

Building Political Will

Whatever is morally wrong can never be politically right.

Abraham Lincoln

Perhaps the most elusive of all the lessons we have sought to learn has been the building of political will.

Participatory approaches to fighting corruption, and especially the importance of active involvement by civil society and the media, are now generally accepted as fundamental to any successful anti-corruption reform programme. However, political will is frequently the missing ingredient.

It follows that citizens, as the beneficiary of reforms, should not merely be passive recipients of the outcome of reforms, but should be active advocates for reform and guardians of the process throughout. However, demands for reform will only come from politically conscious citizens who understand their rights and the responsibilities of their representatives, and this in turn demands the raising (and sustaining) of the level of public awareness.¹

It is important to view political will as not simply the “will of politicians” and those overtly in the political life of the nation. Rather we should be looking at leaders in all walks of life - professional groups, the private sector, trade unions, religious institutions and other civil society groups, to name but a few - and seeing how these can be energised in the cause of containing corruption and furthering integrity. The starting-point does not have to be at the highest echelons of power, but unless clear and unambiguous signals of support are emanating from the top, those responsible for administering and enforcing crucial aspects of the country’s national integrity system may well feel inhibited.

Certainly, the process of building political must culminate in energising key figures in political life. A lack of political will should not be surprising in a country where political office is seen as the quick route to acquiring personal riches. As a means of self-service, not public service. As a means of benefiting one’s family and clan rather than the nation as a whole. Indeed, the reasons why people go in to political life in the first place are important issues for public debate.

A principal challenge in assessing political commitment is the ability to distinguish between reform approaches that are superficial and designed only to bolster the image of political leaders, and those which are substantive efforts to create real and sustainable change. Some well-intended regimes have engineered their own destruction through inept or ineffective strate-

¹ A special section of the Internet version of this Source Book is capturing best practice in this area:
<http://www.transparency.org>.

gies, and some exploitative rulers have successfully hidden their motives behind a façade of cosmetic measures.

Political risk

Without doubt, political risk is a very real constraint. Because corruption is frequently a systemic problem (as opposed to occasional public servants exploiting opportunities), only comprehensive reforms can be effective in reducing it. But a comprehensive reform package contains inherent unpredictability and risk for leaders. Frequently, within a year or so after a country has implemented price liberalisation, its Prime Minister or Finance Minister, or both, have been involuntarily removed from their jobs. Such possibilities must weigh heavily in the minds of political leaders.² This is not necessarily a criticism. Politics is, indeed, “the art of the possible”, and for the good to fail through being overly ambitious may only be to open the door for the less dedicated to return to office.

It is also the case that those who rise to the higher levels of political leadership will, all too frequently, have compromised themselves in a variety of ways - not least in the area of political campaign financing.³ The developing world is not alone in this being the weakest link of all in a country’s integrity system. Recent scandals in Western European countries, Belgium, France and Germany among them, point to the particular vulnerability of politicians in the area of campaign financing.

So the questions are posed: Can “political will” be consciously created? Or does it emerge in the form of individual champions who may have previously and consciously concealed reformist tendencies as they rose to the top? If it can be created, how can we identify the likely ingredients for building it?

Bottom up...?

Raising awareness at the grass-roots level is one starting point. Transparency Mauritius in 1999 published and widely distributed a booklet, *No to Corruption, Yes to Integrity*, that was distributed by a major national newspaper as a free insert so that their message reached a wide cross-section of a highly-literate developing country. World Comics, a Finland-based NGO, promotes the use of comics as a cost-effective medium for education. The National Democratic Institute in Thailand has developed creative educational initiatives which seem to be effective in creating political consciousness at the grass-roots level. These include musical performances, radio drama, street theatre, puppet shows and art contests. The Thai programme has also hosted “village forums”, discussions groups to encourage citizen advocacy.

Surveys, too, and Bangalore-styled “Report Cards” can assist in the process of building an awareness of what is going on and what the costs of maladministration may be. Non-Governmental Organisations (NGOs) can also challenge the political establishment by conducting surveys of the views of political parties on the issue of corruption and ask what, in power, they would be prepared to do about it. These political surveys may have success (as they did in Papua New Guinea) where political parties recognised the need to publicly endorse the need for reform, but equally they may be seen as a threat best ignored (as has happened in Malaysia,

2 Observation by Shang-Jin Wei, Associate Professor, Harvard University’s Kennedy School of Government, The New Century Chair Senior Fellow, The Brookings Institution in the Internet Development Forum on Anti-Corruption Strategies co-ordi-

nated by the World Bank et al. Communication of 8 December 1999.

3 Those who “know where the bodies are buried” hold considerable power over those who may have buried them.

where the ruling coalition remained silent and only opposition parties responded).⁴ Initiatives in Papua New Guinea in this field have, in turn, led to the development of a series of public-private partnership projects aimed at containing corruption.

These are examples of reformers from civil society developing and articulating a specific agenda for reform (e.g. statutory reforms and implementing procedures), and then publicising it widely. In this way the public then have something concrete to rally around, rather than simply to continue with vague and unfocused calls for change.

The task of building political will does not end with a government embarking on a course of reform. It must then be sustained through the often-difficult times that lie ahead. Public expectations must be managed and kept realistic. Systemic corruption, the bane of the people's lives in many countries, will not disappear overnight. There will still be high-level scandals, as changes in behaviour take time to achieve.

When a government is interested in reducing corruption, the civil society can be an active partner by demanding reforms that have clear and measurable performance goals, monitoring the reform process and making the government accountable. It can reinforce political will by helping to achieve desired results and building public confidence in the processes, thus encouraging political leaders to stay the course.

Political will and the "watchdog" agencies...?

Though technically "non-political" in nature, there is a broader political role to be played by the leaders of the official watchdog agencies. In some countries there may be opportunities for the leaders of key agencies to imprint themselves on the political establishment.

In many countries, however, such watchdog leaders must be prepared to pay a price as inadequate institutional protection can render them liable to summary removal. But if a potential loss of position is sufficient to coerce a "watchdog agency" to remain on safe ground, then the agency is self-defined as being "more watch than dog". The consequences of removal can be personally devastating, and where this occurs it is vital that civil society and the public at large give the person who has been victimised their full support and encouragement.

Two recent incidents illustrate what can occur. In one, the Auditor-General of a small Pacific island state uncovered grave levels of corruption which involved the active participation of a number of cabinet ministers. The Ministers survived the criticism by launching their own attack on the Auditor-General with an inquiry into his use of overseas experts in the conduct of the audits. Driven from office and back in to private practice, he is reported to be a lonely figure, with potential clients afraid to patronise his accountancy firm for fear of being seen by the establishment as being "anti-government". What role model is the political establishment encouraging? What message is there to successors in office? And should it be any surprise that, in this case, before long a Cabinet Minister was murdered when he tried to halt the corruption of his colleagues?⁵

A second incident involved the Ombudsman in Vanuatu, who found her appointment not renewed after she had subjected several Cabinet Ministers to embarrassing scrutiny. To the

4 This is not to suggest that parties are automatically converted to the cause of containing corruption. Certainly, the Papua New Guinea experience in 1998 has been that after the elections, and despite very public "commitments" to reform programmes, certain political actors continued with malpractices. What TI

PNG hopes will emerge from their exercise is a heightened awareness on the part of the voters of the venality of certain politicians. They hope that this will induce the voters themselves to defeat those politicians at the next election.

5 The events are discussed in the Chapter on the Auditor-General.

Shooting the messenger in Vanuatu....

The lasting memory of my experiences as (Vanuatu's first) Ombudsman are those of finding incontrovertible evidence again and again of dishonesty, theft, duplicity, deviousness - all the identical weaknesses which plague leaders - indeed which plague us all - in "developed" as in "developing" countries. Rarely, in fact almost never, despite more than seventy public reports issued from my office between 1994 and 1999 did any leader acknowledge his transgression and "confess his sins". As a result, the same leaders remain in place, disillusionment is widespread, and no sense of "leading by example" prevails...

In my own case in the small South Pacific republic of Vanuatu - despite a Westminster style of democracy since Independence in 1980, and a history of almost universal Church attendance - I encountered all kinds of systematic misconduct and abuse of power, throughout the civil service to the very top of government.

Examples, which were detailed in dozens of public reports, included the illegal sale of passports; the misappropriation of cyclone relief funds; favourable loans from the country's pension fund given by leaders to political cronies to buy government owned housing cheaply; a US\$100 million bank guarantee scam; subverting tender board procedures; the destruction of the nation's Development Bank caused by the non-repayment of loans by politicians.

You may be asking yourself what was the result of such incendiary information coming into the public domain? Well, apart from one riot in the capital which saw the Provident Fund head office besieged, and numerous outraged letters in the press ...nothing happened. No one resigned. No one was dismissed. No one was arrested. No one was charged. No one was prosecuted.

Responses to me as the "Messenger" varied from scathing personal attacks, derogatory and unconstitutional statements about my skin colour, my sex and my former nationality (French), accusations of being a "colonialist", promises by government ministers on national radio to remove me from office, abusive attacks on me in Parliament, a death threat and a successful private member's bill to remove the Ombudsman's Act from the statute books - although another Act was eventually reintroduced. Tiny Vanuatu, it would seem, is not so different, perhaps no better or worse than many other countries, today and in the past.

Marie-Noelle Ferrieux Patterson, plenary address to the Asia Pacific Governance 2000, Ethics, Law, Management, Politics Conference, Griffith University, Brisbane, Australia, 27 - 28 April 2000

astonishment of observers, those politicians who had sustained withering criticism had been re-elected at subsequent elections, by a populace apparently unconcerned with the serious allegations that had been made against them. As a former journalist and with good contacts in civil society, she has been able to escape worst aspects of the fate of Western Samoa's former Auditor-General. The tragedy for the country is that she provided principled leadership, only to find the wider public unprepared to use their votes to support and sustain the findings her office had made.

The loneliness of the "lone ranger"

Tanzania is frequently cited as one of the countries where political champions have led the fight. However, from the outset, President Mkapa initially led the fight against corruption as a "one-man show", without involving other stakeholders and without managing to build his own coalition for reform within his administration. Because he did not build a coalition by using a participative and inclusive approaches, he became more to resemble a "Lone-Ranger", particularly after the Warioba Commission Report into corruption, commissioned by the President, was released to the public. Several people implicated in the Report were senior politicians, judicial officials, police and government officials, and the Mkapa administration has been criticised for failing to take actions against "big fish". Although the administration can point to a whole series of actions taken against persons at lower levels, the apparent absence of ethics at the top (other than in the Presidency) has remained palpable.

At the time of writing, President Obasanjo of Nigeria, too, is enduring similar frustrations and obstruction. The populace is loud in their support of his anti-corruption drive, but with many Members of the National Assembly deeply involved in corrupt deals of one kind and another, the President is seen as standing almost alone.

From this we can see that political will seems to turn not only on the political and economic resources available to the champions of reform, but also on their perceived power and ability to muster solid support from both domestic and international constituencies.

Once political will is established at the top, how are leaders to impose ethical conduct on a systemically corrupt system? A public service which may well fudge, if not completely ignore, instructions received from the top? This is a question which has emerged and which awaits a practical answer.

The role of "outsiders" in building political will

It is now widely believed that donors can play a role to build political will in the short term by identifying anti-corruption "champions", and providing the occasions, and possibly the protection they may need in order to act. This can be done by creating opportunities for political will to emerge, as well as by including anti-corruption strategies on the donors' political and development agenda. The experiment undertaken in Kenya will be watched to see whether

it succeeds in unlocking a well-spring of political will, or whether it is simply a continuation of the pas-de-deux which the donors and ordinary Kenyans alike have found so frustrating.

The impetus for a reform programme has to be home-grown and home-owned - the initiative to fight corruption must come from within a country, not from outside. There have been many examples of donors trying to impose anti-corruption programmes on countries as pre-conditions for them to receive aid, and none can be regarded as having had the intended consequences.⁶

On the other hand, the notion that nothing can be done where there is no political will to fight corruption in a country at the leadership level can be very far from the truth. The will to fight corruption can reside in many locations - different branches of government, the political opposition, official watchdog agencies, civil society, international organisations, and both public and private sector institutions. Together they can form a powerful political constituency and provide leadership.

In 1999, The World Bank Institute began to develop an anti-corruption core course, "Towards Collective Action to Improve Governance", in seven African countries.⁷ The course affirms that an inclusive and participatory approach in developing strategies to fight corruption is, indeed, critical to its success.

As a result of this initiative, "country participant teams" have become catalysts in their countries and are now taking concrete steps to address the problem of corruption. For some of the countries (such as Kenya) it was the first time that a full spectrum of stakeholders - government, anti-corruption agencies, the media, the private sector and representatives of civil society - had come together to develop comprehensive strategies for fighting corruption.

Starting afresh and with an empty worksheet, and at the same time building on their and others past experiences, each "country participant team" developed a detailed action plan of institutional reform in areas in which it had been difficult to realise tangible results to date.⁸ In all seven countries, the "country participant teams" have initiated meetings with other stakeholders to broaden their country's anti-corruption coalition. For example, in Ghana, military officials have approached "country team members" expressing a willingness to join the coalition to fight corruption.⁹

The impact of this approach will be watched keenly.

Cat and mouse in Kenya

Kenya is a country whose government has been viewed for some years as playing "cat and mouse" with the donor community over the issue of corruption.

The conflict has centred on \$400 million in illegal export-incentive payments that Moi's government made to a local jewellery maker, Goldenberg, supposedly to reimburse taxes paid on imported raw materials. However, no taxes had actually been paid, and no hard currency brought into the country. The IMF demanded an accounting of the missing money, the equivalent of 6% of Kenya's annual economic output. When the government closed down a private prosecution of the Goldenberg team brought by the Kenyan Law Society, the IMF cut off \$169 million in credit. The government tried to stonewall, offering a few sophs to the IMF but refusing to accept the root-and-branch internal reforms the agency is demanding as the price for the resumption of aid.¹⁰ After months of frustration and token gestures by the Kenyan government, IMF conditions for aid resumption placed literally every financial transaction under the benefactors' scrutiny. Conditions include the re-appointment of Permanent Secretaries, declaration of wealth, publication of an effective crimes bill and removal of excess baggage in the civil service.

Critics claimed that by doing so for a "paltry" Sh16 billion, the government had sold away the country's sovereignty for a song. "The conditions may be well-intentioned, but they are bound to be politically unpopular and humiliate Kenyans who, despite the drought-induced power rationing and famine, still have pride in their country..." noted a leading Nairobi newspaper.¹¹

"While some of the conditions on full disclosure of financial transactions, including the provision that the Central Bank hand over its monthly balance sheet to IMF inspectors, are understandable, compelling the government to sell parastatals when they can hardly fetch a decent price locally leaks of a conspiracy to sell Kenya's wealth to foreigners. A stipulation that public officials declare their wealth and that the government publishes an Economic Crimes Bill appears to be an answer to Kenyans' prayers for a more transparent officialdom that keeps sleaze at arms length.

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6 For example, the previous insistence that the Government of Kenya establish an independent anti-corruption bureau. The institution was set up and its first victim was a senior customs official who many had seen as being one of the most outstanding and honest in the administration. As he was placed under investigation the official was automatically suspended from his post, to the relief of many customs duty evaders. It may be the case that in time this office will developed into an effective institution, as a result of internal political pressures. Its initial performance was lamentable but the mere creation of the office bought further time from the international community for the corrupt regime.

7 Benin, Ethiopia, Ghana, Kenya, Malawi, Tanzania, and Uganda.

8 For more details visit the World Bank website at: <http://www.worldbank.org/wbi/gac>.

9 Observation by Sahr Kpundeh in the Internet discussions, supra.: 10 December 1999. This chapter draws on Kpundeh's paper, "Political Will in Fighting Corruption".

10 "A World War On Bribery", TIME magazine, 22 June 1998".

11 Peter Munaita, "Did we sell our soul to get aid from the IMF?", Commentary, Daily Nation (Kenya) 3 August 2000."

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"It was the late Robert Maxwell who famously observed that trust, like virginity, can only be lost once. Apparently, lenders have lost faith with a government that preaches water and drinks wine, vows to tighten its belt only to end up belching from too many bitings.

"This trend, witnessed whenever there is an election looming, has led to the view that a government which condones thievery can only be tamed through a carrot-and-stick approach. It is this message that the stiff conditions set by the IMF underscore," the editorial writer concluded.

Whether such measures by the IMF will, in fact, lead to the creation of a critical mass of political will remains to be seen. Certainly, within the country there are significant pools of political will – in parliament, the private sector, civil society, and the churches and the mosques. However, as the editorial indicates, there are those who, while supporting the thrust of the reform programme being forced upon the government by the international community, are still anxious about the broader implications of such an approach.

Timing

The key to the building of political will may be timing. And the crucial element in timing would be to choose a moment when changes in leadership or elections are taking place. These are times when active politicians will be keen to see themselves viewed by the public as being "anti-corruption" and on the side of reform. At these times, the winning of the right rhetoric will be at its easiest. Having achieved the right words, the challenge will be to hold the new leaders, or the newly-elected politicians, to their promises.

This will never be an easy task. But there will be the advantages of new players and new people with access to those who govern.

The matter does not end with the right people being placed in charge. That is where the reform processes start. Reform is a long-term process, and cannot be left to one man or woman, or relegated to the political leadership alone. All must be involved, from ordinary members of the public to the highest leadership.

Throughout, the news of progress must be carried to a public likely, at least in the initial stages, to be suspicious and wary. They have reason to be. Their support must be won and this will take both time and patience. Careful, credible and correct reporting of progress is essential. Extravagant claims must be avoided, and the focus must be on ways in which people can see, in their daily lives, that things are actually getting better.

Then, a supportive public can generate an environment of expectation and participation which will, in turn, help sustain political will at the top.

As the slogan insists: Nothing Succeeds Like Success.