's Corruption Perceptions Index of 2008. The governments in these countries have initiated various anti-corruption measures since the 1950s but, with few exceptions, have not been effective in curbing corruption. In 1968, the Swedish economist, Gunnar Myrdal, had attributed the lack of research on corruption in South Asian countries to the existing research taboo on corruption.

Fortunately, this research taboo on corruption in the Asia-Pacific countries no longer exists and this is manifested in the tremendous increase in the number of country studies on corruption since the 1990s. Indeed, in contrast to the dearth of research on corruption in the 1960s, research on corruption in these countries has mushroomed into a growth industry during the past two decades.

Given the vast literature on corruption in the Asia-Pacific countries, the purpose of this paper is twofold. First, it reviews the literature to identify the major strategies adopted by the Asia-Pacific countries to combat corruption. Second, the paper provides an evaluation of these anti-corruption strategies to identify their strengths and weaknesses and to enhance their effectiveness by suggesting how their weaknesses can be rectified.

INTRODUCTION

Four decades ago, the Swedish economist, Gunnar Myrdal (1970: 230) attributed the paucity of research on corruption in South Asia to the research taboo on this topic. Fortunately, this taboo has been gradually eroded since the 1990s as reflected in the tremendous amount of research that has been done on corruption in the Asia-Pacific countries. Corruption has emerged in the 1990s as “a truly global political issue eliciting a global political response” (Glynn, Kobrin and Naim, 1997: 7). Indeed, the globalization of corruption has given rise to an overriding concern with how to combat corruption in many countries among their governments and many international agencies. Consequently, many international organizations like the Asian Development Bank, Commonwealth Association for Public Administration and Management, Eastern Regional Organization for Public Administration, International Institute for Administrative Sciences, Organization of American States, Organization for Economic Co-operation and Development, Transparency International, United Nations Development Programme, World Bank, and World Economic Forum have organized numerous conferences, symposia and workshops on various aspects of corruption.

What have we learned from the vast research output and many international conferences on how to combat corruption in the Asia-Pacific countries during the past two decades? This article addresses this concern by first reviewing the literature to identify the three major strategies employed by the Asia-Pacific countries to curb corruption. More specifically, these three patterns of anti-corruption strategies will be illustrated by analyzing how they are implemented in nine Asia-Pacific countries. Table 1 below identifies the nine countries that will be discussed in this article. Following this, the strengths and weaknesses of the three patterns of corruption control will be evaluated.

Table 1: Anti-Corruption Strategies of Selected Asia-Pacific Countries

Pattern	Features	Selected Countries
1	Anti-corruption laws without an anti-corruption agency	Mongolia and Papua New Guinea
2	Multiple anti-corruption agencies	China, India, Philippines
3	Single anti-corruption agency	Singapore, Hong Kong, Thailand, South Korea

Corruption is a serious problem in the Asia-Pacific countries as reflected in their rankings and scores on Transparency International's 2008 Corruption Perceptions Index (CPI), as shown in Table 2 below. Consequently, it is important to assess how the nine selected countries have attempted to curb corruption.

Table 2: Transparency International's 2008 Corruption Perceptions Index for 32 Asia-Pacific Countries

Country	CPI Rank	CPI Score*	No. of Surveys**
New Zealand	1 st	9.3	6
Singapore	4th	9.2	9
Australia	9 th	8.7	8
Hong Kong	12th	8.1	8
Japan	18 th	7.3	8
Taiwan	39 th	5.7	9
South Korea	40th	5.6	9
Macao	43 rd	5.4	4
Bhutan	45 th	5.2	5
Malaysia	47 th	5.1	9
Samoa	62 nd	4.4	3
China	72nd	3.6	9
Thailand	80th	3.5	9
India	85th	3.4	10
Sri Lanka	92 nd	3.2	7
Kiribati	96 th	3.1	3
Mongolia	102nd	3.0	7
Solomon Islands	109 th	2.9	3
Vanuatu	109 th	2.9	3
Maldives	115 th	2.8	4
Nepal	121 st	2.7	6
Vietnam	121 st	2.7	9
Indonesia	126 th	2.6	10
Pakistan	134 th	2.5	7
Philippines	141st	2.3	9
Timor-Leste	145 th	2.2	4
Bangladesh	147 th	2.1	7
Laos	151 st	2.0	6
Papua New Guinea	151st	2.0	6
Cambodia	166 th	1.8	7
Afghanistan	176 th	1.5	4
Myanmar	178 th	1.3	4

Source:

http://www.transparency.org/news_room/in_focus/2008/cpi2008/cpi_2008_table

*The CPI score ranges from 0 (most corrupt) to 10 (least corrupt).

**To be included in the CPI, a country must have at least three independent surveys.

FROM RESEARCH TABOO TO GROWTH INDUSTRY

In view of the various meanings of corruption, this paper adopts the UNDP's public-office-centred definition¹ of corruption as "the misuse of public power, office or authority for private benefit—through bribery, extortion, influence peddling, nepotism, fraud, speed money or embezzlement" (UNDP, 1999: 7) for two reasons: it applies to both the public and private sectors, and identifies the seven major forms of corruption.

As mentioned earlier, Myrdal blamed the research taboo for the paucity of research on corruption in South Asia in the 1960s. He attributed this taboo to "diplomacy in research" which avoided such embarrassing questions as corruption by "ignoring the problems of attitudes and institutions." He further illustrated how this taboo could be broken by analyzing the "folklore of corruption" (people's beliefs about corruption), the causes of corruption, and anti-corruption campaigns in South Asian countries. In his view, "the first task of research on corruption is thus to establish the ingredients of the folklore of corruption and the anti-corruption campaigns" (Myrdal, 1970: 230-232).

Fortunately, this research taboo on corruption in Asian countries has been eroded as reflected in the proliferation of case studies in recent years. In contrast to the dearth of research in the 1960s, research on Asian corruption has mushroomed into a growth industry since the 1990s. Moreover, since the end of the Cold War the number of news stories on corruption in the *Economist*, the *Financial Times*, and the *New York Times* "quadrupled between 1984 and 1995" (Leiken, 1996/97: 58). This "global corruption epidemic" is the result of two trends: the emergence of civil societies and the disclosure of corruption scandals in many countries, and the trend towards democracy and markets, which has paradoxically "increased both the opportunities for graft and the likelihood of exposure" (Leiken, 1996/97: 58).

Hence, it is not surprising that by 2001, Caiden (2001: 435) has contended that "as far as the public sector is concerned, the taboo [on corruption] seems to be breaking down." The proliferation of corruption studies in Asia is reflected in Table 3, which shows that country studies dominate the literature as only 93 (7.15%) of the 1,312 studies are comparative in nature. Of the 23 Asian countries listed in Table 3, the greatest amount of research has been done on China (14.23%), followed by Japan (11.38%), the Philippines (10.92%), India (10.53%), and Indonesia (9.23%). On the other hand, very little research has been conducted on Brunei Darussalam (0.15%), Bhutan (0.38%), Macao (0.46%), Laos (0.61%), and Nepal and Sri Lanka (0.69% each). Surprisingly, only 56 studies (4.30%) have been published on Hong Kong and 60 studies (4.46%) on Singapore, even though they have been the two most effective countries in Asia in curbing corruption.

¹ Arnold J. Heidenheimer (1970: 4-6) has identified three ways of defining corruption in terms of the duties of the public office, the market, or the concept of the public interest.

Table 3: Corruption Studies in Asia by Country

Country	Number	Percentage
Bangladesh	27	2.07
Bhutan	5	0.38
Brunei Darussalam	2	0.15
Cambodia	17	1.30
China	185	14.23
Hong Kong	56	4.30
India	141	10.53
Indonesia	120	9.23
Japan	148	11.38
Laos	8	0.61
Macao	6	0.46
Malaysia	41	3.15
Mongolia	53	4.07
Myanmar	11	0.84
Nepal	9	0.69
Pakistan	14	1.00
Philippines	142	10.92
Singapore	60	4.46
South Korea	59	4.15
Sri Lanka	9	0.69
Taiwan	15	1.15
Thailand	72	5.53
Vietnam	18	1.38
Comparative Studies	93	7.15
Total	1,312	100.00

Source: Compiled by the author.

PATTERN 1: ANTI-CORRUPTION LAWS WITHOUT AN INDEPENDENT ANTI-CORRUPTION AGENCY (MONGOLIA AND PAPUA NEW GUINEA)

Mongolia

The Law on Anti-Corruption (LAC) was enacted in Mongolia in April 1996. However, before the establishment of the Independent Authority Against Corruption (IAAC) in December 2006, there was no independent anti-corruption agency as the task of curbing corruption in Mongolia was shared between the police, the General Prosecutor's Office (GPO) and the courts.

The LAC requires all Mongolian public officials to declare their incomes and assets and those of their families within a month of assuming their positions, and thereafter to submit their annual declarations during the first two weeks of February of each year. Failure to submit such declarations will result in fines of between 5,000 and 25,000 togrogs (US\$6 to US\$29) for the errant officials. The penalty for officials who do not

monitor the declarations is a fine of between 20,000 to 30,000 togrogs (US\$24 to US\$35). Those officials who fail to declare gifts or foreign bank accounts are required to pay higher fines between 30,000 to 40,000 togrogs (US\$35 to US\$47). Finally, corrupt officials will be discharged or displaced according to the procedure provided in the law (Quah, 2003: 45-46).

The LAC is ineffective as very few public officials have been convicted of corruption. More specifically, the LAC has two weaknesses. First, the responsibility for implementing the LAC has not been assigned to a specific agency as Article 5 has indicated that all state organizations are required to perform four common duties to prevent corruption. However, in practice, none of them performs these duties as they are concerned with the performance of their primary functions. Second, the financial penalties imposed by the LAC on officials for their failure to submit or monitor their annual income and assets declarations are ineffective deterrents as the fines range between 5,000 to 40,000 togrogs (US\$6 to US\$47) and there is no imprisonment (Quah, 2003: 48).

Before the formation of the IAAC in December 2006, corruption offences were investigated by the Criminal Police Department, which referred these cases to the Investigation Department. Both departments investigated complaints of corruption against public officials and if there was evidence to substantiate these complaints, the cases would be handed over to the GPO. From the GPO, the cases are processed by the *aimag* courts, the Capital City Court, and the Supreme Court.

The procedure for dealing with corruption offences is ineffective as it provided opportunities for corruption among the officials involved as they could interpret the law differently. For example, a bribery case by the police could be viewed as a smuggling offence by the GPO, and as illegal crossing of borders by the courts (Quah, 2003: 49). As judicial salaries are low (ranging between US\$33 to US\$51 per month) and “one out of three judges [in the countryside] does not have an apartment” (McPhail, 1995: p. 45), the courts are perceived by the public to be corrupt as individuals can pay the poorly paid judges to make decisions in their favour.

Papua New Guinea

In May 1998, the Transparency International Chapter in Papua New Guinea (PNG) together with other watchdog and related agencies submitted a proposal to establish an independent anti-corruption agency (Mellam and Aloï, 2003: 33). However, ten years later, this proposal has not been passed by Parliament. Consequently, PNG does not have an independent anti-corruption agency and relies instead on the Ombudsman Commission and the police to combat corruption.

The Ombudsman Commission consists of the Office of the Ombudsman and the Office that enforces the Leadership Code. According to Section 219 of the Constitution, the functions of the Ombudsman Commission are “to investigate conduct relating to administration, which may be ‘wrong’, and enforce [the] leadership code.” Furthermore, to deal with maladministration, the Ombudsman Commission is empowered to investigate official bodies, initiate investigations and respond to complaints or referrals, question decisions and the decision-making process, and consider defects in law (Mellam and Aloï, 2003: 30). In short, the Ombudsman Commission’s role is “to

expose government actions and those of public officials that are detrimental to the public and its trust” (Mellam and Aloï, 2003: 30).

The Ombudsman Commission consists of three members and it received a budget of K8 million for 2001 and 2002, which was increased to K8.9 million for 2003. However, it has been criticized for reacting slowly to complaints because of its limited resources. Another constraint faced by the Ombudsman Commission is its inability to use the evidence used by the police to prosecute leaders. Thus, while the Ombudsman Commission “has been very vocal against corruption” the various constraints faced by it render it powerless “like a dog without teeth to bite” (Mellam and Aloï, 2003: 30-31).

The Leadership Code applies to more than 600 leaders and their offices in PNG. These leaders include ministers, members of national and provincial legislatures, members of local level governments, constitutional office holders, heads of national and provincial departments, heads and board members of state-owned enterprises, ambassadors, commanders of disciplinary forces, and defined executives. According to the Leadership Code, leaders must avoid situations which involve conflicts of interest, and they are required to disclose their assets and incomes, and are prohibited from accepting gifts and benefits. Those leaders found guilty of breaching the Leadership Code are dismissed from office and not eligible for re-election or appointment to public office for three years. However, the Ombudsman Commission’s main weakness is the leaders avoid prosecution and dismissal by immediately resigning before and after the commencement of the leadership tribunal (Mellam and Aloï, 2003: 31-32).

As PNG does not have an independent anti-corruption agency, the Ombudsman Commission performs the function of investigating corruption cases by default. As the problem of corruption in PNG has “intensified in number, volume and scope” in recent years, Mellam and Aloï (2003: 33) have argued that the formation of an anti-corruption agency to curb corruption will relieve the Ombudsman Commission and the police which lack the capacity to do so.

PATTERN 2: ANTI-CORRUPTION LAWS WITH MULTIPLE AGENCIES (CHINA, INDIA AND THE PHILIPPINES)

China

In 1952, the People’s Republic of China (PRC) adopted the Act of the PRC for the Punishment of Corruption, which defined corruption and its punishment. As corruption became endemic in China during the post-1978 reform period, Deng Xiaoping’s regime relied on the Criminal Law of 1979 as the major legal measure in fighting corruption. This law was amended twice: first in 1982 to impose stiffer punishment for corruption; and in 1997 to include a chapter on corruption, which specified the penalty for corruption according to the amount involved. For example, a person found guilty of corruption involving more than 100,000 Yuan (US\$12,000) will be punished by ten years’ imprisonment or the death penalty (Chan, 1999: 300-301).

China relies on multiple anti-corruption agencies which are organized in three sectors. For the judicial sector, the Supreme People’s Procuratorate (SPP) was re-established in 1978 to combat corruption. The SPP formed the Procuratorial Division of Graft and Bribery in 1989 after the Tiananmen anti-corruption and democracy movement (Chan, 1999: 301). Below the SPP, the Bureau for Embezzlement and Bribery of the People’s

Procuratorate is responsible for handling and preventing cases of embezzlement and bribery. As China is a large country, it is not surprising that there are 3,563 agencies for embezzlement and bribery (Luo *et al.*, n.d.: 3).

For the administrative sector, the Ministry of Supervision (MOS) was re-established in December 1986 “in part to curb corruption and maladministration within the civil service.” For the Chinese Communist Party, the Central Commission for Disciplinary Inspection (CCDI) was formed in 1978 to check corruption among its members (Chan, 1999: 301). Even though the MOS had received more than 700,000 reports in 1993, both the CCDI and MOS failed to reduce corruption because the “authorities appear[ed] to lack the political will to handle corruption cases among more senior party members” (Burns, 1994: 57-58). On September 6, 2007, Ma Wen, the newly appointed Minister of Supervision, was appointed as the head of the new National Corruption Prevention Bureau (Chinadaily.com.cn, 2007).

Until recently, few senior party officials have been convicted of corruption because they can “short-circuit corruption investigations by appealing to their protectors in the party hierarchy” (Root, 1996: 752). In 1994, Li Yiaoshi, former Vice-Minister of the State Science and Technology Commission, was sentenced to 20 years’ imprisonment for corruption (Burns, 1994: 58). In July 1998, the former Beijing party chief, Chen Xitong, was the highest ranking party member to be jailed for corruption, when he was sentenced to 16 years (instead of the death penalty) for corruption of 555,000 Yuan and dereliction of duty (*Straits Times*, 1998:14).

In 1999, Premier Zhu Rongji launched a crusade against corrupt officials (Leggett, 1999: 1). On March 5, 2000, he informed party delegates at the National People’s Congress that: “All major cases, no matter which department or who is involved, must be thoroughly investigated, and corrupt officials must be brought to justice” (*Straits Times*, 2000a: 23). To reinforce Zhu’s message, Hu Changqing, Deputy Governor of Jiangxi province, was the highest ranking public official to be executed three days later on March 8 for corruption involving 5.44 million Yuan between May 1995 and August 1999 (*Straits Times*, 2000b: 30). Similarly, Li Chenglong, Deputy Mayor of Guigang City, was executed on April 23, 2000 for taking US\$478,500 worth of bribes (*Straits Times*, 2000c: 2). More recently, Chen Liangyu, the chief of the Communist Party in Shanghai, was dismissed and removed from the Politburo on September 25, 2006 for his alleged involvement in a multi-million dollar pension fund scandal (*International Herald Tribune*, 2006).

India

In India, the Prevention of Corruption Act is implemented by the Central Bureau of Investigation (CBI), the Central Vigilance Commission (CVC), the state anti-corruption bureaus, and the state vigilance commissions. The CBI was established in April 1963 to investigate cases of bribery and corruption but it could only do so in a state with the consent of the government. This requirement became a problem after the decline of the Congress Party as some state governments withdrew the consent given by their predecessors “whenever they felt that an investigation taken up by the CBI was politically embarrassing or uncomfortable for them” (Narasimhan, 1997: 255-256).

The CVC was formed in February 1964 to perform four functions. First, the CVC investigates any transaction in which a civil servant is alleged to act for an improper purpose. Second, the CVC examines complaints against civil servants for using their

powers for improper or corrupt purposes. Third, the CVC requests reports from ministries, departments and public enterprises to enable it to check and supervise their vigilance and anti-corruption work. Fourth, the CVC requests the CBI to investigate a case, or to entrust the complaint, information or case for inquiry to the CBI or the ministry, department or public enterprise concerned (Narasimhan, 1997: 264-265).

In his book, *The Pathology of Corruption*, S.S. Gill (1998: 237) wrote: “Looking to the number of agencies created to tackle corruption, it would appear that the government was in dead earnest to eradicate this malady.” However, he lamented that “this elaborate and multi-layered apparatus to control administrative corruption has hardly made a dent on the situation.” Indeed, the CBI has been negatively perceived by the public to be “a pliable tool of the ruling party, and its investigations tend to become cover-up operations for the misdeeds of the ministers” (Gill, 1998: 238).

The CBI’s ineffectiveness is also manifested in its low conviction rate as only 300 of the 1,349 cases (22.2%) in 1972 and 164 of the 1,231 cases (13.3%) in 1992 resulted in conviction (Gill, 1998: 238). However, the CBI’s conviction rate has improved in recent years as its conviction rate in 2005 was 65.6% (CBI, 2006: 8 and 29). The CBI has also been accused by Gill (1998: 238) of going “only after the small fry” as only one gazetted officer was dismissed in 1972 and two officers in 1992. A final indicator of the CBI’s effectiveness is its poor record in investigating the many mega scams as there has been no conviction (Gill, 1998: 238).

The Philippines

The Philippines is the Asian country with the most number of anti-corruption measures as it has relied on seven major laws and 18 anti-graft agencies since its fight against corruption began in the 1950s (Alfiler, 1979: 347; Oyamada, 2005: 100-101). The first anti-corruption law was the Forfeiture Law of 1955, which authorized “the state to forfeit in its favor any property found to have been unlawfully acquired by any public officer or employer.” However, this law was ineffective as there were no convictions even after four years of its passage. The Anti-Graft and Corrupt Practices Act or the Republic Act (RA) No. 3019, which was passed in April 1960, identified 11 types of corrupt acts among public officials and required them to file every two years a detailed and sworn statement of their assets and liabilities. The third anti-corruption law, RA No. 6028, which provided for the creation of the Office of the Citizens’ Counsellor, was passed in August 1969, but was not implemented (Quah, 1999: 80).

The remaining four laws were the Presidential Decrees (PD) issued by President Marcos after the establishment of martial law in September 1972. PD No. 6 identified 29 administrative offences and empowered heads of departments to dismiss guilty officials immediately. This resulted in the sacking of nearly 8,000 public officials. In November 1972, PD No. 46 prevented public officials from receiving and private individuals from giving gifts on any occasion, including Christmas. Finally, PD No. 677 and PD No. 749 are amendments to RA No. 3019, requiring all government employees to submit statements of their assets and liabilities every year, instead of every other year; and providing immunity from prosecution for those willing to testify against public officials or citizens accused of corruption (Alfiler, 1979: 326-327).

The large number of anti-corruption agencies in the Philippines can be attributed to the frequent changes in political leadership as such agencies were either created or abolished by the President. During May 1950 and January 1966, five anti-corruption

agencies were formed and dissolved as there were five changes in political leadership during that period. President Marcos created another five anti-corruption agencies during his two decades in power because the first three agencies were ineffective and short-lived as they lasted between eight months and two years (Quah, 1982: 168-169). In July 1979, President Marcos created the *Sandiganbayan* (Special Anti-Graft Court) and the *Tanodbayan* (Ombudsman) by issuing PD No. 1606 and PD No. 1630 respectively.

After assuming office in February 1986, President Corazon Aquino formed the Presidential Commission on Good Government (PCGG) to identify and retrieve the money stolen by the Marcos family and their cronies. Unfortunately, Aquino's anti-corruption stance was viewed cynically by the public as two of her cabinet members and her relatives (referred to derisively as "rela-thieves") were accused of corruption. The PCGG was also a target for charges of corruption, favouritism and incompetence, and by June 1988, five of its agents faced graft charges and 13 more were under investigation. In May 1987, Aquino established the Presidential Committee on Public Ethics and Accountability (PCPEA) to respond to increasing public criticism. However, the PCPEA was ineffective as it lacked staff and funds. In short, Aquino's "honesty has not been matched by the political will to punish the corrupt" (Timberman, 1991: 233-235).

The *Tanodbayan* or Office of the Ombudsman was "reborn" in 1988 during President Aquino's term of office. However, it was inefficient as it took a long time to process the complaints received. Consequently, the Ombudsman had accumulated a huge backlog of 14,652 cases, or 65% of its total workload by December 1994. The *Sandiganbayan* had a higher profile than the *Tanodbayan* but the former was less efficient as it completed only 13% of its total caseload in 1996 (Balgos, 1998: 247-248, 250-251).

President Ramos appointed Eufemio Domingo to head the Presidential Commission against Graft and Corruption in 1994, two years after assuming office. Joseph Estrada succeeded Ramos in 1998 and he established three anti-corruption agencies: the Inter-Agency Anti-Graft Coordinating Council in August 1999; the Presidential Committee on Effective Governance in October 1999; and the National Anti-Corruption Commission in July 2000. Similarly, after assuming office in January 2001, President Gloria Macapagal-Arroyo formed the Presidential Anti-Graft Commission in April 2001, and the Governance Advisory Council in July 2001 (Oyamada, 2005: 100-101).

PATTERN 3: ANTI-CORRUPTION LAWS WITH AN INDEPENDENT AGENCY (SINGAPORE, HONG KONG, THAILAND, SOUTH KOREA)

Singapore

The first anti-corruption law was introduced in Singapore when the Prevention of Corruption Ordinance (POCO) was enacted in December 1937. The POCO was implemented by the Anti-Corruption Branch (ACB) of the Criminal Investigation Department (CID) of the Singapore Police Force. However, the ACB was ineffective for three reasons: it was understaffed with only 17 personnel; fighting corruption was not the CID's top priority; and there was widespread police corruption (Quah, 2007a: 14-15). The last straw was the discovery by the British colonial government that some police detectives were involved in the theft of S\$400,000 (US\$133,330) of opium in

October 1951. This opium hijacking scandal exposed the ACB's ineffectiveness in curbing corruption and made the British authorities realized its mistake of relying on the police to fight corruption when there was extensive police corruption. Consequently, the ACB was replaced by the Corrupt Practices Investigation Bureau (CPIB), which was established as an independent agency in October 1952 (Quah, 1995: 393-394).

When the People's Action Party (PAP) government assumed office in June 1959, corruption was a way of life in Singapore and perceived by many to be a low-risk, high-reward activity. To minimize corruption and change the public perception of corruption to a high-risk, low-reward activity, the PAP leaders initiated a comprehensive anti-corruption strategy in 1960 by enacting the Prevention of Corruption Act (POCA) and strengthening the CPIB. As Singapore's gross national product per capita in 1960 was S\$1,330 (US\$443), the PAP government could not afford to raise the salaries of civil servants. Accordingly, it was left with the alternative of strengthening the existing anti-corruption laws to reduce the opportunities for corruption and to increase the penalty for corrupt behaviour. The POCA of 1960 removed the POCO's weaknesses, enhanced the penalty for corruption to five years' imprisonment and/or a fine of S\$10,000 (which was increased to S\$100,000 in 1989), and gave the CPIB more powers to perform its duties.

The CPIB is the anti-corruption agency responsible for enforcing the POCA's provisions. It has grown by 16 times from a small staff of five officers in 1952 to its current strength of 82 members (Quah, 2007a: 22). The CPIB performs three functions. First, it receives and investigates complaints on corruption in the public and private sectors. Second, the CPIB investigates malpractice and misconduct by public officials. The third function of the CPIB is to examine the practices and procedures in the public service to minimize opportunities for corrupt practices (CPIB, 1990: 2). Unlike Hong Kong's Independent Commission Against Corruption (ICAC), which has 1,194 members, the CPIB can perform its duties without a large staff as its location within the Prime Minister's Office and its legal powers enable it to obtain the required cooperation from both public and private organizations.

Hong Kong

In Hong Kong, the Prevention of Corruption Ordinance (POCO) was introduced in 1948 and was implemented by the Anti-Corruption Branch (ACB), which was formed in the same year as a special unit within the Criminal Investigation Department (CID) of the Royal Hong Kong Police Force (RHKPF) to handle the investigation and prosecution of corruption cases (Kuan, 1981: 24). The ACB was separated from the CID in 1952 but it kept its title and remained within the RHKPF (Lethbridge 1985: 87). In 1968, the ACB reviewed the POCO and recommended a scrutiny of the anti-corruption laws of Singapore and Ceylon (now known as Sri Lanka). A study team visited both countries during 1968 to examine how their anti-corruption laws worked in practice. The study team was impressed with the independence of the anti-corruption agencies in these countries and attributed Singapore's success in minimizing corruption to the CPIB's independence from the police (Wong, 1981: 47). The knowledge gained from the study tour contributed to the enactment of the Prevention of Bribery Ordinance (POBO) on May 15, 1971.

The introduction of the POBO in May 1971 led to the upgrading of the ACB into an Anti-Corruption Office (ACO). The escape of a corruption suspect, Chief Superintendent Peter F. Godber, on June 8, 1973 to England angered the public and undermined the ACO's credibility. Sir Alastair Blair-Kerr, Chairman of the

Commission of Inquiry, indicated that the arguments for keeping the ACO within the RHKPF were “largely organizational” and the arguments for removing it were “largely political and psychological”. The Governor, Sir Murray MacLehose, accepted Sir Alastair’s advice of considering public opinion and decided to form a new anti-corruption agency that was independent of the RHKPF (Quah, 1995: 402).

The Independent Commission Against Corruption (ICAC) was established on February 15, 1974 with the enactment of the ICAC Ordinance and was entrusted with two tasks: “to root out corruption and to restore public confidence in the Government” (Wong, 1981: 45). The ICAC is independent in terms of structure, personnel, finance and power. Before the handover of Hong Kong to China in July 1997, the ICAC was directly responsible to the Governor, and its Commissioner reported directly to him and had easy access. After July 1997, the ICAC reports directly to the Chief Executive of the Hong Kong Special Administrative Region and is directly responsible to him.

Thailand

The National Counter Corruption Commission (NCCC) was established in November 1999 as part of the anti-corruption measures introduced by the 1997 People’s Constitution. The ineffectiveness of its predecessor, the Counter Corruption Commission (CCC) during its 24-year existence (1975-1999) led to the CCC’s dissolution and replacement by the NCCC. Learning from the CCC’s unimpressive performance, the members of the Constitution Drafting Assembly enhanced the NCCC’s effectiveness in combating corruption by removing those features that handicapped the CCC’s performance. Thus, instead of being a toothless paper tiger like its predecessor, the NCCC has been empowered to investigate corruption complaints against both civil servants and politicians.

A second important difference is that the NCCC is more independent than the CCC as it is responsible to the Senate and not to the Prime Minister. This difference is significant as “removing it [the NCCC] from the supervision of the prime minister” and “making its involvement automatic when the Senate speaker receives a corruption complaint, should make it much more effective in pursuing corrupt cabinet ministers” (Laird, 2000: 165-166). Another manifestation of the NCCC’s independence is its control over its staffing, budgeting, and other aspects of management. Finally, the nine NCCC members are nominated by the Senate and appointed by the King for a single, non-renewable term of nine years.

The NCCC performs three functions which are specified in Section 19 of the Organic Act on Counter Corruption B.E. 2542 (1999) (ONCCC, 2006a: 10-11). First, it is responsible for inspecting and verifying the declaration of the assets and liabilities submitted by the politicians and civil servants. Those officials who do not declare their assets or make false declarations are reported by the NCCC to the Constitutional Court. Those found guilty are removed from their positions and barred from holding political office for five years. Second, the NCCC prevents corruption in three ways: (1) to make recommendations on preventing corruption to the Cabinet and other government agencies; (2) to enhance the integrity of the officials and the public by organizing contests, meetings and seminars on fighting corruption among the people and civil servants; and (3) to foster cooperation among the public by conducting seminars on countering corruption in Bangkok and the various provinces.

The NCCC's third function is to suppress corruption by taking disciplinary action against corrupt politicians and civil servants. More specifically, it investigates complaints of corruption against politicians and civil servants and the Senate has the power to impeach them for having "unusual wealth", or for committing corruption, malfeasance, or abuse of power. Section 58 empowers the Senate to initiate the removal from office of political leaders and senior bureaucrats for such offences. Furthermore, Section 59 specifies that the Senate can also initiate the impeachment of corrupt politicians and civil servants if it receives a request that is supported by one-quarter of the House of Representatives, or if the complaint is signed by 50,000 members of the public (ONCCC, 2006a: 23).

South Korea

The origins of the Korea Independent Commission Against Corruption (KICAC) can be traced to the comprehensive anti-corruption strategy introduced by President Kim Dae Jung after he assumed office in February 1998. The most important component of President Kim's strategy was the formation of an Anti-Corruption Committee in August 1999 to coordinate the anti-corruption programmes and activities, and the formulation of the Anti-Corruption Law to provide protection for whistle-blowers, to strengthen citizen watch and participation in anti-corruption movements, and to reinforce detection and punishment for corrupt practices (Office of the Prime Minister, 1999:10-11).

However, as President Kim's strategy met with stiff resistance in the National Assembly, it took more than two years before the Anti-Corruption Act was passed on July 24, 2001. The Public Prosecutor's Office and the National Police Agency were also opposed to the formation of the KICAC during the policy development process for establishing an independent anti-corruption agency (Kim, 2007: 144, fn. 21). Six months later, the KICAC was formed on January 25, 2002.

According to its *Annual Report 2005*, the KICAC performs these six functions:

1. Policy-maker: to formulate and coordinate anti-corruption policies by organizing on a regular basis the Inter-Agency Meeting on Corruption.
2. Evaluator: to evaluate the levels of integrity and anti-corruption practices of public-sector organizations.
3. Observer: to monitor corruption and protect whistle-blowers by handling reports on alleged corrupt conduct and protecting and offering rewards for whistle-blowers.
4. Partner: to promote cooperation for the fight against corruption by encouraging civil society involvement and public-private partnership against corruption, and engaging in the global fight against corruption.
5. Legal-reformer: to improve the legal and institutional frameworks to remove laws and practices which encourage corruption.
6. Ethics-leader: to inculcate ethical values in society by promoting public awareness on the risks of corruption, and by enforcing the code of conduct for public sector employees (KICAC, 2006: 4 and 7).

An analysis of the above functions shows that the KICAC is not a full-fledged anti-corruption agency like the CPIB, ICAC, or NCCC, because it cannot investigate corruption cases itself as it has to rely on the Board of Audit and Inspection (BAI) and the Public Prosecutor's Office to do so. Articles 29-30 of the Anti-Corruption Act of 2001 describe the procedure for dealing with whistle-blowing cases involving public officials. According to Article 29, Section 3, the KICAC refers the investigation of a whistle-blowing case involving a public official to the BAI, an investigative agency, or an agency in charge of supervising the relevant public agency. The investigative agency has to inform the KICAC of the results of its investigation within 60 days. The KICAC will then notify the whistle-blower of the result of the investigation. However, the KICAC may request for a re-investigation if the results of the earlier investigation are incomplete (Anti-Corruption Act, 2001: 18-21).

On February 29, 2008, the KICAC was merged with the Ombudsman and the Administrative Appeals Commission to form the Anti-Corruption and Civil Rights Commission (ACRC). However, the functions of the ACRC in terms of fighting corruption remain the same as those of the KICAC as the ACRC cannot investigate corruption cases.²

EFFECTIVENESS OF THE THREE PATTERNS OF CORRUPTION CONTROL

Which of the three patterns of corruption control is the most effective and why? Table 4 provides details of the ranking and scores of the nine countries discussed in this paper on Transparency International's 2008 Corruption Perceptions Index (CPI) and the World Bank's 2007 Governance Indicator on the Control of Corruption.

Table 4: 2008 CPI and 2007 Control of Corruption for Nine Asia-Pacific Countries

Country	2008 CPI Rank	2008 CPI Score*	Control of Corruption Percentile Rank
Mongolia	102 nd	3.0	33.8
Papua New Guinea	151 st	2.0	9.2
China	72 nd	3.6	30.9
India	85 th	3.4	47.3
Philippines	141 st	2.3	22.2
Hong Kong	12 th	8.1	92.3
Singapore	4 th	9.2	96.1
South Korea	40 th	5.6	68.1
Thailand	80 th	3.5	44.0
No. of Countries	180	-	212

² For details of the ACRC, see its website http://www.acrc.go.kr/eng_index.jsp.

Source: Compiled from <http://www.transparency.org> and http://info.worldbank.org/governance/wgi/sc_chart.asp

*The CPI score ranges from 0 (most corrupt) to 10 (least corrupt).

It appears from Table 4 above that Pattern 3 is the most effective as Singapore and Hong Kong have the highest CPI scores of 9.2 and 8.1 respectively in 2008, and the highest percentile rank of 96.1 and 92.3 respectively on the World Bank's 2007 Governance Indicator on the Control of Corruption. However, South Korea and Thailand, which have also adopted pattern 3, are less effective as reflected in their lower CPI scores of 5.6 and 3.5 respectively, and their lower percentile ranks of 68.1 and 44 respectively on the Control of Corruption indicator.

Patterns 1 and 2 are less effective than Pattern 3 for different reasons. In the absence of an anti-corruption agency in Mongolia, the task of fighting corruption was shared between the police, the General Prosecutor's Office, and the courts. However, because of the extremely low salaries of civil servants and judges, there is widespread corruption among the police and judges. Indeed, the Mongolian public has perceived the poorly paid police officers and judges to be corrupt (Quah, 2003: 49). The experiences of Singapore and Hong Kong have clearly shown the importance of not relying on the police to curb corruption as "this would be like giving candy to a child [and] expecting that it would not be eaten" (Quah, 2004: 2).

Papua New Guinea (PNG) has the lowest CPI score of 2.0 and lowest percentile rank of 9.2 for the Control of Corruption indicator. This is not surprising as corruption is a serious problem in PNG, where Bui Mana (1999: 7) notes that "ordinary civil servants at the provincial centres and district stations look for every opportunity to supplement their low wages" as they use their positions to extract bribes and other favours from the public. Indeed, the rampant petty corruption at the provincial and district administration level has been reinforced by the *wantok* system which "involves doing favours for friends and mates who belong to the same family, tribe or region" (Mana, 1999: 6). Needless to say, the *wantok* system has undermined the efficiency of the civil service in PNG. A more recent analysis by James Chin (2007: 202) has confirmed that "corruption remains unchecked, with the civil service and politicians seemingly immune from any systems designed to prevent corruption and fraud."

The continued reliance on the ineffective Ombudsman Commission and the 10 year delay in approving the proposal to establish an anti-corruption agency clearly reflect a lack of political will to curb corruption among the political leaders in PNG. Indeed, Mellam and Aloï (2003: 33) have recommended the formation of an anti-corruption agency to replace the ineffective Ombudsman Commission and the police.

Pattern 2 is also ineffective as the proliferation of anti-corruption agencies in the Philippines has led to "resource and effort-dilution in anti-corruption efforts due to duplication, layering and turf wars" (Quimson, 2006: 30). Similarly, in China the multiple agencies involved in anti-corruption work lack a proper coordination mechanism. Accordingly, since 1993, the Central Commission for Disciplinary Inspection, the Supreme People's Procuratorate and the Ministry of Supervision have enhanced cooperation among themselves and all the anti-corruption agencies (Quah, 2007b: 6).

In the case of India, Leslie Palmier (1985) has attributed the ineffective anti-corruption strategy to the lack of political will which is reflected in the government's unwillingness to provide adequate resources for the Central Bureau of Investigation and the Central Vigilance Commission. Palmier wrote:

The notion is simply ludicrous that one Central Vigilance Commissioner can effectively consider the files of all gazetted officers charged with corruption, or that their cases can be properly investigated by a handful of Commissioners for Departmental Inquiries. True priorities are shown by the allocation of resources more than by rhetoric; on that score the control of corruption cannot be said to be very high on the list of preferences of the Government of India. The Central Vigilance Commission and the Central Bureau of Investigation appear to have been given just enough powers and resources to permit some activity, *but not enough to make them effective* (Palmier, 1985: 113 emphasis added).

Unlike Singapore's CPIB and Hong Kong's ICAC, India's CBI is a police agency and is not concerned with fighting corruption only as it has three major areas of operation: anti-corruption, economic crimes, and special crimes (including organized crime and terrorism). As there is extensive police corruption in India, it is surprising that the government has continued to rely for the past 45 years on the CBI to curb corruption even though this traditional British method of relying on the police for corruption control has been shown to be ineffective in Singapore and Hong Kong.

In the Philippines, the major reason for the failure of the multiple anti-corruption agencies was provided by Eufemio Domingo, the head of the Presidential Commission against Graft and Corruption, who concluded in 1997 that "the system is not working. We are not making it work" because:

We have all the laws, rules and regulations and especially institutions not only to curb, but to eliminate, corruption. The problem is that these laws, rules and regulations are not being faithfully implemented. ... I am afraid that many people are accepting [corruption] as another part of our way of life. Big-time grafters are lionized in society. They are invited to all sorts of social events, elected and re-elected to government offices. It is considered an honor—in fact a social distinction—to have them as guests in family and community affairs (Balgos, 1998: 267-268).

Thus, it is not surprising that corruption remains a serious problem in the Philippines in spite of the efforts of both the government and civil society to curb it. According to Gabriella Quimson (2006: 9), all the integrity pillars in the Philippines are "tainted by internal corruption and are therefore heavily compromised" and "unable to perform their functions and operate effectively."

THE IMPORTANCE OF POLITICAL WILL

If Pattern 3 is more effective than Patterns 1 and 2, why are the CPIB and ICAC more effective than the KICAC and NCCC? The most important reason for the difference in effectiveness of the four anti-corruption agencies is the political will or commitment of their governments in curbing corruption. When there is political will, the incumbent government will enact legislation to empower the anti-corruption agency to implement the anti-corruption laws impartially without fear or favour. Furthermore, it will also provide the anti-corruption agency with the required personnel and budget to perform its functions. At the same time, however, the anti-corruption agency must be independent from political control to enable it to investigate allegations of corruption involving political leaders and senior civil servants. As the anti-corruption agency has extensive powers, it should not abuse these nor should the political leaders use it as a weapon against their political rivals. In the final analysis, the anti-corruption agency must be perceived by the population in the country as a credible public agency, which performs its task of corruption control professionally and impartially.

Table 5: Comparative Data on Six Anti-Corruption Agencies in 2005*

Anti-Corruption Agency	Personnel	Budget	Population	Staff-Population Ratio	Per Capita Expenditure
ICAC	1,194	US\$85 m	7 million	1:5,863	US\$12.14
CPIB	82	US\$7.7 m	4.3 million	1:53,086	US\$1.79
KICAC	205	US\$17.8 m	47.8 million	1:233,171	US\$0.37
NCCC	924	US\$22.8 m	64.2 million	1:69,481	US\$0.36
CBI	4,711	US\$30.3 m	1,081.2 m	1:229,505	US\$0.28
Ombudsman	957	US\$12 m	81.4 million	1:85,057	US\$0.15

Source: Compiled from data provided in ICAC 2006, Republic of Singapore 2007, KICAC 2006, ONCCC 2006b, CBI 2006, Office of the Ombudsman 2006, and *Pocket World in Figures*, 2008 Edition (2007).

*Data on the personnel and budget of the anti-corruption agencies in China, Mongolia and Papua New Guinea are not available.

As the incumbent governments in Hong Kong and Singapore are committed to curbing corruption, it is not surprising that Table 5 shows that they have provided the ICAC and CPIB respectively with the required personnel and budget as reflected in their favourable staff-population ratios and per capita expenditure. On the other hand, the lower level of political will of the incumbent governments in South Korea and Thailand is also manifested in the unfavourable staff-population ratios and per capita expenditure of the KICAC and NCCC. Not surprisingly, Table 5 also shows that the CBI in India and the Ombudsman in the Philippines are even more poorly staffed and funded as their governments are not seriously committed to fighting corruption.

The KICAC is the weakest of the four anti-corruption agencies as it is not, strictly speaking, an anti-corruption agency because it does not have the power to investigate corruption cases. This structural weakness is the KICAC's Achilles' heel and is a clear indication of the South Korean government's lack of political will. The Anti-Corruption Act, which was passed in July 2001, was proposed for legislation in 1996 by the

People's Solidarity for Participatory Democracy, which is the leading civil society organization in South Korea, and supported by other civil society groups like Transparency International Korea, the Citizens' Coalition for Economic Justice and the Citizens' Association for Anti-Corruption. From 2000 to 2002, these civil society organizations participated in public hearings, legislation requests, national assembly person signature drives, campaigning, rallies and television broadcast discussions to advocate the passage of the bill in June 2002. However, the Anti-Corruption Act of 2001 did not include all the provisions they had proposed (Kim, 2006: 53).

In his evaluation of South Korea's national integrity system, Joongi Kim (2006: 10) has revealed that the "introduction of an investigative authority" for the Anti-Corruption Act was a major item requested by civil society organizations in the original proposal. However, the Anti-Corruption Act did not include such a provision when it was passed in July 2001 because of opposition in the National Assembly. Accordingly, to rectify the KICAC's inherent defect, he has recommended that the KICAC "should be equipped with more authoritative and/or investigative powers." However, as mentioned earlier, the new government of President Lee Myung Bak has merged the KICAC with the Ombudsman and the Administrative Appeals Commission to form the Anti-Corruption and Civil Rights Commission (ACRC) on February 29, 2008 without empowering it to investigate corruption cases. In short, the ACRC, like the KICAC, is a weak anti-corruption agency without the power to investigate corruption cases.

Unlike the KICAC, Thailand's NCCC has the power to investigate corruption cases as its predecessor, the CCC, was perceived as a toothless paper tiger because of its inability to do so. However, unlike Hong Kong's ICAC and Singapore's CPIB, the NCCC has not received adequate staffing and funding since its inception in November 1999. A NCCC official who declined to be identified had informed a *Straits Times* correspondent based in Bangkok in May 2000 that the NCCC needed an additional 200 personnel as its staff was overworked. Furthermore, budget constraints had forced the NCCC to limit its expenditure in 2000 to 100 million baht, which was "hardly enough to cover operational costs" (Tang, 2000: 27).

Borwornsak Uwanno (2001: 198-199) has emphasized the critical importance of providing the NCCC with adequate staff and funding for improving Thailand's integrity system:

Staff and funding are critical factors in agency performance because control agencies cannot operate effectively without qualified personnel and adequate resources. ... Adequate numbers of qualified personnel are also a success factor. Inadequacy results in delays in the work process. Unqualified personnel can damage cases under investigation. This problem is linked to inadequate funding and remuneration. ... As an example of the staffing situation, the NCCC, with its wide mandate for combating corruption, has only 346 officials, [which] ... is not in proportion to the number of cases the NCCC has to investigate.

Thus, if the NCCC is not provided with adequate funding for new staff and a competitive pay scale, it would not be able to function effectively. Similarly, Nualnoi Treerat (2004: 195) has observed that the NCCC could "barely keep up with the increasing number of cases" as the number of corruption cases filed increased from 1,646 cases in 2000 to 2,179 cases in 2001. In her assessment of the NCCC's effectiveness, she found that the NCCC's performance was "slower than expected"

because of its “limited resources and weak governance environment.” Accordingly, Nualnoi (2004: 202) recommended that: (1) the resources of the NCCC should be increased; (2) training programmes should be provided for NCCC staff; and (3) skilled staff should be recruited by the NCCC. In their evaluation of Thailand’s national integrity system in 2006, Ora-orn and Ake (2006: 47) identified the NCCC as one of the four public institutions that were “overloaded with cases awaiting review.”

Table 5 shows that the NCCC has the fourth largest number of staff and the third largest budget among the six ACAs. However, as Thailand’s population of 64.2 million is the third largest among the six countries, the NCCC’s staff-population ratio of 1: 69,481 is third, while its per capita expenditure of US\$0.36 is fourth. Indeed, Borwornsak (2001: 199) has warned that the NCCC “risks being labeled a ‘paper tiger’” if its staffing and funding situation does not improve.

CONCLUSION

Of the three patterns of corruption control, Pattern 3 is more effective than Patterns 1 and 2. However, the key factor responsible for combating corruption effectively in a country is the political will or commitment of its political leadership. According to Ian Senior (2006: 84):

The principal people who can change a culture of corruption if they wish to do so are politicians. This is because they make the laws and allocate the funds that enable the laws to be enforced.

This means that if an incumbent government is committed to curbing corruption in the country, it should demonstrate its political will by supporting the selected pattern of corruption control with the required staff and funding. In other words, the incumbent government must be sincerely committed to the anti-corruption strategy and not just pay lip-service to it. Indeed, political will is “the most important prerequisite as a comprehensive anti-corruption strategy will fail if it is not supported by the political leadership in a country” (Quah, 2003: 181). Thus, the commitment of the political leaders in fighting corruption ensures the allocation of adequate personnel and resources to the anti-corruption strategy, and the impartial enforcement of the anti-corruption laws by the anti-corruption agency.

Faced with the choice between the three patterns of corruption control, the political leadership in a newly independent country should not adopt Pattern 1 as the experiences of Mongolia and Papua New Guinea have shown that the existing agencies of the police, General Prosecutor’s Office and the courts in Mongolia, and the Ombudsman Commission and the police in Papua New Guinea are ineffective in curbing corruption.

Pattern 2 is also not a good option as the reliance on multiple anti-corruption agencies in China, India, and the Philippines has not been effective in curbing corruption because of the lack of coordination, inter-agency competition, and the dilution of the anti-corruption effort by spreading the limited resources among these agencies.

The rising trend of corruption in China is an indication that its anti-corruption strategy of relying on multiple anti-corruption agencies has not worked. According to Zou Keyuan (2003: 82), 881,175 cases of corruption were reported in China during 1991-1999, but only 391,677 cases (44.4%) were investigated. Accordingly, he concluded on this pessimistic note:

Realistically, it is impossible for China to completely eliminate corruption; what it can do is only to curb its increase. One reason lies in the fact that China is a one-party-ruled country. As long as the power of the CCP [Chinese Communist Party] is not effectively checked and supervised, such power can still give rise to corruption. ... However, after 20 years of reform, corruption has become even more severe. The reason is simple. Corruption is closely linked to power. When power is unrestricted, corruption breeds quickly (Zou, 2003: 84).

In India, the reliance on the CBI and CVC has also not been effective in curbing corruption. To improve the CBI's effectiveness, these reforms, which require political will, must be introduced: (1) the CBI must be removed from police control and be transformed into an independent anti-corruption agency; and (2) the CBI's powers must be increased by amending the Constitution so that it does not have to obtain permission from the state governments to investigate corruption cases in these states. B.R. Lall (2007: 284-285, 287), a former CBI joint director, stressed that it was possible to curb corruption

by strict and equitable laws and their firm enforcement without fear or regard for any one's status or position. It is strong unwavering action against corruption and the corrupt which really will make the difference and change the mindset. ... A strong and determined Prime Minister can make all the difference All we require is a straightforward, effective, honest, firm, bold and a well-meaning Prime Minister for a few years at least.

The Philippines has not been effective in curbing corruption even though it has the most anti-corruption laws and agencies in the Asia-Pacific region. The lack of political will is the most important reason for the rampant corruption in the Philippines. Ledivina V. Carino (1994: 115-118) has attributed the lack of political will in curbing corruption in the Philippines to these six factors: (1) the decentralization of power was not accompanied by regular monitoring and evaluation of the subordinates' performance; (2) the inability of the political elite and senior civil servants to distinguish between public needs and private interests has resulted in many conflicts of interest; (3) officials were not punished for their failure to perform their duties; (4) unequal and selective enforcement of the laws; (5) pronouncements were not followed by action; and (6) adequate manpower and funds were not provided for the implementation of the anti-corruption measures. Hence, it is not surprising that "corruption in the Philippines is perceived to be the worst among East Asia's leading economies" according to the World Bank's 2007 Control of Corruption governance indicator (Dumlao, 2008).

The experiences of Singapore, Hong Kong, Thailand and South Korea show that Pattern 3 should only be adopted if there is political will. The political will of the governments in Hong Kong and Singapore in curbing corruption is clearly reflected in the higher per capita expenditure and more favourable staff-population ratios of the ICAC and CPIB. Conversely, the lack of political will of the governments in South Korea and Thailand is also reflected in the lower per capita expenditure and less favourable staff-population ratios of the KICAC and NCCC respectively.

Pattern 3 is more effective than Patterns 1 and 2 because the independent anti-corruption agency is a specialized agency concerned solely with minimizing corruption. The agency's single-minded focus on combating corruption is a tremendous advantage as it is not distracted by other priorities. Thus, the CPIB in Singapore and the ICAC in Hong Kong focus their energies and resources on curbing corruption unlike India's CBI, which is concerned also with tackling terrorism and organized crime in addition to fighting corruption.

The most important strength of an independent anti-corruption agency is that its *raison d'être* is the investigation of corruption cases without political interference. In this connection, the experience of South Korea's KICAC is instructive and should be avoided by those countries contemplating the introduction of an anti-corruption agency as part of their anti-corruption strategy. The KICAC was unique and anomalous as it could not investigate corruption cases. In his evaluation of South Korea's anti-corruption measures, Seong Youn Kim (2005: 130-131), the Chief Deputy Director of the Korean Civil Service Commission, has observed that:

The Government [of South Korea] adopted a check-and-balance system with the creation of the KICAC. But considering that [the] KICAC is not given investigative power, the check-and-balance system would not work as effectively as the Government originally intended.

Thus, the KICAC's experience demonstrates clearly that an anti-corruption agency will not be able to perform its functions effectively if it lacks investigative powers, which is its hallmark. Indeed, the KICAC's Achilles' heel was that it had to rely on other agencies to investigate corruption cases instead of doing so itself. More importantly, as indicated earlier, the establishment of the KICAC as a toothless anti-corruption agency without the ability to investigate corruption cases was a manifestation of the lack of political will of the South Korean government.

In other words, it is futile to establish an anti-corruption agency without investigative powers if the government's sincere intention is to minimize corruption. Hence, it is not surprising that since 2000 in South Korea the "continuous stream of scandals involving high-ranking officials" which ended "without clear investigations and judgments" led to the proposal to establish a special bureau of investigation of corruption by high-ranking public officials (Kim, 2006: 10). However, the plan to introduce legislation for the formation of this special bureau was "stymied" in the National Assembly and resulted instead in an alternative proposal of setting up "a standing special investigation system under an anti-corruption-related public institution" (Kim, 2006: 11).

Finally, it should be noted that an independent anti-corruption agency is not a magic bullet and the adoption of Pattern 3 will not automatically result in the eradication of corruption in a country if the political leaders are not committed to this task. However, if a government decides to adopt Pattern 3 and establishes an independent anti-corruption agency to spearhead its anti-corruption strategy, it can enhance the prospects for the anti-corruption agency's success by providing the agency with adequate staff and budget, by not interfering in the agency's daily operations, and, most important of all, by resisting the temptation to use the agency as a political weapon against its critics or opponents. In short, if there is political will, the anti-corruption agency can be an asset and a powerful weapon against corrupt politicians, civil servants and business persons. On the other hand, if political will is absent, the extensive powers of an anti-corruption

agency can be abused by a corrupt government to victimize its political foes instead.

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