

## Assessing and Reforming Public Efforts to Control Corruption

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There is wide agreement both within Africa and internationally that extensive corruption constitutes one of the principal obstacles to economic development in Africa. Corruption undermines the effective deployment of public resources for development. Development requires that the resources of government be used to generate public goods that will benefit the whole community. But corruption obstructs development by discouraging private investment, wasting resources, proliferating needless regulations, swelling budget deficits, and diverting resources from the kinds of investments that will increase the capacity to generate wealth. Funds that could go to educate and inoculate children, pave roads, build markets, dig wells, and generate electricity instead leak out into foreign bank accounts.

Many Africans, and international observers as well, feel that the root of the problem is either bad leadership or distorted values. From this perspective, corruption could be dramatically reduced if only African countries could get “good leaders”—people who are honest, fearless, and strong, to enforce high standards of public conduct on those below them. Or, it is argued, what is really needed is a transformation of cultural values, so that

corruption is no longer expected and encouraged, and so that public officials no longer come under pressure from family and community members to violate the public trust in order to distribute benefits to them.

Better leadership and normative transformation are needed if corruption is to be controlled. But they are unlikely to be the cutting edge of change. Rather, values will change, and leadership will become better—more transparent, accountable, and dedicated to the public good—when there are strong institutions in place that generate the right incentives for good performance.

The key to controlling corruption is to get the incentives right. It must be possible for individuals in public office to earn a decent and respectable income, matching their talents, experience, and performance, through their official salaries and benefits. People who serve honestly and effectively must have the opportunity to be promoted and rewarded. By the same token, those who violate the public trust by embezzling public funds, inflating contracts, rewarding contracts to their cronies, family members, or even their own shell companies, or otherwise using their office to

unfairly and improperly benefit themselves and their associates—such people should be seriously punished.

Corruption becomes a relatively rare phenomenon when there is a high probability that it will be detected, exposed, tried, and punished; when corrupt public officials are highly liable to suffer public disgrace, forfeiture of office and ill-gotten assets, and even imprisonment. There is no other way to put it: If corruption is really to be controlled, seriously corrupt officials must go to prison. At the same time, honest officials must be well rewarded and respected.

The key to controlling corruption is to determine what constitutional, institutional, and legal changes are necessary to generate this structure of incentives. It is important that salaries and benefits and conditions of service be adequate to attract capable, talented people to public service, and to enable them to live decently on their official salaries. At the same time, there must be a dense array of institutions to detect and punish corrupt conduct. Finally, although I do not focus on it in detail here, there must be a program of reforms to stimulate and free up the private economy, so that the scope for rent-seeking by state actors is significantly reduced, and so that the scope for accumulation of private wealth through honest enterprise is significantly increased. Then the norm can be established that those who want to get rich go into the private economy, and those who want to serve the public rest content with being paid a respectable middle-class salary.

Horizontal accountability is the process by which some agencies of government hold other government actors responsible for their conduct. It is most effective when there are overlapping, complementary agencies of accountability, that interlock into a comprehensive system, ensuring

that if one agency fails to perform its duty, another will pick up the burden, and hopefully over time they will cooperate and interact to root out corruption and fraud.

The first institution of accountability is the law itself, which must clearly forbid all forms of improper enrichment, self-dealing, and other types of corrupt conduct. The law must ensure transparency in the conduct of government, especially the contracting and budgeting process, with freedom of information. It must require all senior public officials and members of parliament to declare their assets upon taking office, every year thereafter, and upon leaving office, and these assets declarations must be made available to the mass media and the general public for inspection. Many systems of accountability fail because there is no means for the public to scrutinize and investigate the authenticity of the assets declarations.

Second, the judiciary is a vital institution to enforce the law, punish criminal conduct, and defend core constitutional principles. It must not only have the independence to function in this way, but the resources as well. This requires a constitution that provides secure tenure and professional means of promotion for the judiciary; that provides a relatively fixed number of judges, with long or indefinite tenure, on the Constitutional Court; and that ensures that the judiciary will be adequately funded, housed, equipped, and remunerated.

Third, there must be strong institutions of corruption control. These bodies, which are authorized to investigate potential wrongdoing, must have adequate staff and resources to function. They should also have independent authority to prosecute suspected offenders.

In many countries, authority to prosecute rests

with the Attorney General, who is appointed by the President or Prime Minister—a partisan individual, and often the head of the ruling party. However dedicated and honest the Attorney General may be individually, it is difficult to expect such an office holder who is part of the Cabinet to prosecute his fellow ministers, and if he or she is a member of the ruling party, his fellow party members. Independent authority to prosecute can ensure a greater likelihood that offenders will be tried and punished.

Fighting corruption also requires a strong office of Ombudsman to investigate public complaints and redress grievances, a human rights commission, an independent auditor general, independent electoral commission and so on. Sometimes, as in Ghana, the office of ombudsman and the human rights commission may be combined with some counter-corruption functions in a single office, as with the Commission on Human Rights and Administrative Justice.

If counter-corruption and good governance agencies are to function vigorously and effectively in the service of the public good, they must enjoy autonomy from political interference, restraint, and control. There must be a thick wall of insulation between these agencies and the partisan politicians who constitute the Cabinet and the leadership of government.


Accountability works most vigorously when these various agencies of accountability are appointed, supervised, and funded by an independent authority, what could be termed a supreme oversight body. Too often, these agencies depend for their funding on budgetary recommendations by the president or prime minister, and budgetary allocations by the parliament. All of these actors are partisan individuals who would be closely monitored,

and perhaps even investigated and prosecuted, by the agencies whose budgets they are setting. They do not have a strong incentive to establish a truly resourceful and effective set of counter-corruption institutions. The budgets for these institutions should therefore be established by an independent agency, which should also appoint the leaders of these bodies and supervise their conduct.

A strong network of public agencies for fighting corruption is vital, but it is not enough. An effective campaign to reduce and control corruption requires as well a mobilized civil society. It needs a vigorous network of NGOs, think tanks, business groups, and other advocacy organizations, linked to allies in the international community, who scrutinize the conduct of public officials, lobby for good governance reforms, and ally with the public agencies of accountability in efforts to make the laws work and ensure that citizens understand them. Necessary as well are comprehensive efforts at civic education to change the culture of corruption, and to ensure that citizens understand their obligations and rights under the law. A societal campaign to transform values and expectations from below can make progress, but only if it is reinforced by what citizens actually see and experience in their own lives and in higher public life.

Society must see that public officials are being held to account, that laws are being enforced, and that institutions are working, that corrupt officials are being investigated, tried, and when guilty, punished. Then values and expectations will begin to be transformed, and leadership will become more responsible, not necessarily because of any ethical or religious conversion, but because it suddenly becomes in the interest of public officials to obey the law and serve the public good.

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