Beyond “Political Will”: How Institutional Context Shapes the Implementation of Anti-Corruption Policies

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Abstract

Many anti-corruption initiatives face an inherent dilemma: the very actors which must adopt and implement policies to curb corruption are those which may face weak, or even negative, incentives to do so. Where corruption in authoritarian states is already endemic, a vicious form of this “orthodox paradox” emerges, as elites adopting anti-corruption measures attempt to police themselves. This paper presents an institutionalist approach to linking the context of anti-corruption reforms to their likely effectiveness and sustainability. It applies this approach to the assessment of Vietnam’s 2005 anti-corruption law.

Introduction

Across a bewildering variety of settings—dictatorial and democratic, rich and poor, politically stable and all-but-failed—the attempt to curb corruption has become a universally espoused goal of policy-makers and citizens alike. Corruption has also been a focal point for policy formulation and the development of institutions and legal instruments, culminating internationally in the United Nations Convention Against Corruption, passed by the General Assembly in 2003. Growing social demand has prompted domestic anti-corruption legislation in probably a majority of the world’s countries over the past decade (Transparency International 2004).

Despite this flurry of activity, it is not surprising that many anti-corruption initiatives fail to achieve their objectives. Anti-corruption institutions can seem hopelessly “outgunned” in an uneven fight against systemically corrupt institutions. For every high-profile success story, there are dozens of spectacular failures or efforts that would appear to be on the fast track to nowhere.

What determines whether anti-corruption reforms succeed or fail? There are several levels at which one can search for an answer. Much commentary identifies “political will” as a decisive factor (Brinkerhoff 2000; Pope and Vogl 2000), generally denoting robust consensus on action among political elites. But as an explanatory category it has an elusive quality. Institutional interests (even among elites) are nearly always fragmented, and never more so than when changes in the institutional rules of the game affect resource accumulation strategies. Political will can thus often be a front for what amounts to a symbolic or “ideological” policy (Quick 1980, 42).

A variation of the political will explanation is to focus on the exercise of skillful political leadership in the introduction of anti-corruption policies (Quah 1999). This approach
is more realistic in that it acknowledges the existence of substantial intra-elite conflict. But such an approach may be more helpful in informing the dynamics of policy formulation and adoption (in particular the role of policy entrepreneurs), than it is to assess or predict implementation patterns and the long-term prospects of the measures introduced.

This paper proposes an institutionalist approach to the assessment of anti-corruption reforms and their prospects. I apply such an approach to the case of Vietnam, which in 2005 passed its first comprehensive Anti-Corruption Law. “Political will”, whether evinced by the speeches of its leaders, legislative activity or the acknowledged importance of the issue to political stability, is high. But I argue that current anti-corruption measures are unlikely to bear much fruit, and that the key to understanding why lies in the institutional characteristics of Vietnamese authoritarianism.

Vietnam is far from unique in this regard; a wider set of authoritarian countries experience predictable problems in implementing anti-corruption measures; section one explores this broader pattern. Section two introduces the problem of corruption in Vietnam and the Communist Party’s emerging strategy to combat it. Sections three and four analyse the institutional configurations that will influence the outcomes of this country’s anti-corruption strategy. The conclusion returns to a broader assessment of the problems and prospects for anti-corruption measures in authoritarian states.

The Power of Context in Anti-Corruption Interventions

Many anti-corruption initiatives face an inherent dilemma: the very actors which must adopt and implement policies to curb corruption are those which may face weak, or even negative, incentives to do so. In previous work (Fritzen 2005, 100), I called this the “orthodox paradox of anti-corruption work”,¹ and modelled the incentives faced by the grassroots implementers of a particular anti-corruption policy. The paradox can also be used to assess the problems that institutional context may pose for the viability of anti-corruption innovations.

Consider the case of authoritarian states, broadly defined here as polities that are relatively insulated from political competition. Where corruption in such states is already endemic, a vicious form of the orthodox paradox emerges, one nicely encapsulated in the Latin phrase *qui custodiet ipsos custodes*, meaning “who, then, guards the guardians?” Adoption of anti-corruption policies may not be particularly surprising in such states, particularly where vanguard policy-making elite perceives systemic risks in failing to act. Yet many generic difficulties can be foreseen in the implementation phase of such reforms. Where existing institutions are asked to implement an anti-corruption measure, will the incentives of actors in that institution be sufficiently strong to carry out new functions? And how viable will any new anti-corruption institution be, given that existing actors within a largely corrupted elite will be well placed to protect long-standing interests? The most fundamental problem is this: elites adopting anti-corruption measures must essentially police themselves, which will be difficult precisely where corruption is already systemic.

Yet anti-corruption measures are not necessarily doomed to failure in authoritarian contexts. Singapore is an example of a state governed by a single party for decades, but which is actually feted for being clean. And within the authoritarian classification, corruption levels can vary significantly and can change over time. The *qui custodiet* dilemma is not a death sentence for anti-corruption reforms, only perhaps a guarantee of a predictable conflict afflicting the implementation of such policies.

How can the “orthodox paradox”—this contradiction that can arise between institutional context and anti-corruption measure—be usefully studied in particular cases? Three propositions gleaned from rational choice institutionalism provide an useful starting
The literature suggests, first, that struggles over institutional redesign are characterised by conflict between powerful institutional actors. Each of these actors will assess its level of support or resistance to any changes in institutional rules based on how these changes affect the actor’s power and resource accumulation strategy (Hammand and Knott 1999). Second, these calculations of interest include both short- and long-term considerations, which may diverge. Actors may attempt to steer changes in ways that enhance their long-term interests even at the expense of short-term actions that appear to disadvantage them (Grindle 2000). Finally, existing institutions and governance characteristics (“context” as used here) have a profound influence on reform efforts. They shape the way the interests of actors are aggregated and shaped (Moe 1990). Context also determines the degree of complementarity between new and existing institutions, which has an important impact on the likely effectiveness and sustainability of the institutions or measures introduced (World Bank 2002; Ostrom 2004).

The next three sections employ these propositions to explore the institutional context of anti-corruption in Vietnam.

Corruption: Problems and Policies in Vietnam

Vietnam’s economic performance since the advent of market reforms in the late 1980s has placed it among the top-performing countries in the world (SRVN and World Bank 2005). But a number of analysts (Fforde 2004) point out that the slow pace of political and institutional reform compared to economic development is creating tensions that will be difficult for the country’s elite to manage.

Corruption stands at the heart of those concerns. A widespread belief that the governing elite is systemically corrupt could (especially in conjunction with a potential slowdown or reversal of economic growth) serve as a persuasive justification for systemic political change. Growing public perceptions of corruption have already fuelled several waves of rural unrest since the late 1990s, including much publicised incidents in the Red River Delta province of Thai Binh in which villagers razed the houses of a number of local government officials thought to be corrupt (Painter 2003). The political import of the issue has been acknowledged by Vietnam’s leaders, with several senior officials going on record as saying “the Party would lose power if corruption was not eliminated” (Abrami 2003, 98).

Causes and Levels

Corruption in its contemporary form in Vietnam can be seen as part and parcel of the economic transition process. Some of the primary forms it has taken include the privatisation of state assets by officials managing the transition, abuses related to decision points in the bureaucracy for claiming and enforcing economic and other rights, and the unregulated commercialisation of service delivery. Towards the end of the 1990s, links between organised crime, the police and local government were also being exposed, notably through the Nam Cam scandal in Hochiminh City (Abrami 2003). An Asian Development Bank report summarised the problem by noting that the country’s rapid economic growth “expands corruption opportunities faster than accountability mechanisms manage to follow” (Persson et al. 2005, 52).

Relatively little is known about actual corruption levels and trends in Vietnam. The Corruption Perceptions Index has placed Vietnam near the bottom of all Asian countries since it included the country in its rankings in 1996; but the index is subject to methodological problems and, contrary to popular use, cannot be reliably used to track trends
in underlying corruption levels. However, the first relatively systematic survey of corruption levels and trends within Vietnam, carried out with technical assistance by Swedish development aid to give it credibility, is being circulated by the Communist Party. The draft report contains some interesting findings.

First, the reported incidence of corruption is high. In a sample of 3,251 citizens in seven provinces, “57% of people questioned said they paid extra money when they made traffic violations and 50% when going to the People’s Inspectorate or the court” (Communist Party of Vietnam 2005, 42). In addition, 35% out of 1,301 civil servants interviewed admitted to having in the past 12 months directly observed (presumably other) officials “receiving money or presents to work in favor of the bearers” or “people in positions of authority intentionally causing difficulties to others in order to cause them to give money” (ibid, 102). Of 21 agencies surveyed, the “most corrupted organizations” included the cadastral and housing agency, customs/import-export management agency; traffic police; pubic finance and tax agency; management/entities in construction industry; construction permit-granting agency, and health care entities (ibid, 33).

A second finding is that attitudes towards corruption are permissive within the bureaucracy. An astonishing forty-seven percent of civil servants questioned said that “they would accept or hesitate to refuse” a bribe (ibid, 34). Corruption from this perspective has a strong collective nature. Finally, the survey also confirms that the issue of corruption matters greatly to the public. Fully three-quarters of the citizens interviewed listed corruption as the matter of “greatest concern” from a list of 17 social and economic problems (ibid, 35).

Policies and Strategies to Combat Corruption

Vietnam has seen a flurry of activity in the past ten years aimed at combating corruption, culminating in the passage in November 2005 of the country’s first Anti-Corruption Law. This is an umbrella law bringing together and in some cases further developing many of the approaches Vietnam has employed to detect and prevent corruption in the previous ten years. A prominent thrust in the law is to ensure a more complete definition of what constitutes a punishable corruption offence; being an accessory to bribery, for instance, is for the first time criminalised. In addition, the law establishes a National Steering Committee for Anti-Corruption chaired by the Prime Minister. That this is not an independent anti-corruption commission is a disappointment to a number of Vietnamese observers (EIU 2005a). With little independent enforcement powers, the Steering Committee will primarily have a policy steering and coordination function.

Anti-corruption measures to date in Vietnam can be grouped into three main areas:

1. Administrative reform. Anti-corruption has to date formally been regarded as part of the government’s program for public administration reform (Persson et al. 2005; Vasavakul 2002). This program attempts to reduce the opportunities and incentives for bureaucrats to engage in corrupt activities in two ways: by reducing layers of bureaucracy and simplifying administrative procedures (for instance, for registering businesses), and by reducing the number of state employees while improving their salaries.

2. Oversight and inspection. One of the main approaches to fighting corruption has been an effort to establish and enforce clearer ground rules for the conduct of Communist Party members. In recent years (as earlier in China), this involved a heated internal debate regarding whether Party members should be allowed to engage in business and to “get rich”. While that issue will see continued debate, it has been largely answered in the affirmative. To prevent illegal sources of enrichment, however, a stepped up effort to record and assess the
assets and income of both Party members and bureaucrats was launched two years ago, and features prominently in the Anti-Corruption Law. A related approach in the law is to mandate greater enforcement effort and cooperation between the large number of agencies responsible for carrying out financial and technical audits and inspections.\textsuperscript{2}

3. Transparency and complaints. Probably the first strategy formulated explicitly to fight corruption in Vietnam’s transition period was to give the citizenry the right to lodge formal complaints over administrative abuses and to “denounce” corrupt officials.\textsuperscript{3} Such complaints and denunciations would in theory then have to be investigated by administrative agencies at various levels. This approach essentially survives intact, with a few enhancements, in the Anti-Corruption Law.

Transparency-based approaches have also become \textit{de rigeur} in the pronouncements of policy-makers. The popular unrest of the late 1990s noted above led to a rectification campaign in which the Party admitted that corruption was a serious problem—at least for local governments. The “grassroots democratisation” decree was its policy response. Expressed in several directives\textsuperscript{4} issued from 1997 on, the policy mandates that local governments take all necessary steps to ensure that procedural democracy is respected at the local government level (Fritzen 2005). Particular attention is given to ensuring that all government investments at the grassroots, and all taxes and labour contributions, are implemented equitably and transparently. The Anti-Corruption Law makes an explicit linkage to this decree by stating specific types of information (such as long government investment budgets) must be revealed (Article 18) and which individuals may request government information (Articles 29 and 30).

\textbf{Authoritarianism, Vietnamese-style}

To what extent will such provisions work in the Vietnamese context and, by extension, in other authoritarian states? How can we assess the fit between the strategy described above and the institutional context in which it must be implemented? This section examines three elements within Vietnamese authoritarianism that structure the interests of the various political and bureaucratic actors and strongly influence the channels through which they will engage with the anti-corruption strategy. These elements are organisational network decentralisation, executive dominance and state-centrism.

\textit{Organisational Network Decentralisation}

As a unitary state, Vietnam’s local tiers of government do not have constitutionally mandated resources, responsibilities and legal status, but exist as deconcentrated agents of the central government. A syndrome of problems relating to centralisation appears so often in the government’s own policy assessments as to be formulaic, almost shorthand for the administrative reform agenda. For example, local officials are said to suffer from the psychology of \textit{xin-cho} [“beg-give”] resource allocation, in which they either passively wait for upper level approval and resources or actively attempt to “game the system” by submitting requests for unrealistic levels of capital expenditure (Painter 2003). Many ministries do not perceive a tangible interest in “letting go” of many direct investment activities that have for years been identified as a much prized source for supplemental revenue and economic “rents” (Fritzen and Mutebi 2005).

Centre-local relations are dynamic and conflict-ridden. Traditions and habits of organisational centralism often change more slowly than policies; and this can create tensions (for instance, over the appropriate role of ministries in the new environment). And local
governments have considerable space in which to pursue particularistic interests. The essential administrative structure in Vietnam is one of “organisational network decentralisation”, in which policies are formulated with deliberate ambiguity to preserve the appearance of unity and to boost the importance of party insiders who may give definitive interpretations. This leads to a constant “push and pull in center-local relations—i.e., powers being granted, then being undermined by provincial committees, this then countermanded by Hanoi’s edicts, and then round again” (Wescott 2003, 24).

Executive Dominance and Fragmentation

In Vietnam, what might be broadly called the “executive” in government (including the Communist Party, coordinating executives within the Office of the Government and People’s Committees, and line agencies) is, paradoxically, both fragmented and overbearing. It is fragmented in that executive authority in a multitude of bureaucratic settings has become relatively autonomous, capable of projecting particularistic interests and actively resisting encroachment and regulation from both other arms of the executive and from external oversight. The dominating nature of the executive is relative to non-executive forms of oversight and accountability, such as to the National Assembly and quasi-legislative People’s Councils of various levels, and to the court system.

The executive is shaped by a number of historical legacies and contemporary developments arising from the reform process. The constitutional enshrinement of the Party as an uncontestable source of executive power is an abiding feature of Vietnamese governance. Traditional Vietnamese accounts of the country’s public administration system speak of three branches of state power: not the executive, judicial and legislative branches, but the Party, the government and mass organisations. These are seen to be separate but “stemming from the same source”, i.e. not by design intended to restrain each other (Marr 1994). The touchstone principle of Vietnamese “democratic centralism” was that wide consultation would precede decision making by a small number of actors at the central level, after which dissent would not be tolerated, reinforcing further the lack of horizontal constraints on the executive.

Executive dominance and fragmentation is also the de facto result of weak authority relationships between elements within the executive and between the executive and non-executive actors. Analysts highlight three problems (Fforde 2003; Vasavakul 2002). The first is weak legislative and oversight roles played by the People’s Councils. The second is the system of “dual subordination”. Local government executives—both technical in the line departments and coordinating in the leadership of the People’s Committees—report in theory both horizontally across to the local People’s Council and vertically up to the relevant sector ministry at central level. This has the effect of muddying accountability relationships, making technical executives more likely to remain generally unsupervised and successful in seeking rents. The third problem concerns interdepartmental coordination, which poses particularly difficulties in the Vietnamese transition context (Wescott 2003). The combined result of these pressures is an increase in executive fragmentation, even as central level “coordinating” executives attempt to reign in the bureaucracy.

Several reform initiatives to strengthen horizontal oversight and ensure greater accountability are in the offing. Much effort in the government’s public administration reform program has been directed towards the construction of a “state ruled by laws” (nha nuoc phap quyen), a concept gaining increasing local currency over the 1990s. The intention is broadly to clarify the role of the VCP, with many Vietnamese observers calling within the context of public administration reform for the Party to focus on overall “steering functions”
rather than actively intervening in administrative matters. Increasing emphasis is also being given to the formal oversight function of the legislative branch and, more recently, the court system (Koh 2004). Although still limited, the National Assembly in particular has been playing a much more proactive role in reviewing legislation and questioning policy makers (EIU 2005b).

**State-centrism**

The Vietnamese system has traditionally been highly state-centric, described in one well-known formulation as “mono-organizational socialism”, in which “there is little scope for the organization of activity independent of the party-led command structures” (Thayer 1992, 112). State-centrism is reinforced by several factors. One is ideological. Civil society and, to a lesser extent, a dynamic and deregulated private sector are both concepts that sit uneasily within Vietnamese political culture.

State-centrism does not, however, imply some form of totalitarianism. Some theorists of state-society relations in Vietnam emphasise the strength of societal pressures relative to the state: “…due to insufficient resources and other inadequacies, the state’s capacity to coordinate programs and implement policies is considerably less than what a dominating state interpretation would lead one to believe” (Kerkvliet 2003, 244). As a result, active negotiation over the substance and enforcement patterns of policies is said to take place regularly between central and local authorities, and between state and various quarters of society. In the “mobilisational corporatism” view of the Vietnamese system, the state dominates society through various organisations (typically one for each sector), but “invite[s] popular involvement under its supervision without much fear that things will get out of control” (Turley 1993). Each interpretation of relative state or society strength is probably accurate for particular sectors and regions in Vietnam.

The transition period has marked a decisive departure away from the extreme form of mono-organisational socialism described above, in at least three ways. First, the private sector has been legitimated both in the 1992 Constitution and in a legal edifice which continue be developed. Second, civil society [xa hội dân sự], while still sitting uneasily in local political terms of reference, has gained ground. It is supported by an improved legal infrastructure for non-state organisations and a veritable explosion in the range and sources of information widely available (particularly to urban residents) through improved travel opportunities and a somewhat more critical press (Heng 2001).

However, the range for independent political action within civil society is still very limited. In 1994, Marr was writing of the “decline of the mass organizations” and “an explosion in the number of informal organizations concerned with welfare, education, professional advancement, revival of traditions, arts and culture, science and technology, and much more”, and openly wondered how quickly such informal groups would engage in “serious, sustained politics”. (Marr 1994) Since then, National Assembly’s role has expanded and several collective expressions of grievances (primarily over corruption) have occurred. The latter have been followed variously by suppression (in the Central Highlands) or a high-profile rectification campaign of the Party (in Thai Binh) or a studied official “non-response” (medium scale demonstrations in Hanoi during the 2004 National Assembly). But Marr’s “serious, sustained politics” remains absent from this scene.
Assessing Vietnam’s Emerging Anti-corruption Strategy

How does the context above affect the ability of the Vietnamese state to reduce corruption? There are several reasons to think Vietnam’s anti-corruption strategy will encounter both crippling internal resistance and capacity constraints that will make progress on the anti-corruption agenda incremental at best for the foreseeable future. Recall the three main planks in the strategy: oversight, transparency and structural reform.

**Oversight and Inspections**

Enforcement agencies such as the state inspectorate and the technical audit divisions within line agencies face weak incentives under the emerging strategy. Strong enforcement of the anti-corruption law is in the long-term interest of the Party-state, and may thus be expected and rewarded in some settings. However, the enforcement agencies are both severely under-resourced, and as fragmented as the executive agencies they seek to constrain; they must also work in an environment of systemic corruption. This easily gives the particularistic interests of the executive, in Vietnam’s decentralising system, the upper hand—even should the enforcers themselves be clean and their effort set to maximum.

The case of asset disclosure requirements illustrates this point. This is an administrative rather than criminal provision, one meant to reduce the costs of detecting corruption. The dual handicaps of a fragmented and under-resourced enforcement effort mean that the exercise is likely to remain hollow. Asset disclosure requirements for public officials have rarely if ever been effective in settings without two conditions: a strong, independent investigation capacity and judiciary, and the ability of civil society groups to use the asset disclosures (at least of high-level politicians) in a watch-dog capacity (Transparency International 2004). Neither of these is even remotely present in the current Vietnamese context.

The implementation numbers to date bear this out. Despite a small number of high-profile cases, in the aggregate less than 1% of government employees, and an even smaller proportion of Communist Party members, were “disciplined” for ethical violations over five years (2000-2004) of a sustained effort to improve internal Party and government oversight. And “although [asset] declarations were made, there was apparently no meaningful follow-up to verify accuracy and truthfulness, and on the whole the system seems be observed more in the breach” (Persson et al. 2005, 56).

**Transparency and Complaint**

Measures in the Anti-Corruption Law that attempt to use transparency and the right to lodge complaints to change the incentives of the corrupt face a different version of the enforcement problem. Both “grassroots democratisation” stipulations and the “complaints and denunciations” process are attempts to regulate the interface between citizens and the local state. But how can the citizenry effectively exercise these rights in situations where (local) officials are ill-disposed towards allowing them to do so? To enforce such standards implies recourse to the same institutions of internal oversight that are at present still floundering against the barrier of bureaucratic fragmentation. Moreover, if corruption is indeed systemic, then defining the problem as one of “bad apples” at lower government levels, and designing remedies that can only be effectively applied there, will have obvious limitations.

Available evidence regarding the implementation of these measures lends itself to a pessimistic reading. A reasonably high number of complaints are lodged each year, but the
process for resolving them has been hampered by a convoluted administrative process. The number of “denunciations”—the more sensitive measure from an anti-corruption point of view—has been miniscule (Persson et al. 2005). Neither appears to have had any bearing on the incentives of local (let alone central) government officials.

In terms of “grassroots democratisation” (GD) decree, the evidence is more mixed. One review (Neefjes et al. 2004, 20) found “very limited improvement in financial transparency” due to the decree across most localities. A recent assessment of corruption risks in small-scale infrastructure programs (Fritzen and Mutebi 2005) suggested that GD-related arrangements for local transparency and participation are highly varied in their implementation, depending on strength of different state-sponsored mass organisations and local traditions of civic engagement. In short, transparency-based approaches show some potential at local government level, but are unlikely to be widely applied—particularly in localities where corruption is already endemic—until a stronger organisational basis is found within civil society for more independent and aggressive monitoring. As section three above suggested, this is not likely to happen soon.

Structural Reforms

Redesigning of administrative processes to reduce opportunities for corruption at first blush appear easier to accomplish than reorienting bureaucratic attitudes or accountability relationships. Yet such reforms have proven to be a “complex, conflict-ridden process...shaped by internal conflicts over control and management of state resources” (Painter 2003, 269). The Asian Development Bank’s comprehensive review of administrative reforms suggested three “significant and visible successful outcomes” (Persson et al. 2005, 80): improved processes for business registration, “one stop shops” for the delivery of public administrative services at the grassroots, and block grants to local governments. Yet all three have witnessed some reversals, severe constraints or controversies. Fischer (2004, 125) notes that by 2003 “the number of permits required to set up a private business had climbed back up to levels close to those before the 1999 Enterprise Law was passed, as bureaucrats sought and found methods to enhance their incomes without being checked by effective control mechanisms”. Gainsborough (2002, 361) has documented serious problems in the implementation of the “one stop, one stamp” reform in Hochiminh City; center-local bureaucratic rivalries over illicit revenues caused the effort to “flounder”. And enhanced financial and managerial autonomy for service delivery points in the public sector has become highly controversial; one reason is the fear of corruption in the guise of “undisciplined phenomena” during the commercialisation of essential services such as hospital care (SRVN and World Bank 2005, 110-14).

Given the context of decentralisation and bureaucratic fragmentation in the Vietnamese state, two more dynamic effects of these anti-corruption strategies should be noted. The first is to highlight the divergence between better- and poorer-performing localities and organisations. The second is to raise even further the expectation among the citizenry that levels of corruption will decrease, as well as demands for accountability should they not. Because it is unclear where the extent of such demands may end, the continued acceleration of anti-corruption rhetoric and enforcement in Vietnam represents a high-stakes game for the country’s leaders.

Conclusion
This paper has explored ways in which Vietnam’s authoritarian institutions may affect the feasibility and sustainability of the country’s anti-corruption strategy. The commitment (or “political will”) of Vietnam’s leadership to reducing systemically high corruption levels is more than rhetorical; it stems from a real fear of gradually losing legitimacy against the background of ever growing popular expectations. But a set of propositions gleaned from rational choice institutionalism has helped to clarify the institutional constraints on the implementation of this anti-corruption strategy. Approaches based on enhanced administrative oversight and democratic participation are hampered by executive dominance, bureaucratic fragmentation and the lack of an organisational platform for an independent “watchdog” function within civil society. This institutional configuration greatly facilitates the ability of actors throughout the system to resist or evade stepped-up enforcement efforts.

These difficulties are likely to be shared by a broad range of authoritarian countries. The specific institutional arrangements will vary greatly among this class of countries. But by definition executive authority is essentially uncontestable and the organisational basis for civil society accordingly weak. They will as a result suffer from various forms of the *quis custodiet* problem; and efforts mounted by the “guardians” to purify the system of corruption will be vulnerable to reversals in the implementation stage.

The argument here should not be construed to condemn anti-corruption efforts to failure in all authoritarian settings. In addition to specific institutional configurations, three variables will play an important role in determining the scope for mounting an effective enforcement effort. The first is the existing level of corruption in the system. Where it is less than endemic, chances of success are greatly enhanced; the challenge would then be to organise those pockets of integrity in ways that leverage changes throughout the system. The second is the level of transaction costs that are incurred when attempting to monitor compliance. These vary greatly not only between organisational settings, but also between different countries and parts of countries themselves; for instance, reducing corruption in systemically corrupt hinterland areas will be much more difficult than doing so in urban areas. The third is the degree to which the rule of law is observed throughout a society.

Singapore presents one of the few examples of a one-party dominant state that has nevertheless succeeded in greatly reducing system-wide corruption (see Quah [1999] for fuller treatment of this case). It shows the relevance of the three variables just noted. It is quite possible that at the onset of its anti-corruption reforms in the late 1950s, the level of corruption affecting Singapore’s administration was moderate rather than endemic, and that the rule of law was internalised to a greater extent in its civil service. And the transaction costs of monitoring corruption in a medium-sized city-state were relatively low. Other factors include the crisis conditions of the initial independence period, the sensitivity of leaders to the perceptions and needs of foreign investors, and the centralisation of political power in a very small elite committed to the anti-corruption cause. Taken together, they suggest that the opportunity for reducing corruption in Singapore may have been relatively favourable when compared to other authoritarian settings. The case of Singapore highlights a particular causal pathway to a successful enforcement effort, but the conditions for its replication should be subject to rigorous examination.

With the proliferation of anti-corruption legislation throughout the world, analytical and practical efforts will need to focus on the conditions necessary for their successful implementation. Approaches for diagnosing and drawing implications from the institutional context in which anti-corruption interventions must be implemented—both for authoritarian as well as other relevant categories of states—will be increasingly important in this effort.
Notes

1. The formulation follows Nelson’s (1990) term for the difficulties of implementing neo-liberal reform. Nelson argued that the implementation of reforms to reduce the role of the state paradoxically required substantial state capacity. She did not emphasize the ‘implementation incentives’ problem highlighted in the present paper, but such an argument would also have applied to the situation she described.

2. These include the central-level Government Inspectorate, ministerial-level inspectorates, and provincial- and district-level inspectorates (the last concerned with administrative or specialized inspections, such as compliance with construction norms). See Perrson et al., 2005, 60.

3. The 1992 constitution confers the right of citizens to “complain and accuse a State owned enterprise or economic or social organization, a people’s armed force unit or any individual of their illegal activities to the state agency with jurisdiction. The complaints and accusations must be considered and settled with in the regulated time-limit by the state agencies”. (Article 74)

4. Decree on Grassroots Democratization, issued by the standing committee of the 10th National Assembly on 26/2/1998; and Regulations on the Implementation of Democratization at the Commune Level ND29/1998/ND-CP.

5. The EIU (2005b, 11) states that between 2000 and 2004, “12,300 government employees were disciplined for corruption, and since 2001 the Communist Party has disciplined over 10,000 members”. Note that the Communist Party of Vietnam has at least two million members and there are approximately 1.3 million civil servants (SRVN and World Bank, 2005).

References


