

**Control of Corruption: The Road to  
Effective Improvement**  
Lessons from six progress cases

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## **Explanatory note on NORAD project**

This paper was developed as part of a project for the Norwegian Agency for Development Cooperation (NORAD), under the coordination and supervision of Prof. Dr. Alina Mungiu-Pippidi. The project was established according to a contract between that agency and the Hertie School of Governance for the preparation of a study on the topic “Contextual Choices for Results in Fighting Corruption”. The study shall consist of an outline of a typology of the function of corruption in relation to different levels of development, that is, an analysis of the factors affecting corruption in different development contexts. The result of the project should ultimately assist NORAD in improving the effectiveness of anti-corruption projects financed by the organization.

According to the invitation to tender published by NORAD, the motivation for the study comes from recent evaluations of anti-corruption initiatives, which have shown that successful experiences are the exception rather than the rule. This has raised concerns about the potential of the policy options most commonly sponsored by donor agencies to effectively reduce corruption. The failures observed in many recipient countries have been attributed to a number of factors: limited understanding of the interaction between informal and formal institutions; lack of enough knowledge about societal power structures; neglect of the political side of reforms in the policy design process; deficiencies in the institutional framework of anti-corruption agencies; and limited understanding of the incentive structures associated with an equilibrium in the level of corruption.

As a support to the main task proposed by NORAD, the study is also expected to provide critical discussions regarding: (a) the definition of various “development levels”; (b) the definition of the “function of corruption”; (c) relevant mechanisms behind effective change regarding corruption; (d) how the function of corruption affects the possibilities for effective change in corruption; (e) how contextual factors, such as power structures, formal and informal institutions, affect the function of corruption; (f) time aspects for change in corruption; and (g) cases or examples to illustrate the findings.

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## Executive Summary

In the last two decades, the emergence of an international good governance agenda has fostered the implementation of anti-corruption efforts in several countries. Nevertheless, recent assessments of those efforts reveal that the vast majority of initiatives have not produced concrete positive results. Only a few countries have made considerable progress in reducing corruption, and there is still limited knowledge about what has determined their positive experiences.

This paper attempts to contribute to this discussion by engaging in a comparative analysis of six countries that have improved in terms of control of corruption. These countries are: Uruguay, Estonia, Botswana, Taiwan, South Korea and Ghana. The framework for analysis is based on a model of corruption as a function of power discretion, material resources and legal and normative constraints (Mungiu-Pippidi, 2010). These four dimensions are decomposed into four sets of variables, and each country is assessed according to these variables. The purpose of the analysis is to identify changes that explain improvements in control of corruption in each case. Additionally, particular attention is paid to the role of political agents as drivers of change, with a focus on political leaders, civil society, media and enforcement institutions.

Two hypotheses are considered in the analysis:

*H1: All cases have experienced positive change in at least one of the four dimensions.*

*H2: All cases have experienced positive change in the legal constraints dimension.*

The results of the comparison confirm both hypotheses. The conclusion is that the six cases have managed to improve control of corruption through quite different paths. However, some common aspects regarding the changes they have experienced can be identified. The nature and the degree of the potential relationship between these aspects and control of corruption must be further explored in studies with larger samples, in order to provide more robust results with stronger external validity.

# 1. Introduction

In the last two decades, corruption has come to be recognized as a central development issue and has become a top priority in the development agenda. The main reasons for this are twofold: first, the increasing evidence of its detrimental impact on economic and social welfare (Mauro, 1997); and second, the emergence of a line of thought that emphasized the importance of solid institutions and good governance to sustainable development (North, 1990).

As a consequence, efforts to fight corruption have been initiated and supported by many intergovernmental institutions, as part of a broader good governance agenda. On the multilateral level, a number of anti-corruption conventions have been adopted<sup>1</sup>. On the national and local levels, those institutions have helped finance anti-corruption projects in numerous countries. Another important development took place in the realm of civil society, with the creation of Transparency International in 1993. By leading an international coalition against corruption, it has supported national civil society organizations, thereby contributing to strengthen internal pressure for anti-corruption reforms in many countries.

After such positive events, one cannot avoid to wonder how successful these efforts have in fact been in reducing corruption. Unfortunately, the answer is rather disappointing. According to the indicator Control of Corruption<sup>2</sup> developed by Kaufmann *et al.*, only nine countries<sup>3</sup> had statistically significant improvements between 1998 and 2008. In the vast majority of countries assessed by this indicator, there was no significant change. On a more qualitative analysis, the World Bank (2007) has concluded that most anti-corruption initiatives financed by it in the last years have reached results much below expectations.

The challenge before international development institutions now is to extend the successful experiences to other countries in a more systematic way, but without disregarding the specificities of each country and the need to draw on local knowledge when developing national anti-corruption

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<sup>1</sup> The Organization of American States was the pioneer in adopting a binding anti-corruption document, namely the Inter-American Convention against Corruption (1996). One year later the Organization for Economic Cooperation and Development (OECD) adopted the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (1997), popularly known as the OECD Anti-Bribery Convention. Another important step was the United Nations Convention against Corruption (2003), which by March, 2011 had 150 parties.

<sup>2</sup> This is part of the Worldwide Governance Indicators (WGI), published annually by the World Bank. This set of indicators includes additionally measures for Voice and Accountability, Political Stability and Absence of Violence/Terrorism, Government Effectiveness, Regulatory Quality and Rule of Law. All six indicators result from the aggregation of other perception-based indices derived mostly from business surveys and polls of experts.

<sup>3</sup> Those countries are Albania, Estonia, Georgia, Hong Kong, Indonesia, Liberia, Rwanda, Serbia and Tanzania (Kaufmann *et al.* 2009: 35).

strategies. In order to do that, it is important to first and foremost have a deeper understanding of why some countries have progressed and what steps have helped them curb corruption.

This paper intends to contribute to this discussion by drawing a comparison among six countries that have managed to reach top standards of control of corruption in their region. The countries chosen for this comparison are: Uruguay, Estonia, Botswana, Taiwan, South Korea and Ghana. The main question addressed here is: what factors have set their improvement in motion? For that purpose, an analysis of potential explanatory variables is conducted for each country, in an attempt to offer a qualitative description of their change process and also to find possible common patterns. Moreover, the analysis highlights the actors that may be seen as important drivers of change in each case.

Section 2 discusses the theoretical framework applied in the paper. Section 3 describes the methodology and the criteria for case selection. Section 4 engages in an analysis of the factors that may have influenced the level of corruption in each country. Section 5 summarizes and compares the relevant drivers of change for all cases. Finally, section 6 lays down conclusions.

## **2. Theoretical framework**

In the scope of this paper, two theoretical points need clarification. The first one refers to the definition of corruption considered here. The second regards the function of corruption assumed in the analysis, that is, the specific explanatory model of corruption that is applied.

Many different definitions of corruption can be found in the academic literature. One of the most commonly used concepts is the one established by Transparency International, which defines corruption as “the abuse of entrusted power for private gain”. The World Bank adopts a similar, but narrower definition: corruption is “the abuse of public office for private gain” (WB, 2007). The definition used in this paper resorts to an understanding of corruption based on its relationship to an ideal social norm of integrity, also described as “ethical universalism” (Mungiu-Pippidi, 2006). In a society founded on this norm, all individuals have equal access to public resources and goods. Corruption is therefore defined as a deviation from ethical universalism; it takes place when public resources are instead distributed according to status, privileges and connections. In many developing countries, such deviations occur so regularly that they in fact become the norm, originating a social order described as “particularism” (Mungiu-Pippidi, 2006).

As is the case with definitions of corruption, scholars also have diverging views about the causes underlying this phenomenon. In the past fifteen years, many contributions have attempted to identify determinants of corruption, but the findings are far from unanimous (Treisman, 2000; Frechette,

2006; Seldayo & de Haan, 2006). A large part of scholarly work on this topic has analyzed the role of economic, political, cultural and historical variables, mostly through quantitative research methods. For the purpose of this paper, however, a more conceptual explanatory model of corruption is appropriate. Klitgaard *et al.* (2000) have offered a framework that explains corruption in terms of this formula:

$$\text{Corruption} = \text{Monopoly} + \text{Official discretion} - \text{Accountability}$$

This particular model is interesting because it incorporates power and incentive structures into the mechanism determining corruption. Drawing on the contributions from those authors, Mungiu-Pippidi (2010) applies an adapted formula, in which corruption is a function of the equilibrium between resources and constraints:

$$\text{Corruption} = (\text{Power Discretion} + \text{Material Resources}) - (\text{Legal} + \text{Normative Constraints})$$

Power discretion refers to arrangements that determine how limited the exercise of power and decision-making are in a given political system (Mungiu-Pippidi, 2010). This includes two aspects: how power is distributed among government structures; and how competition for access to power takes place. Power discretion increases as power and decision-making become more concentrated in the hands of a few, and as access is restricted to a smaller number of actors. Corruption is expected to be lower where power discretion is lower.

Material resources correspond to potential rents (Mungiu-Pippidi, 2010). Their relevance derives from the fact that corruption and rent-seeking activities depend upon the availability of spoils that can be appropriated. They either represent in themselves the material benefit entailed in such activities, or are means to obtaining material advantages through exchanges with other actors.

Legal constraints are represented by specific anti-corruption legislation and the spectrum of oversight and control institutions in each country (Mungiu-Pippidi, 2010). They help change incentives to corrupt behavior by making it more costly (Klitgaard *et al.*, 2000), but this objective is achieved only if anti-corruption policies are effectively implemented and oversight institutions function properly. Therefore, it is important to consider not only which anti-corruption policies have been adopted, but also whether the institutional foundations provide for their actual enforcement.

Normative constraints are associated with the level of acceptance of corruption among the actors involved in a political system, especially in the case of civil society, the media and voters (Mungiu-

Pippidi, 2010). Similarly to legal constraints, normative constraints act to make corruption more costly. Strong normative constraints usually imply higher costs in terms of political capital and reputation, which may become important disincentives to corruption.

Overall, this model is useful because it brings together aspects related to underlying power structures, the availability of potential rents, institutional frameworks and also societal aspects at work in a country. Moreover, it offers the possibility of assessing corruption through a broader range of factors, but still maintains a straightforward relationship between them. For these reasons, this is the model applied in the analysis presented in sections to follow.

### **3. Methodology and case selection**

This paper tackles the proposed research question through a comparative analysis of six countries based on the four dimensions that compose the theoretical model described in the previous section. Each dimension is broken into variables that illustrate some of its components. All six countries are examined according to those variables; the objective is to identify changes that explain each country's improvement in control of corruption. The time frame for analysis corresponds to the most recent democratic period in each country, although information about previous periods is mentioned at times.

Two hypotheses are considered in the analysis. The first one derives directly from the model's structure. The second one is associated with a prominent discourse in the international anti-corruption agenda that has emphasized the adoption of certain policy instruments, such as Ombudsman, anti-corruption agencies and specific legislation. It is tested as a means to verify if these instruments provide for effective improvement in control of corruption. The hypotheses are stated as follows:

*H1: All cases have experienced positive change in at least one of the four dimensions.*

*H2: All cases have experienced positive change in the legal constraints dimension.*

Power discretion is assessed in terms of the following variables: system of government, ruling and opposition parties, separation of powers, accountability mechanisms, alternation in power, government tenure, party competition and political elites. They are used to compose a picture of power distribution and political competition in each case. Information on year of independence, introduction of free elections and authoritarian regimes is also used to better contextualize the political developments in each country.

For the material resources dimension, the variables considered are: natural resources, government spending<sup>4</sup>, state assets, public contracting, public employment, and privileges to companies. Reliable information on some variables could not be found for all six countries.

Legal constraints are analyzed in terms of oversight institutions, anti-corruption policies, prosecution for corruption, judicial independence and political finance regulation. Particular attention is paid to four specific anti-corruption policies: Anti-corruption agency (ACA), Ombudsman, Freedom of Information Act (FOIA) and the ratification of the United Nations Convention against Corruption (UNCAC).

The normative constraints component is the most difficult to operationalize. For this reason, information on civil society, media, and voters was mostly collected from a perspective of how favorable the circumstances in each country are for them to exercise pressure and influence the political process. The focus is thus on the strength and independence of civil society, press freedom and political pluralism and participation. Furthermore, survey data on trust in government institutions is used in some cases to illustrate how public opinion has reacted after corruption scandals.

Additionally, an analysis emphasizing the role of specific actors as drivers of change in each country is presented. Finally, an analytical overview shows the overall dynamics in each case and the differences and similarities among the countries. The relevant data for all variables and countries is summarized in tables A1 to A4, in Appendix A, and short country profiles are available in Appendix B. An important reservation is that this analysis does not intend to be exhaustive; there certainly are other factors that may play a role, but cannot be included in this study due to deliberate and circumstantial limitations to its scope.

## **Case selection**

The six countries were chosen according to a number of criteria, in order to build a pool of cases with distinct cultural characteristics and in different stages of economic and institutional development. Another criterion was regional diversity. Based on this, different regions<sup>5</sup> were observed separately, with the objective of identifying local “achievers”, i.e. countries that have reached very good standards in control of corruption. For this assessment the Worldwide Governance Indicator (WGI) Control of Corruption was used as a reference, and two objective

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<sup>4</sup> Natural resources and government spending have been discussed in a number of studies as explanatory variables that are expected to have a positive relationship with corruption. However, empirical evidence supporting this hypothesis is mixed (Seldayo and de Haan, 2006).

<sup>5</sup> These include: Eastern Europe and post-Soviet Union, Latin America, North Africa and the Middle East, Sub-Saharan Africa, Western Europe and North America, East Asia, Southeast Asia, South Asia, the Pacific and the Caribbean.

criteria were defined: (a) whether the country is close to or above the 75<sup>th</sup> percentile rank<sup>6</sup>; and (b) whether the country had considerable positive change in the indicator between 1998 and 2009<sup>7</sup>.

Although the change aspect is the central element of this analysis, the latter criterion is not taken at face value. Firstly, the changes that have been measured are, with the exception of Estonia, not statistically significant. Secondly, the time frame for the comparative analysis goes back beyond 1998 in all countries; part of the change process may thus not be captured in the indicator. Thirdly, important arguments about the limitations of this and other perception-based indicators have been made before (Knack, 2006). Therefore, changes in this measure are used more as an indication of a relevant process in these countries and as a starting point to the qualitative analysis.

Botswana and Uruguay are important achievers in their respective regions. The former is the country with the best Control of Corruption score in Sub-Saharan Africa and has been above or very close to the 75<sup>th</sup> percentile since 1998. The latter has the second best score in Latin America – it is outranked only by Chile – and achieved the 86<sup>th</sup> percentile rank in the WGI indicator.

Estonia has been a “green country” since 2000. In the last decade, it has achieved the second highest score among Eastern European and post-Soviet Union countries, as it moved from the 71<sup>st</sup> to the 80<sup>th</sup> percentile. South Korea still remains in the “yellow area”, but has come closer to the 75<sup>th</sup>-percentile threshold. Taiwan ranks slightly above South Korea; according to the indicator, its score has somewhat deteriorated in the last years, but still remains among the best in East Asia, and therefore it is a case worth looking into. Finally, there is Ghana, which still ranks at the 60<sup>th</sup> percentile, but appears to have improved much in the last decade. It is considered as a good example in Sub-Saharan Africa, so it is an interesting case for analysis, even if it still needs further improvement to really become an achiever.

Table 3.1 summarizes Control of Corruption scores and percentile ranks for the six cases and how they changed between 1998 and 2009. The last column shows how the country ranks in its region according to the latest available data; the number in parenthesis represents how many countries there are in the region. Graph 3.1 shows the full trajectory of the Control of Corruption indicator for each country.

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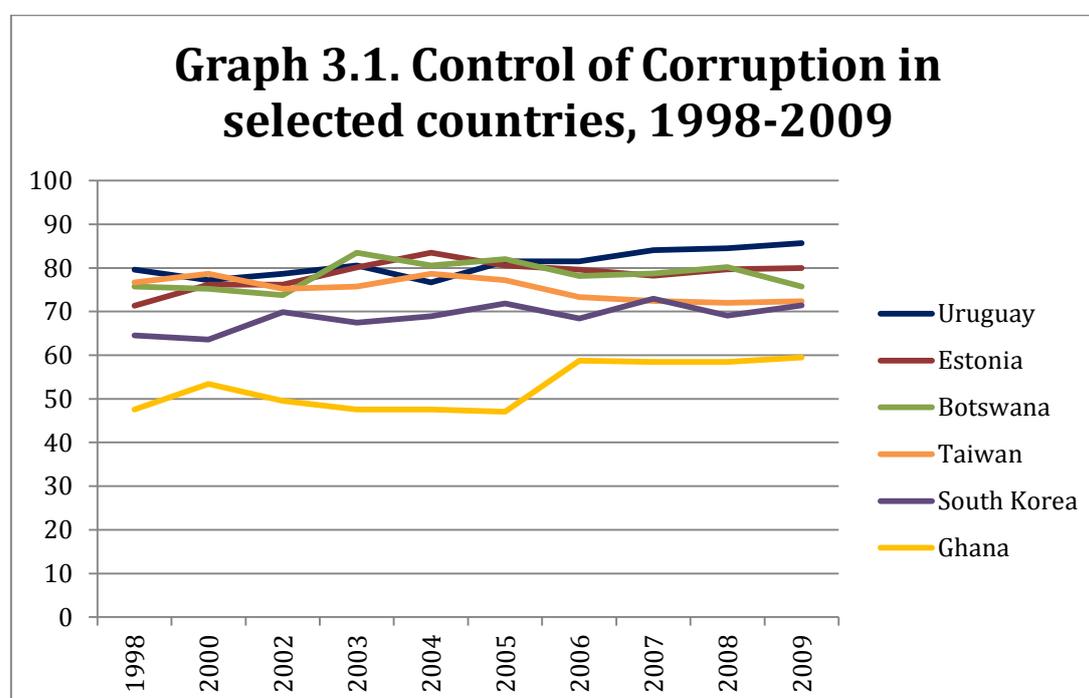
<sup>6</sup> This cut-off point was used following the original WGI classification of countries in a color scheme, in which countries at the 75<sup>th</sup> percentile or above are in the “green area”, symbolizing top governance standards. Countries between the 50<sup>th</sup> and the 75<sup>th</sup> percentile are considered to be in the “yellow area”.

<sup>7</sup> Although the WGI have been measured since 1996, only the information from 1998 onwards is considered because there is missing data for many countries in 1996 and in that year the scores for some countries were calculated based on a very small number of sources, therefore generating large standard errors and reducing their reliability.

**Table 3.1. Control of Corruption in selected countries**

Country	Region	Control of Corruption score			Control of Corruption % rank			Rank in the region - 2009
		2009	1998	Change	2009	1998	Change	
Uruguay	Latin America	1.22	0.87	0.35	86	80	6	2 (20)
Estonia	Eastern Europe and post-Soviet Union	1.00	0.60	0.40	80	71	9	2 (28)
Botswana	Sub-Saharan Africa	0.86	0.71	0.15	76	76	0	1 (48)
Taiwan	East Asia	0.57	0.74	-0.17	72	77	-5	2 (6)
South Korea	East Asia	0.52	0.26	0.26	71	65	6	3 (6)
Ghana	Sub-Saharan Africa	0.06	-0.25	0.31	60	48	12	9 (48)

Source: Worldwide Governance Indicators, World Bank.



Source: Worldwide Governance Indicators, World Bank.

## **4. Drivers of change in control of corruption**

This part engages in a comparative analysis of the six selected cases according to several variables, based on a model of corruption as a function of power discretion, material resources and legal and normative constraints (Mungiu-Pippidi, 2010). The purpose of this exercise is to identify concrete changes related to improvements in control of corruption in each case. Additionally, particular attention is paid to the role of political agents as drivers of change; the main focus is placed on how political leaders, civil society, media and enforcement institutions may have contributed to progress in control of corruption. The following sub-sections address each dimension in more detail.

### **Power discretion**

#### **Uruguay**

The distribution of power in Uruguay is characterized by a President with a prominent role in terms of legislative powers, but this is properly balanced by effective accountability mechanisms (Melo, 2009), such as legislative and judicial review (BF, 2010). In terms of political competition, Uruguay has experienced a major change in the last 15 years. Since re-democratization, the party Frente Amplio (FA) gradually gained electoral support and effectively challenged the traditional two-party system in the 1994 elections, when votes were almost equally distributed among the three main political parties. This triggered an important reform in the electoral system, which instituted a second-round in presidential elections. Since 1999, due to its alliance with the smaller party Encuentro Progresista, the FA has had the largest representation in Congress, and after an important alternation in power in 2004, it also holds the Presidency.

The strengthening of the FA is associated with the emergence of a new kind of political leadership, connected to the Tupamaro guerrilla. Nevertheless, a common phenomenon in the country's political elite is the endurance of a small number of families in the leadership of the traditional parties (Gillespie, 1991). The best example is the Batlle family, which has been in politics since the mid-19<sup>th</sup> century; in fact, four former Uruguayan presidents belonged to this family. Therefore, even though new political groups have been incorporated into the system, traditional elites remain in the dispute for power.

Overall, these trends towards more competition and the renovation of political elites imply important changes in power discretion. The emergence of a new main party and a recent alternation in power

may have contributed to reduce corruption, as these developments challenged established elites that had been entrenched in power for a long time.

## **Estonia**

Estonia's power distribution structure is much determined by its Parliamentary system, in which the Prime Minister is nominated by the indirectly elected President, but effectively appointed by the Legislative, to which he is accountable. Moreover, the independence of the Judiciary is another guarantee to effective checks and balances. As the party system is much fragmented, no single party holds a majority in Parliament and the Prime Minister's staying in power depends directly on the support of a coalition. However, due to the instability of governing coalitions, the country has been through numerous changes in power since democratization in 1992. This has been a significant obstacle to the Executive's exercising much power discretion.

Nevertheless, the current government shows signs of more stability: Prime Minister Andrus Ansip has been in power since 2005, although supported by different coalitions, and is set to continue as Head of Government following the results of the latest elections, in March, 2011<sup>8</sup>. Although this change is likely to strengthen the Prime Minister, its overall impact on power discretion is not completely clear. On the one hand, the overall balance among government institutions may have been maintained due to well-functioning checks and balances and accountability mechanisms; on the other hand, the Executive's power discretion may have somewhat increased.

Regarding political competition, Estonia does have a competitive party-system, with two main parties (Reform Party and Center Party) with large legislative representation, and other smaller parties (Pro Patria/Res Publica and Social Democratic Party) that manage to obtain a considerable number of seats and therefore gain some weight as potential coalition parties.

## **Botswana**

Botswana's model of Parliamentarism assigns a very dominant role to the President (von Soest, 2009). He is constitutionally accountable to Parliament, but there is controversy about how well the Legislative checks the Executive's actions. The parliamentary committees apparently are effective in their oversight role (TI, 2007), but the fact that the ruling party has an absolute majority in Parliament raises questions about the effectiveness of legislative review (BF, 2010). Moreover, while the President may dismiss the legislature, he cannot be impeached by it (FH, 2010). The Judiciary, on the other hand, is in practice independent and actively reviews the Executive's

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<sup>8</sup> "Calm after storms", *The Economist*, March 10th, 2011.

decisions; it has in fact become the main accountability mechanism in Botswana's political system (BF, 2010). However, the institutional framework underpinning this branch does provide for political influence by giving the President discretion to appoint the highest judicial authorities (TI, 2007).

Botswana is an exception among the selected cases with regards to political competition. It has not experienced any alternation in power since independence. Although the country has a multiparty system, the Botswana Democratic Party (BDP) has remained largely unchallenged by the opposition. However, tensions between factions within the party have become evident in the last years (von Soest, 2009). Another obstacle to competition is the prevalence of an old political elite. In practice, these characteristics of the political system strengthen power discretion, as they limit access to power by other groups and function to ensure the ruling party of its likely remaining in power.

The fact that Botswana has had only four presidents in 45 years of democratic regime is also remarkable. Despite a constitutional provision that allows only two consecutive five-year terms, the first President governed from 1966 to 1980, when he passed away; his successor, Dr. Quett Masire, stayed in power for another 18 years until 1998. This very long tenure of presidents in the country certainly contributed to strengthen power discretion. The last government, by Mr. Festus Mogae, ended in 2008, as he stepped down shortly before the end of his second term.

There has been no concrete change in this country in terms of power discretion. The characteristics of power distribution and limited political competition throughout Botswana's independent history have sustained strong power discretion. However, emerging tensions within the political elites raise questions about the ruling party's cohesion and may eventually lead to changes.

## **Taiwan**

The Taiwanese semi-presidentialist structure allows significant power discretion to the President, as he appoints the Prime Minister without the need for approval by the Legislative. In 1997, a constitutional amendment established two new provisions: one allowing the Parliament to cast a no-confidence vote and censure the Prime Minister, and the other giving the President a prerogative to dissolve the legislature in such a case (Huang, 2006). Additionally, the President has the power to appoint the members of the Control Yuan, the Judicial Yuan and constitutional judges (Huang, 2006), one of the reasons for the belief that the Judiciary is not very independent (Polity IV, 2008; FH, 2010).

The power distribution structure is also much influenced by the composition of Parliament. The previous government by the Democratic Progressive Party (DPP) (2005-2008) had a legislative minority and faced a gridlock in Parliament, which contributed to check the Executive's power

discretion. In the present government, however, the Kuomintang (KMT) holds both the Presidency and a legislative majority.

Since the beginning of the democratic transition, there has been an important change in the political elites, namely the decreasing predominance of an old generation that originally fled from China and the strengthening of native Taiwanese political leaders (Shin and Chu, 2004; Huang, 2006). Taiwan has a multiparty system with clear dominance of two main parties. Competition has been strengthened through recent alternations in power, first in 2000 and again in 2008. Vote-buying has been a serious obstacle to fair competition, but it is reported to have diminished in the last elections (BF, 2010).

According to the characteristics described above, Taiwan has seen changes that contributed to both reduce and increase power discretion. Nevertheless, it may be concluded that the latter impact has been stronger than the former, because it is associated with changes that more directly increased the concentration of power in the Executive.

## **South Korea**

South Korea also has a strong Executive with considerable legislative powers, but well-functioning accountability mechanisms (Polity IV, 2008) provide a good balance to power discretion. Considerable political competition exists in its multiparty system, but in practice two main parties are predominant. As in Taiwan, vote-buying has posed problems for fair competition in elections, but there is evidence that it has become less pervasive (TI, 2006; BF, 2010). The country's first alternation in power in 1998 helped further consolidate political competition. Other recent alternations in power have moreover fostered the integration of a new generation to the political elite. These developments have contributed to increase political competition and potentially reduce power discretion, as they challenged the prevalence of a traditional elite financially supported by large national conglomerates<sup>9</sup>.

## **Ghana**

In Ghana, the regime also grants much power to the President, but differently than in the Uruguay and South Korea, his discretion is magnified by the limitations to Parliament's power. The institutional framework creates obstacles even to the very essential function of the Legislative,

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<sup>9</sup> Kim Dae-Jung was elected President in 1997 by an opposition party, defeating the dominant Grand National Party (GNP). He then managed to have his successor Roh Moo-Hyun elected in 2002. In both elections, the defeated GNP candidate Lee Hoi-Chang was largely supported by national conglomerates, such as Samsung (Trautvetter, 2010; You, 2005: 13).

namely law-making, as parliamentarians are forbidden by law to pass any bill that creates additional expenditure, rendering their role as independent legislators ineffective (Gyimah-Boadi, 2010). When the ruling party counts with a majority of seats, the Legislative becomes virtually a “rubberstamp” (GI, 2009: 78).

Moreover, some characteristics of power distribution create disincentives for MPs to effectively exercise their oversight role. A constitutional provision on the appointment of Cabinet members illustrates this well: the President is required to appoint half of the ministers from Parliament, but the overall number of ministers is unlimited and has averaged between 70 and 80. This in practice has become a way to co-opt part of the Parliament (Gyimah-Boadi, 2010). As to the Judiciary’s capacity to review the Executive’s actions, institutional provisions on the appointment of Superior Court judges also give the President leeway in influencing that government branch (Gyimah-Boadi, 2010), although there is no apparent evidence of direct government interference in judicial procedures (BF, 2010: 7). In 2010, the current President, Mr. John Evans Atta Mills, inaugurated a Constitutional Review Commission that is expected to address these institutional deficiencies.

Similarly to Taiwan and South Korea, Ghana has a multiparty system in which two main parties have a dominant stand. It also experienced a major alternation in government in 2000. As this strengthens political competition, it implies some limitation to power discretion.

## **Material resources**

### **Uruguay**

Uruguay appears to have relatively low potential rents, and where they can be identified, corruption is also considered to be low. There have been some changes in this dimension since democratization. In the 1990s, public employment fell from 25% of total employment in 1989 to 19% in 1997; public sector wages were also reduced (Panizza, 2001). In the last decade, the government continued to cut expenditures, following the impact of the Argentinean financial crisis (WB/IDB, 2005). Another characteristic of public spending in Uruguay is that a large part of total government expenditure (around 85%) is typically fixed, which reduces the scope for discretionary spending (WB/IDB, 2005).

Expenses in the form of subsidies have existed, especially associated with industrial policy, but capture by private interests is reported to be very low (Rodrik, 2008). Procedures for public contracting are said to allow free competition among bidders, and corruption is not considered by the private sector to be a serious problem in that area (WB/IDB, 2005: 36). State-owned enterprises have an important position in the economy, especially in the provision of essential services

(WB/IDB, 2005: iii); some were privatized during the military regime (Solares, 2011), but since then the population has generally opposed further privatizations and has showed support for the maintenance of state-run monopolies (BF, 2010). Natural resources have not been an important source of rents, but large gas reserves have been recently found off the coast (EIU, 2008).

## **Estonia**

In Estonia, some cases of corruption related to rents in the public sector can be identified, but they seem rather isolated. A high-profile case involved abuses in the allocation of public land. A policy to expand conservation areas was used to benefit a number of private real estate developers, who were able to exchange low-value rural properties for high-value state-owned lots in urban areas (BF, 2010). This scandal led to the prosecution of former Minister of Environment Villu Reiljan, convicted in 2009 (Pettai and Molder, 2010); he was accused of receiving bribes in the scheme. In procurement, one problem targeted by the government's anti-corruption strategy is collusion among bidders (Pettai and Molder, 2010). In the local level, public contracting is considered to be more vulnerable to irregularities, but mostly due to limited capacity of smaller municipalities to conduct procurement procedures properly (TI-Estonia, 2009).

Since the mid-1990s, the public sector has been through a number of modernizing reforms that included massive privatizations and downsizing in the civil service. In 1996 the Public Service Act was passed and established merit-based recruitment and promotion systems to reduce patronage (Randma-Liiv and Tõnnisson, 2006). These constitute the main changes in material resources.

## **Botswana**

Botswana appears to have large potential rents and a number of isolated cases of corruption related to them have been reported. Diamond reserves are the most important resource in the country; they are exploited through a monopoly jointly operated by the state-run Debswana and the private company De Beers. Cases of corruption in this sector are rare, but one recent scandal came to light when a former Debswana manager was found to have embezzled funds from the company (BF, 2010).

Botswana's public sector has a strong weight in the economy. Government consumption spending as a share of GDP<sup>10</sup> has remained above 20% since 1980 and reached 24% in 2009; it is the highest among the six selected cases. Public sector employment is around 45% of total

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<sup>10</sup> Based on the indicator "General Government Final Consumption Expenditure (% of GDP)", from the World Bank database.

employment<sup>11</sup>. Since the early years after independence, recruitment in the public service has been based on merit criteria (von Soest, 2009), although some public positions have been subject to patronage (Johnston, 2005). According to von Soest (2009), the relative small size of the Cabinet (18 ministers in 2009) is evidence that such top-level positions are not subject to systematic clientelism (p. 14). However, as tensions between internal factions of the ruling party increased, the government extended the number of ministers to accommodate conflicting interests in 2007. In spite of this, merit and expertise have remained the general rule for appointments (von Soest, 2009: 14).

Other public resources, such as state-owned land and funds of public banks, have been the target of corruption, as exposed by some scandals in the early 1990s (von Soest, 2009). A scheme of public land distribution during President Masire's government, for instance, benefited many businessmen and members of the political elite, including relatives of the President. Other officials were reported to have engaged in illegal sales of public land. The National Development Bank was also subject to fraud when many government politicians defaulted on loans they had taken (von Soest, 2009). After these cases became public, the government reacted by passing anti-corruption legislation and creating new control institutions, but there are doubts about their effectiveness (von Soest, 2009).

In general terms, changes in potential rents in Botswana are apparently little. Regarding government resources, they represent a large share of the economy and show no sign of decrease. Rents originated from positions in the public service may have increased as a result of more politicized appointments in the Cabinet in the last years.

## **Taiwan**

Corruption in Taiwan has been historically associated with the close relationship between business and politics. During the authoritarian period of KMT rule, corruption was practically institutionalized and the party was able to build a real estate and business empire (Hsueh, 2007: 11). The main source of rents consisted of the exchange of preferential policies or public contracts, from the side of the government, for monetary advantages, from the side of companies. Democratization would initially have led to an increase in this kind of corruption, as political campaigning became more expensive and therefore dependence on resources from the business sector increased (Hsueh, 2007: 12). These practices appear to have continued in the last decade, even after the KMT left power in 2000.

Privatization has also become a source of rents. It has been reported that government officials made use of insider information to "[...] secure interests in profitable enterprises for themselves,

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<sup>11</sup> Leith, J. Clark. 2005. *Why Botswana Prospered*. Montreal: McGill-Queen's University Press, cited in Martin, 2008, p. 46.

party supporters, or their family members” (Hsueh, 2007: 17). Other scandals have directly involved former President Chen’s (2000-2008) family members and high-level officials, and eventually the President himself. The deputy Secretary-General to the President, for instance, was accused of embezzling large amounts from two investment syndicates (Hsueh, 2007: 18). The Vice Interior Minister came to be arrested upon accusations of having received bribes related to a cable car construction project (Hsueh, 2007: 18). Public sector employment is considered to be less vulnerable to corruption, as it is managed by an independent government branch, which contributes to ensure that public service remains professional and non-politicized (EIU, 2009: 20).

Based on the evidence above, the material resources dimension does not show signs of significant change. In fact, numerous corruption scandals during the previous administration signal that the use of government resources for private and party benefits has continued even after a major alternation in power in 2000.

## **South Korea**

South Korea has also been characterized by spurious relationships between public and private interests. As Johnston (2005) describes it, this was most evident during the authoritarian period, when financial exchanges between top-level politicians and the *chaebols* were “the rule of the game”. In order to avoid the risks of political and economic competition, government leaders guaranteed financing to their power networks in exchange for benefits to the *chaebols* (Johnston, 2005).

After democratization, similarly to Taiwan, this logic was probably reinforced. As political competition increased, so did the need for political funding, typically originated from contributions by the *chaebols*; by the same token, the conglomerates had to secure the support of more politicians, including the opposition, in order to have the government implement advantageous policies (Johnston, 2005). Johnston (2005: 114) claims that this system now appears to show signs of weakness, as a consequence of the gradual consolidation of democracy and the strengthening of South Korea’s institutional framework. Moreover, the 1997 financial crisis led to important reforms in the banking and financial sectors and in corporate governance, which are believed to have contributed to reduce corrupt practices between the private and public sector (BF, 2010: 4). Nevertheless, scandals related to illegal party funding by the *chaebols* continued to emerge in recent years (TI, 2006). It is possible, however, that their effective political influence has been reduced, since their financial support was not enough to guarantee the election of the GNP candidate in 1997 and 2002.

Other potential sources of rent seem to have become less vulnerable to corruption in South Korea. Public contracting, for instance, has been changed through the implementation of a state-of-the-art

e-procurement system in 2002. Two years later, the system already accounted for 92% of all bidding in public tenders (TI, 2006: 31). Additionally, legislation on public contracting includes provisions that allow for public participation in procurement decisions (TI, 2006: 32). Public sector employment is believed to strongly rely on merit instead of political criteria (TI, 2006).

Among the six selected cases, South Korea is probably the country with most substantial change in the extent of material resources. Despite the evidence that “money politics” has endured in recent years (Johnston, 2005), regulatory reforms seem to have contributed to reduce the incentives behind it. Furthermore, public contracting has been much improved.

## **Ghana**

Like Botswana, Ghana is a country with extensive natural resources. Gold has been a main product since the colonial period, and manganese and bauxite are also important. Additionally, offshore oil reserves have been recently found (EIU, 2008). Since the 1980s, economic reforms overseen by the Bretton Woods institutions have helped liberalize markets and reduce government intervention in the economy, especially through the privatization of many state-owned enterprises (BF, 2010). The government does not represent a large share of economic activity; public contracting represents 10% to 15% of GDP and government consumption spending as a share of GDP is about 10%<sup>12</sup>.

Public employment has been an important source of rents to political elites. Appointments and dismissals in high-level positions have been often motivated by political interests (BF, 2010: 19). This is clear in the case of certain agencies and state-owned enterprises: it has been common that new governments, shortly after coming to power, entirely replace the boards of institutions such as the Ghana Commercial Bank, the former Serious Fraud Office and the Ghana Law Reform Commission with loyalists (Gyimah-Boadi, 2010: 14). Appointments of local assembly members and district executive chiefs are also made by the President and are said to be equally politicized. This has been the case in the Kufuor administration and appears to have continued in the Atta Mills government (Gyimah-Boadi, 2010: 6). Patronage is considered to be widespread in the whole public service (Gyimah-Boadi, 2010) and many cases of “ghost employees” have been reported (GI, 2009).

Unclear boundaries between public and private interests remain, when it comes to managing state resources. One example is that Cabinet members commonly attempt to direct public spending in favor of their own constituencies (Gyimah-Boadi, 2010: 5). It is also reflected in abuses in the allocation of public land, which has been sold to private developers and even to government officials

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<sup>12</sup> See *supra* note 10.

(Gyimah-Boadi, 2010: 13). At the lower level, petty corruption is quite common: according to a World Bank Enterprise Survey from 2007, 39% of companies expected to make informal payments to public officials to get things done, 23% expected to give gifts to get an operating license and 61% expected to give gifts to secure a government contract (Gyimah-Boadi, 2010: 14). Although new regulation on public procurement was passed in 2003, widespread abuses seem to still occur, especially in the local level. A report by the World Bank has suggested that only 37% of public purchases are subject to competitive bidding (Gyimah-Boadi, 2010: 16).

## **Legal constraints**

### **Uruguay**

Legal constraints have been reinforced in Uruguay in the last years, as the country adopted a number of anti-corruption policies and has been successful in effectively enforcing them in most cases. On the international level, it is party to the UNCAC since 2007 and to the Inter-American Convention against Corruption since 1998. Regarding the latter, a report by the Organization of American States (2009) shows that the country has advanced in its implementation, but still needs to improve in some areas. In terms of national legislation, an Anti-Corruption Law was passed in 1998, which specified corruption crimes and related sanctions, and also established the obligation of disclosure of assets and income by public officials<sup>13</sup>. Prosecutions of officials based on this law have been common, showing that it is strictly enforced (BF, 2010). Judicial independence has helped guarantee this, despite efficiency and capacity problems in the Judiciary (BF, 2010).

In 2008, a Freedom of Information Law was adopted. However, two concerns related to its implementation have emerged: first, Uruguay public officials appear to traditionally keep an attitude of secrecy about their work (Scrollini, 2008), and second, although the law includes provisions for judicial enforcement of information requests, the Judiciary is chronically overloaded and would probably not have the capacity to process requests in a timely manner (Scrollini, 2008). Other important piece of legislation recently approved was the law regulating political parties and their funding, passed in 2009, which created limits for donations and standards for disclosure of party and campaign finances (BF, 2010). Uruguay has neither an ACA, nor an Ombudsman; oversight functions are mainly exercised by the Court of Accounts and the Committee of Transparency and Public Ethics.

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<sup>13</sup> Law 17060, 23.12.1998.

## **Estonia**

In Estonia, like in Uruguay, it is possible to identify improvements in legal constraints as a consequence of new anti-corruption legislation and its effective enforcement. The legal anti-corruption framework is founded on the 1995 Anti-Corruption Act and its subsequent amendments. It was accompanied by changes in the Criminal Code, in order to incorporate corruption-related crimes. Transparency in public administration was reinforced by the Public Information Act, passed in 2000. In 2004, this framework was complemented by a national anti-corruption strategy called “Honest State”, which was further improved in 2008 (Dirks, 2011). The country takes part in some anti-corruption initiatives at the multilateral level: the Council of Europe’s Civil and Criminal Law Conventions on Corruption, the Council of Europe’s Agreement Establishing the Group of States against Corruption (GRECO) and the OECD Anti-Bribery Convention, ratified by the country in 2004. However, it still hasn’t ratified the UNCAC (Dirks, 2011).

Estonia has no central ACA; enforcement of anti-corruption legislation is ensured by regular law enforcement authorities, such as the Security Police, the regular police and the courts (Dirks, 2011), which are considered to be effectively independent. Many prosecutions of public officials accused of corruption have taken place, including former Minister of Environment Villu Reiljan (Pettai and Molder, 2010). The main oversight institutions are the Select Committee on the Application of Anti-corruption Act, set up in Parliament in 1996, and the Chancellor of Justice, who has the role of an Ombudsman and has been active since 1993 (Velykis, 2010).

Some changes have taken place with regards to political finance regulation, but in this area enforcement is still weak. The basic law on this matter is the 1994 Law on Political Parties, which has been amended many times to progressively increase restrictions. In 2003, an amendment was included to completely ban donations by corporations (Velykis, 2010). Nevertheless, the media has often suggested that parties receive illegal corporate funding through foundations connected to them (Pettai and Molder, 2010). Furthermore, oversight of party financing has been much criticized. In 2008, GRECO published a report recommending that it be improved through a number of measures, among which the creation of an independent institution to better monitor whether parties comply with political finance regulation (Pettai and Molder, 2010). In the same year, the Chancellor of Justice unsuccessfully brought a complaint against current oversight practices before the Supreme Court and argued for their unconstitutionality, on the grounds of their complete ineffectiveness (Pettai and Molder, 2010). Overall, the apparent lack of full compliance by political parties and the weakness of oversight mechanisms make political finance a still vulnerable area.

## **Botswana**

Botswana has similarly adopted anti-corruption policies, especially after the numerous corruption scandals that surfaced in the early 1990s. Nevertheless, actual enforcement still has limitations, as effective independence of some oversight institutions is not completely safeguarded. One example is the Directorate on Corruption and Economic Crime (DCEC), which is the country's ACA. It was created in 1994 through the Corruption and Economic Crime Act, but this legislation does not explicitly provide for its independence, as it directly reports to the Office of the President (TI, 2007). In 1995, the Ombudsman Act was approved, but the fact that this authority is appointed by the President has also been criticized (TI, 2007: 13). Some important legislation against corruption is still lacking, such as a FOIA and a bill on declaration of assets by public officials and MPs<sup>14</sup>. Party funding is also poorly regulated; donations are not publically disclosed nor audited. Although there are ceilings to donations, they are not enforced (TI, 2007). The country is not a signatory to the UNCAC.

Additional oversight mechanisms include the Public Accounts Committee in Parliament, which is effective in its scrutiny of the Executive (TI, 2007: 16). The Auditor General also oversees how public resources are managed, but his appointment is considered to be subject to political influence (TI, 2007). The Judiciary is in practice independent, although this is not expressly guaranteed in the Constitution. Moreover, it is not financially independent, as its budget is tied to the Executive (TI, 2007). Enforcement against corruption has been partly successful, as there have been many prosecutions of public officials. However, they have been mostly low-level public servants; high-level officials have rarely been prosecuted while in office, usually only after they have resigned or been dismissed. Only the President has immunity to prosecution (TI, 2007).

## **Taiwan**

Taiwan has also adopted some anti-corruption legislation since the 1990s. The Public Functionary Assets Disclosure Act from 1993 has provided the framework for requirements of disclosure of assets by high-level officials and elected representatives (BF, 2010). Later, President Chen (2000-2008) brought the issue more strongly into the political agenda and, shortly after winning the 2000 elections, mapped out an "Action Plan for the Elimination of Corruption and Organized Crime". A Political Contribution Act was passed in 2004, which imposed limits to political donations and attempted to make political finance more transparent. A Freedom of Government Information Law was also passed in 2005. Early into President Chen's second term, however, his administration's

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<sup>14</sup> "BCP concerned bill on Declaration of Assets might not come before Parliament", *Sunday Standard*, 24.02.2011 (<http://www.sundaystandard.info/article.php?NewsID=10044&GroupID=1>).

anti-corruption efforts were largely discredited, as numerous scandals involving top-level officials, the President himself and some of his close family erupted.

The main oversight body is the Control Yuan, constituted as an independent government branch. It has auditing and investigative powers, and also exercises the function of an Ombudsman (Shin and Chu, 2004: 34). Its members are appointed by the President with approval by the Parliament. Although there are no direct claims of political influence in the appointments, they were affected by partisan disputes during President Chen's administration, when his party did not have a majority in Parliament. The legislative stalemate during that term effectively prevented the government from appointing members to the Control Yuan between 2005 and 2008, which rendered this institution inoperative during that time period (BF, 2010).

Enforcement of laws against vote-buying has become stricter: in 2009, former top officials were prosecuted and four legislators were removed due to vote-buying. Another 200 candidates in local elections were brought under investigation on vote-buying charges (FH, 2010). Prosecutions for corruption in general have become more common. A high-profile example was the conviction of former President Chen and his wife to a life sentence in 2009, when they were found guilty of embezzlement and money laundering (FH, 2010). However, some problems still exist. First, there is controversy about how impartial these prosecutions actually are. There have been claims that they are often politically motivated (Shin and Chu, 2004) and that the Judiciary as a whole is subject to a certain degree of political influence (Polity IV, 2008; FH, 2010). On the other hand, these accusations have not been well substantiated (BF, 2010). Second, several authorities still enjoy immunity, including the President, ministers and MPs and members of county and city Parliaments (BF, 2010).

## **South Korea**

Changes in legal constraints in South Korea have come about through the initiative of different administrations. Kim Young-Sam (1993-1997) introduced the disclosure of assets by high public officials, the real-name financial transaction system, and amendments to Political Funding Law (You, 2005). The Disclosure of Information by Public Agencies Act (1996) was also approved during his administration. Nevertheless, the government's commitment to fighting corruption lost credibility as a consequence of a large corruption scandal, in which it was exposed that Kim Young-Sam had received illegal campaign funds and bribes from a company later favored by government contracts (You, 2005; Johnston, 2005). The next president, Kim Dae-Jung (1998-2002), followed up on anti-corruption policies with a comprehensive Anti-Corruption Law in 2001 (BF, 2010), but as his son came under accusations of corruption he similarly had his credibility affected. Another important piece of legislation is the Political Fund Act, which regulates party funding. Since 2004, it includes a

provision banning donations from any legal person; however, scandals about illegal funding by corporations have continued to emerge in the last years, showing that the enforcement of this regulation is not fully effective (TI, 2006). In the international sphere, South Korea is party to the OECD Anti-Bribery Convention since 1999 and the UNCAC since 2007.

A main oversight body is the Board of Audit and Inspection, responsible for checking accounts of public agencies. Its chairperson is appointed by the President with legislative approval and has a four-year term. The chairperson and all commissioners in the Board are selected according to a set of qualifications defined in the Board of Audit and Inspection Act (TI, 2006). Moreover, it is a very transparent institution: audit procedures are open to public participation and audit reports are fully disclosed. Audits and inspections may also be requested by the public (TI, 2006). Other important control institutions are the Korean Independent Commission against Corruption (KICAC), created in 2002, and the Public Prosecutor's Office. The former's functions are considered to be somewhat limited, as it has no investigative authority (TI, 2006; Quah, 2010). South Korea also has an Ombudsman Office, which was created in 1994 but functions as a presidential body since 2005 (TI, 2006).

Besides reforms in the legal and institutional frameworks, improvements have taken place with regards to enforcement. Vote-buying, for instance, was more strongly targeted and the number of cases found fell from almost 1,400 in 2000 to 919 in 2004; at the same time, the cases actually reported to the Prosecutor's Office increased from 2 to 255 in the same period (TI, 2006: 40). The Judiciary is considered to be independent since 2003<sup>15</sup>, when efforts to reform this branch were first implemented with the objective of increasing transparency and implementing a system of ethics and integrity for judges (TI, 2006). Additionally, some high-level officials and businessmen have been prosecuted under corruption charges, among which former presidents Roh Tae-Woo and Chun Doo-Whan, who were convicted in 1996. However, politicians and public servants are considered to be generally lightly punished for their wrongful behavior, and cases of bribery of judges and prosecutors in exchange for protection of public officials and businessmen have taken place (TI, 2006)<sup>16</sup>. Moreover, the government's commitment to punishing those involved in corruption has come under question as many convicted officials and businessmen received presidential pardon in 2008 (You, 2005; BF, 2010).

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<sup>15</sup> CIRI Human Rights Data Project. Available at: <http://ciri.binghamton.edu/>

<sup>16</sup> In 2005, a civil society group disclosed that no less than 49 former public prosecutors and 6 former judges held important positions in major Korean conglomerates. (TI, 2006: 30, 43).

## **Ghana**

Ghana has also adopted a number of anti-corruption policies since the 1990s. Mandatory disclosure of assets by public officials has been established, although it is not required that the declarations be made public (Gyimah-Boadi, 2010). An important piece of legislation is the Whistleblower Act, passed in 2006. Furthermore, Ghana is party to the UNCAC since 2007. Regulation on party finance has also been adopted through the Political Parties Act (2000), but there are no established limits to contributions or expenses and requirements to disclosure of party finances are weakly enforced (GI, 2009). No FOIA has yet been passed.

Ghana has a central ACA, namely the Commission on Human Rights and Administrative Justice (CHRAJ). It was established by the Commission on Human Rights and Administrative Justice Act from 1993 (Act 456), which defines the CHRAJ's mandate as three-fold: Human Rights watchdog, Ombudsman and ACA (GI, 2009). The CHRAJ is considered to function independently, but the main constraints to its powers are that it has no prosecution function, and that it may only initiate investigations following complaints, that is, it cannot autonomously start an investigation (GI, 2009). Other main control and oversight institutions are the Audit Service and the Economic and Organized Crimes Office, which until 2010 was named Serious Fraud Office (SFO) (Agbele, 2011). The latter has long been seen as politically influenced by the Executive (Gyimah-Boadi, 2010).

Enforcement of anti-corruption legislation is seen as politically oriented. This seemed most evident during the Kufuor administration (2001-2009), when efforts to prosecute politicians and public officials under corruption charges were strengthened, but there appeared to be a tendency to prosecute only those connected to the rival party (NDC), despite accusations against members of the ruling party in that time period (Gyimah-Boadi, 2010). Another obstacle to independent and impartial prosecution is the fact that the Attorney-General, who is head of the prosecution service, is at the same time chief legal advisor to the Executive. Furthermore, he has the prerogative to initiate or end prosecutions at any time without explanation (Gyimah-Boadi, 2010).

## **Normative constraints**

### **Uruguay**

A strong civil society tradition consolidated in Uruguay throughout the past century and resisted the two periods of authoritarian rule. The organization of several party factions and interest groups had an important role in that process (BF, 2010). The present government has further contributed to strengthening civil society by institutionalizing participatory mechanisms in the public administration (BF, 2010). The number of civic organizations has multiplied since democratization, but a large

share of them is involved with human rights and social and labor issues<sup>17</sup>. Only few organizations are dedicated to fighting corruption (Solares, 2011) and almost none is actively engaged in monitoring the government (WB/IDB, 2005).

Freedom of the press is largely guaranteed. According to Freedom House<sup>18</sup>, an important improvement was the passing of a bill that removed criminal penalties for defamation of public officials in 2009. The press is entirely privately owned, but many publications have connections to political parties. Despite the existence of numerous media channels, ownership is rather concentrated and characterized by the predominance of three media conglomerates, two of which have connections with the Colorado Party and the other with the National Party (Solares, 2011).

Another characteristic of this country is the high trust in government institutions. According to the Latin American Public Opinion Project (LAPOP), electoral procedures are highly trusted, with 81.7 points in a 100-point scale, followed by the Government (74.0), the President (73.5) and the Electoral Court (72.3) (Boidi *et al.*, 2010). In comparison with other Latin American countries, Uruguay is among the ones with the highest level of trust in public institutions (Boidi *et al.*, 2010). Nevertheless, the perception that corruption is generalized in the country, although among the lowest in the Americas, is still considerable and reached 62.1 points of 100 (Boidi *et al.*, 2010). Political participation is also very high: involvement in political manifestations is among the highest in the region and voter turnout is above 90%, but this is to a large extent driven by mandatory voting (Boidi *et al.*, 2010).

## **Estonia**

Civil society in Estonia has also grown much in the last two decades. By 2008, more than 27,000 civil society organizations (CSOs) were registered (Pettai and Molder, 2010). However, about half of them are apartment cooperatives, and therefore are not directly involved with political issues (Pettai and Molder, 2010). According to the United States Agency for International Development (USAID), Estonian civil society is one of the strongest and most sustainable in Central and Eastern Europe<sup>19</sup>.

The relationship between civil society and the government has improved in the last decade. Since the early 2000s, civil society participation in the elaboration and implementation of anti-corruption

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<sup>17</sup> Freedom House, Freedom in the World Country Report 2010. Available at: <http://www.freedomhouse.org/template.cfm?page=22&year=2010&country=7945>

<sup>18</sup> Freedom House, Freedom in the World Country Report 2010. Available at: <http://www.freedomhouse.org/template.cfm?page=22&year=2010&country=7945>

<sup>19</sup> The NGO Sustainability Index developed by USAID has rated Estonia with a 2.0 score, in a scale of 1 to 7 (1=most sustainable). Legal environment, advocacy, infrastructure and public image were the components in which the country rated best; organizational capacity, service provision and financial viability had worse scores, showing that improvement is still needed in those fronts. Available at: [http://www.usaid.gov/locations/europe\\_eurasia/dem\\_gov/ngoindex/2009/estonia.pdf](http://www.usaid.gov/locations/europe_eurasia/dem_gov/ngoindex/2009/estonia.pdf)

policies has increased (Velykis, 2010). The government passed a Civic Initiative Development Plan for 2007-2010, and in 2008 reformed its online public consultation mechanism to allow for more participation (BF, 2010). Additionally, since 2002 the government adopted the Civil Society Development Concept as a policy to support civil society initiatives. Its implementation, especially with regards to availability of funds, started slowly, but the creation of the Civil Society Foundation in 2008 established a more solid framework to provide financial support to projects sponsored by CSOs (Pettai and Molder, 2010: 207). It may be argued, however, that this initiative might generate some degree of financial dependence on government funds among CSOs.

Press freedom in Estonia is one of the strongest in the world<sup>20</sup>. According to Freedom House's Freedom of the Press indicator, it has steadily improved in the last two decades, falling from a score of 28 in 1993, when this indicator was first measured, to 17 in 2010<sup>21</sup>. Most media channels are privately owned, except for a few TV and radio stations managed by Estonia Public Broadcasting (EPB) (BF, 2010). Although the press is considered to be independent, there are claims of connections between certain media and political parties, as in the case of the concern Kalev Media, which is owned by an important contributor to the Center Party (Pettai and Molder, 2010; BF, 2010). In any case, the media has certainly contributed to anti-corruption efforts through independent investigation and extensive coverage of corruption cases involving high-level politicians, such as Tiit Vähi (former Prime Minister) and Villu Reiljan (former Minister of Environment). This has helped foster public pressure, eventually leading them to resign (Dirks, 2011).

This country is considered to have high levels of political pluralism and participation<sup>22</sup>, but one particular obstacle to political participation remains. After restoration of independence, knowledge of the Estonian language was imposed as a requirement to citizenship, and this left most of the Russian minority, which at the time represented almost 40% of the adult population, without political rights<sup>23</sup>. In the following years, naturalization of Russians increased significantly, but by 2007 there were still 17% of eligible voters without citizenship (BF, 2010). However, these individuals are allowed to vote in local elections.

Trust in public institutions, on the other hand, is not so strong in this country. According to the Eurobarometer (2009), the Judiciary is the most trusted institution, but by only 53% of respondents. It is followed by the national government, which is trusted by 38%. The survey results also show that

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<sup>20</sup> According to the Press Freedom Index developed by the organization Reporters without Borders, Estonia ranked 9<sup>th</sup> in the world (2010).

<sup>21</sup> Freedom House's Freedom of the Press indicator is based on a scale from 0 to 100 (0=most free). Based on the scores, countries are classified into three categories: free media (0-30), partly free media (31-60) and not free media (61-100). The scores are derived from a survey with 23 questions related to the legal, political and economic environments in each country and how they impact freedom of the press (see [www.freedomhouse.org](http://www.freedomhouse.org)).

<sup>22</sup> According to Freedom House's Political Pluralism and Participation indicator, Estonia scores 15 out of 16 points.

<sup>23</sup> This limitation to political participation has based the EIU classification of Estonia as a "flawed democracy" (EIU, 2008).

the vast majority of the population (82%) considers corruption to be a major problem in the country. Moreover, respondents showed discontent with anti-corruption efforts in Estonia: 77% believe sentences in corruption cases are too light, 50% think there aren't enough prosecutions and 67% consider that government efforts to fight corruption are not effective. The fact that most Estonians are so critical about the situation of corruption in the country and about the government's policies in this area may be interpreted as a signal of their low acceptance of this phenomenon.

## **Botswana**

Civil society has grown much in the country in the last two decades. Cooperation between the government and CSOs has increased, especially in the public health sector. The downside of this trend, however, is that many CSOs have become increasingly dependent on public funds, which potentially compromises their impartiality regarding government policies (TI, 2007).

The media system in Botswana is very diverse, with numerous private and independent outlets that often express criticism towards the government and expose corruption cases, but they have limited reach beyond the capital Gaborone and other larger cities. In other regions, the Botswana Press Agency is the main source of information, through its free daily newspaper and two radio stations<sup>24</sup>. Coverage by public outlets, however, tends to portray government policies in a positive way and is not very open to contrary opinions (FH, 2008).

Freedom of the press shows signs of deterioration in the last years. According to Freedom House's score, it has gone from 19 in 1993 to 37 in 2008; since 2005, its status has been downgraded from free to partly free press<sup>25</sup>. The reasons behind this negative change are associated with increasing political influence over state-owned media and harassment of journalists and private media outlets by the government. One example was the deportation of two Zimbabwean journalists that criticized state policies in 2005 (FH, 2008). Independent papers also claimed that the government cancelled public advertisements contracts with them after the publication of critical pieces on government policies (FH, 2008). Moreover, the Media Practitioners Act, passed in 2008, established a media regulatory body. The opposition and the media fear that this change will enable the government to impose more restrictions and exercise further control in the sector (BF, 2010).

Political pluralism and participation also face limitations in Botswana. One of the main obstacles to pluralism is BDP's political dominance and the still limited prospects of alternation in power (EIU, 2008). Moreover, discrimination against ethnic minorities is a problem, especially in the case of the

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<sup>24</sup> Freedom House (2008), Freedom of the Press Country Report: Botswana. Available at: [http://www.freedomhouse.org/inc/content/pubs/pfs/inc\\_country\\_detail.cfm?country=7358&year=2008&page=16&view=mo pf&pf](http://www.freedomhouse.org/inc/content/pubs/pfs/inc_country_detail.cfm?country=7358&year=2008&page=16&view=mo pf&pf)

<sup>25</sup> See *supra* note 21.

Basarwa<sup>26</sup>. The House of Chiefs, for instance, has representatives of only the main eight tribes in the country. Hostility towards illegal immigrants has also been reported (FH, 2008).

Trust in public institutions is generally high. According to the Afrobarometer (2008), more than 65% of the population trust the main government institutions (President, Parliament, Electoral Commission, ruling party, police and courts of law). The big exception is the opposition parties: 43% of respondents claimed they do not trust them at all and only 13% said they trust them a lot. The survey also showed that most people (75%) support the media's role in investigating and exposing corruption. Overall corruption is not considered to be a major issue in the country: only 4% of respondents placed it among the three most important concerns to be addressed by the government. Most respondents (69%) consider that the government fights corruption fairly well or very well.

## Taiwan

Civil society has operated freely in the country, especially in the fields of Human Rights, social welfare and environment<sup>27</sup>. Moreover, civil society's access to the process of policy formulation and evaluation has increased since the DPP government (2001-2009) (BF, 2010). Middle-class social movements have had an important role in the country. A good example was the popular movement that pressured for President Chen's resignation in 2006. Although it was unsuccessful, it demonstrated the population's discontent with the extent of corruption in the country.

Overall, the media environment is free and competitive. There are more than 2,000 newspapers, with about 30 being regularly published, 175 radio stations, five terrestrial and 66 cable TV companies. Additionally, government and party investments in private media outlets have been legally prohibited since 2003 (BF, 2010). Private media has an important role in expressing criticism about the government; it is said, however, the most private news outlets are "[...] sympathetic to one of the two main political parties" (FH, 2010). The government owns the Central News Agency (CNA), but as the vast majority of the population has access to private outlets, the impact of public media is limited (FH, 2010).

According to Freedom House's indicator, freedom of the press improved between 1993 and 2007, but since then it worsened slightly, going from 20 to 24 points in the last years<sup>28</sup>. This is mostly due

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<sup>26</sup> Freedom House (2010), Freedom in the World Country Report: Botswana. Available at: [http://www.freedomhouse.org/inc/content/pubs/fiw/inc\\_country\\_detail.cfm?country=7787&year=2010&page=0&view=mof&pf](http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?country=7787&year=2010&page=0&view=mof&pf)

<sup>27</sup> Freedom House (2010), Freedom in the World Country Report: Taiwan. Available at: [http://www.freedomhouse.org/inc/content/pubs/pfs/inc\\_country\\_detail.cfm?country=7929&year=2010&pf](http://www.freedomhouse.org/inc/content/pubs/pfs/inc_country_detail.cfm?country=7929&year=2010&pf)

<sup>28</sup> See *supra* note 21.

to the government's signaling increased interference in the public media. Since 2008, personnel changes in the CNA are said to have been politicized (FH, 2010). Local and international observers have pointed out that critical reporting on the government in public outlets has been much reduced since those changes (FH, 2010). In the private media, self-censorship of criticism towards the government and China has been reported in the China Times Group, after it was purchased in late 2008 by a businessman with economic interests in the relationship between Taiwan and the mainland government (FH, 2010). It is also interesting that trust in the media is low among the population: almost two thirds of respondents in the Asian Barometer (2006) claimed they do not trust newspapers or TV.

Political pluralism and participation are also strong in the country. According to the Asian Barometer (2006), trust in some political institutions is quite low: only 24.9% claimed they trust the national government and 19.8% said they trust the Parliament. The most trusted institutions were the civil service and the military, but even those are trusted by slightly more than half the population.

## **South Korea**

Civil society had a very important role in exercising pressure for democratization<sup>29</sup> and became also the leading actor of most anti-corruption efforts in the country (TI, 2006). Participatory mechanisms in the public administration during the Roh government (2003-2008) offered considerable room for CSOs to actively influence policies and monitor the administration (BF, 2010). The Lee administration (2008- ), however, has not kept the same participatory approach as the previous government (BF, 2010). Some CSOs are also engaged in evaluating the work of parliamentarians and raising public awareness about politicians accused of corruption (BF, 2010). The sector receives institutional support from the government through the 2000 Act on Support for Non-Profit Civil Organizations (TI, 2006).

The involvement of civil society in this issue reflects increased intolerance to corruption among the population, as has also been observed in popular surveys taken in 1996 and 2003 (You, 2005: 36). In this context of strong anti-corruption sentiment in the country, many politicians accused of corruption have committed suicide, including former president Roh, who died in 2009. It is also said that political leaders feel compelled to commit to an anti-corruption agenda, regardless of party and political orientation: "For the political leadership, proclaiming engagement in the fight against corruption [...] has become a norm rather than an exception" (TI, 2006: 8).

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<sup>29</sup> Freedom House (2010), Freedom in the World Country Report: South Korea. Available at: [http://www.freedomhouse.org/inc/content/pubs/fiw/inc\\_country\\_detail.cfm?year=2010&country=7854&pf](http://www.freedomhouse.org/inc/content/pubs/fiw/inc_country_detail.cfm?year=2010&country=7854&pf)

The media is considered to be free, but according to Freedom House's Freedom of the Press score, it is bordering the limit of the partly free category at 30 points<sup>30</sup>. Freedom of the press is guaranteed by law and respected in practice, although President Roh's government attempted to impose some restrictions, such as limiting access of journalists to official buildings and adopting policies to limit the influence of conservative media outlets<sup>31</sup>. The Law Governing the Guarantee of Freedom and Functions of Newspapers, for instance, was passed in 2005 and established registration requirements for all newspapers, which in practice limited circulation of three important conservative daily publications. This policy was overruled by the Supreme Court in 2006 (FH, 2008). In the Lee administration, legislation that deregulated media ownership is also seen with critical eyes, because of its potential to allow conservative newspapers to take over more progressive publications (FH, 2010) and thereby reduce diversity of opinions in the sector. Despite these apparent threats, media diversity is an important characteristic of this country, where many private outlets operate (FH, 2008).

Political pluralism is very solid in the country (FH, 2010), but participation has been negatively influenced in the last years, as reflected in declining voter turnout rates, reaching a historical low of 46% in 2008 (EIU, 2008). Trust in political institutions has also eroded recently and reached levels below 10% (Park, 2009).

## **Ghana**

Civil society in Ghana has been strengthened along the last two decades, especially due to continued assistance from external donors (BF, 2010). CSOs play an important role in offering the government with technical support in certain policy areas, such as disability, gender and social issues, and also in the provision of public services (Gyimah-Boadi, 2010). Although civil society has contributed with inputs in some policies, such as the Whistleblowers Act, participation in other areas, especially in the budgetary process, is limited (Gyimah-Boadi, 2010).

Ghana has made incredible progress in terms of freedom of the press, and in a rather short period of time, based on the assessment by Freedom House. In 1999, the country was still classified as having a not free press, but by 2001 it had been upgraded to the free press category<sup>32</sup>. This significant improvement is largely attributed to a change in legislation that removed a criminal libel statute in 2001.

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<sup>30</sup> See *supra* note 21.

<sup>31</sup> Freedom House (2008), Freedom of the Press Country Report: South Korea. Available at: [http://www.freedomhouse.org/inc/content/pubs/pfs/inc\\_country\\_detail.cfm?country=7425&year=2008&page=16&view=mo pf&pf](http://www.freedomhouse.org/inc/content/pubs/pfs/inc_country_detail.cfm?country=7425&year=2008&page=16&view=mo pf&pf)

<sup>32</sup> See *supra* note 21.

The media landscape is composed of state-owned and private broadcasters. The former have become considerably autonomous, but rarely criticize the government directly (BF, 2010). The large number of private broadcasters and newspapers guarantees coverage of diverse points of view; however, many of them are considered to be partisan (Gyimah-Boadi, 2010: 7). Direct government interference in state-owned media is limited, but a recent example was the dismissal of journalists from the state television broadcaster, after they published critical stories about the government (Gyimah-Boadi, 2010: 7). Among private media, there is some self-censorship on political and corruption reporting, as the government appears to favor some media houses with state advertising and access to information (Gyimah-Boadi, 2010: 7).

Political pluralism and participation have improved in the country, but some obstacles that still remain are the relatively low voter turnout and the dominance of only two parties (EIU, 2008). Moreover, ethnic cleavages are clear in the political arena, where the NPP has stronger support from the Akan ethnic group and the NDC draws on the sympathy of voters from other ethnicities (Gyimah-Boadi, 2010). This ethnic divide has generated some tensions and even episodes of violence in previous elections (Gyimah-Boadi, 2010). Trust in government institutions is strong, reaching 75% for the President and 66% for the Electoral Commission (Afrobarometer, 2008). Moreover, the survey also shows that the majority (56%) appears to be satisfied with the government's efforts to fight corruption.

## **The role of actors**

This sub-section emphasizes some of the main political actors that are considered to have had a leading role in the process of change in each country. Their active participation as drivers of change is most evident in the adoption of anti-corruption policies, that is, in the legal constraints component of the model. Nevertheless, changes in the other elements may at times be associated with specific actors as well.

### **Uruguay**

Most recent changes experienced in Uruguay cannot be directly associated to the engagement of a specific political actor. The only case where direct action by certain actors was clear regards the adoption of the Freedom of Information Law in 2008, which was the result of strong pressure by civil society organizations and members of the press. Attention to the subject of access to public information increased in 2004, when a journalist brought a case against the Uruguayan State before the Inter-American Human Rights Commission for denying a request of public information, therefore going against the right of access to public information guaranteed by the American Convention on

Human Rights (CAInfo, 2009). The Uruguayan Press Association also had an important role in expressing the demand for such legislation.

Other developments have derived from changes in the political dynamic of the country, as is the case with the increase in political competition due to the emergence of a new party and political elite. Moreover, external factors have played a role. Continued reductions in government spending during the last decade, for instance, were motivated by the need to stabilize the economy after the severe recession between 1999 and 2002 (BF, 2010).

## **Estonia**

Some Estonian politicians are clearly associated with a leadership role in promoting an anti-corruption agenda. This is the case of Prime Ministers Mart Laar (1992-1994; 1999-2002) and Juhan Parts (2003-2005). During the former's administrations, the Ombudsman Act (1993) and the Public Information Act (2000) were passed. During Parts's government, political financing regulation became stricter and a national anti-corruption strategy was adopted. Moreover, Mart Laar implemented reforms to reduce government size in his first government, and thereby contributed to reduce material resources. The media also had an important role in strengthening normative constraints through wide coverage of corruption scandals, which helped foster public pressure against corruption and, in some cases, even led to the resignation of high-level politicians accused of corruption.

## **Botswana**

The relatively low level of corruption in Botswana is commonly associated with the way the state was constituted after independence. It is argued that the political elite that came to power then, instead of treating the state as its own property, decided to build it as an independent entity that would protect their property rights (von Soest, 2009). Therefore, the distinction between the public and the private spheres started to take its shape early. An important leadership role is commonly attributed to Sir Seretse Khama, the country's first president; some of the decisions taken during his government, such as the broad separation between the civil service and politics and the integration of customary courts into the judicial system<sup>33</sup>, are believed to have contributed significantly to that process.

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<sup>33</sup> Du Toit, Pierre (1995). *State Building and Democracy in Southern Africa: Botswana, Zimbabwe, and South Africa*, Washington, DC: United States Institute of Peace, cited in Martin, 2008, p. 44.

During President Masire's government (1980-1998), other measures were taken to improve control of corruption. Three Presidential Commissions of Inquiry were installed in 1991 and 1992 to investigate major corruption scandals (TI, 2007). The commotion that arose after the exposure of those cases created momentum for the establishment of the DCEC (1994) and the Ombudsman office (1995).

The Judiciary may also be considered a central actor in control of corruption, since it is in practice the strongest institution that acts to limit the Executive's power discretion and manages to enforce anti-corruption legislation through successful prosecution of public officials accused of corruption. Nevertheless, it must be emphasized that its institutional framework does not strongly safeguard its independence.

## **Taiwan**

The anti-corruption agenda in Taiwan was mainly implemented after the first alternation in power in 2000. The new government, under President Chen, designed an "Action Plan for the Elimination of Corruption and Organized Crime". The passing of new legislation on political financing and of the Freedom of Information Law also took place during his administration (2000-2008). It is thus ironic that early after initiating his second term, President Chen and members of his family came under serious corruption accusations. This motivated a popular movement to force his resignation (Hwang, 2008), an episode that also showed the strength of civil society. Nonetheless, he resisted the pressure and continued in power until the end of his term, but came to be prosecuted and convicted to a life sentence in 2009. Chen's prosecution seems to be part of efforts by the KMT to more strongly investigate and punish corruption, since it came back to power in 2008. These efforts, however, do not appear to be completely free from political interest.

## **South Korea**

The first anti-corruption policies were already promoted by President Kim Young-Sam (1993-1997), the second democratically elected president in South Korea. Nevertheless, he was later accused of favoring a *chaebol* that had financed his electoral campaign. His successor, Kim Dae-Jung, initiated an anti-corruption program in 1999 and adopted a series of measures, such as reforms in the financial and corporate sectors, new procurement legislation, anti-corruption law and the establishment of the KICAC. These policies, however, came about as a response to the 1997 financial crisis and to increasing pressure by the civil society.

In fact, civil society may be considered as the main motor of anti-corruption efforts in South Korea. Its anti-corruption activism has become very strong and encompasses a wide range of initiatives.

The Anti-Corruption Act, for instance, was initially proposed by the People's Solidarity for Participatory Democracy (PSPD), an important civil society group in 1996, with support from other 40 CSOs; it was eventually passed in 2001 (TI, 2006). Civil society groups have also been monitoring the National Assembly regularly since 1998, through a coalition that in 2005 included 270 CSOs (TI, 2006). Another important achievement by CSOs were the successful campaigns of blacklisting candidates that were considered unqualified to be parliamentarians. Most blacklisted candidates were not elected in 2000 and 2004 (TI 2006: 53). CSOs are also engaged in education campaigns against corruption and function as a channel for whistleblowers (TI, 2006).

The Judiciary has also been an important actor in recent changes, as enforcement against corruption became more common in the country. Nevertheless, some weaknesses exist regarding the punishment of high-level officials and important businessmen, who usually receive light sentences and have also been favored with presidential pardon after being convicted.

## **Ghana**

The anti-corruption agenda took form in Ghana already during Rowlings's authoritarian government. At that time, the public perception about the pervasiveness of corruption in the country was strong, and Rowlings came into power committed to implement measures against it. He also initiated structural adjustment reforms that privatized state-owned enterprises, and therefore contribute to reduce material resources.

Civil society has also made some contributions to anti-corruption efforts. One example was the collaboration with the government in drafting the Whistleblower Act (2006) (Gyimah-Boadi, 2010). Nevertheless, the strengthening of civil society is much dependent on the support of external donors.

The Kufuor administration (2001-2008) can also be associated with improvements in control of corruption, especially through its efforts to strengthen enforcement. However, it is also argued that, although prosecutions of politicians and public servants have increased, they have been motivated by political reasons.

## **5. Analytical overview**

Based on the qualitative analysis above, it is possible to summarize the improvement in each of the six selected countries in terms of changes in the balance among the four elements of the theoretical model. It is also possible to observe that some kinds of changes occurred earlier than others.

Uruguay is one of the countries that have undergone positive change in all four components, i.e. it has seen a reduction in power discretion and material resources and a strengthening of legal and normative constraints. Most importantly, all dimensions have seen improvements quite early. In the normative constraints dimension, the constitution of a strong civil society tradition came about even before the last democratic transition, although civil society engagement specifically in watchdog activities remains somewhat limited. Changes in material resources began during the military regime, when important privatizations occurred, and continued throughout the 1990s and also in the 2000s, after an economic crisis. The consolidation of an independent Judiciary also took place early, not long after re-democratization, and the process toward increased political competition reached an important point already in the mid-1990s. Therefore, the WGI Control of Corruption places this country in the “green area” already in 1998. Later positive developments, such as the adoption of specific anti-corruption legislation, appear to have reinforced a foundation that was already in place.

Estonia has seen improvement in three of the four dimensions since restoration of independence. In this case, however, changes in different dimensions happened almost simultaneously. During the first government by Mart Laar (1992-1995), policies that reduced material resources and strengthened legal constraints were implemented. Among them was the establishment of an independent Judiciary. Positive developments in normative constraints, through increased press freedom and media engagement in exposing corruption, came not long after that. Further anti-corruption legislation and efforts to empower civil society were implemented in the last decade. Power discretion did not experience much change, although it may have slightly increased more recently. Nevertheless, it may be said that from the beginning the institutional framework and the political dynamics of the country contributed to limiting it.

Botswana, like Uruguay, was already a “green” country in 1998. Although its political system has limitations in terms of competition, it is the country with the longest uninterrupted democratic regime among the selected cases. Throughout its 45 years of democracy, it appears that power discretion and material resources have remained high. Nevertheless, two positive aspects can be traced back to the foundation of the state: the establishment of an autonomous civil service, in the sense that politicization of public positions was until recently much limited, and of a *de facto* independent Judiciary, even though this independence may be vulnerable in formal terms. Later improvements took place only regarding legal constraints, with the creation of an ACA and the Ombudsman office in the early 1990s, right after a number of corruption scandals surfaced. In the last years, however, the country has seen only negative change: rents may have increased with more politicized appointments to the Cabinet, and normative constraints have worsened with the deterioration of the media environment.

Improvements in Taiwan have concentrated on the constraint side of the model. Legal constraints were reinforced first with legislation on asset disclosure by public officials (1993) and then following the alternation in power in 2000. Chen, the elected president, soon implemented a clear anti-corruption agenda. However, those efforts lost credibility as his personal involvement in corruption scandals was exposed. Enforcement of anti-corruption legislation was strengthened in recent years, after another change in government in 2008, but there are signs that oversight and enforcement institutions are still vulnerable to partisan interests. Normative constraints also have improved in the last years, as signaled by the popular movement against President Chen and low trust in government institutions. Additionally, the country has seen positive developments in terms of political competition, but that has been countered by constitutional changes that directly increased the Executive's discretion and likely resulted in an overall increase in power discretion.

South Korea, like Uruguay, had positive change in all four dimensions. Improvements began on the constraint side: some anti-corruption policies were adopted in the early 1990s and were followed by increasing anti-corruption activism in the civil society since 1996. Legal constraints continued to increase with the implementation of a comprehensive anti-corruption agenda by Kim Dae-Jung (1998-2002), the first opposition leader elected President, whose policies also contributed to reduce material resources. This major alternation in power was associated with increased political competition, especially through the integration of different leaderships to the political elites, thus resulting in lower power discretion. Some weaknesses still exist with regards to enforcement of anti-corruption legislation. Even though the Judiciary is considered to be independent since 2003 and has convicted many politicians and businessmen on corruption charges, these individuals received privileged treatment in the form of lighter sentences or even presidential pardon.

Ghana experienced some degree of change in all dimensions as well. Before democratization, liberalization reforms initiated by Rowlings contributed to reduce material resources. Nevertheless, later increases in government spending may have offset that effect. Control of corruption was further strengthened by the creation of the CHRAJ in the early 1990s and anti-corruption legislation passed in the 2000s. Furthermore, enforcement has become stricter, as shown by an increase in prosecutions based on corruption charges. However, the effectiveness of such improvements is limited by restrictions to the mandate of oversight and control institutions and their vulnerability to political influence. The alternation in power in 2000, which ended 19 consecutive years of government by Rowlings, helped reduce power discretion. Additionally, there is evidence of an increase in normative constraints as press freedom improved and civil society became stronger in the last years. CSOs remain nonetheless largely dependent on external donors.

As a result of the above it becomes clear that both hypotheses are confirmed. Improvements in control of corruption in all cases can be explained by changes in at least one of the dimensions and all countries have strengthened legal constraints. Nevertheless, in some countries there are clear

problems with the implementation of anti-corruption policies. Almost all countries have weak enforcement of political finance legislation, for instance. ACAs in Botswana, South Korea and Ghana have limitations to their mandates that create obstacles to effective control of corruption. These exemplify the gap between the adoption of anti-corruption policies and their effectiveness in reducing corruption.

No clear pattern can be identified concerning the sequence of elements of change seen in these countries, but some common factors can be observed. Improvement in political competition, for instance, took place in four cases. In the material resource dimension, most changes were motivated by extreme circumstances, such as economic crises or structural adjustment programs supported by international financial institutions. In the case of Estonia, they were motivated by the need to transition from a socialist to a market economy. In the legal constraints dimension, there seems to be a distinction between “green” and “yellow” countries with regards to enforcement institutions. It is possible to observe that, in “green” countries, judicial independence has been established quite early in the democratic regime, whereas in “yellow” countries it is either much more recent, as in South Korea, or not yet fully guaranteed, like in Taiwan and Ghana.

Other similarities among these countries stand out in the analysis of the role of actors. It is recurrent that specific political leaders emerge as heralds of an anti-corruption agenda, as can be observed in Estonia, Taiwan, South Korea and Ghana. In Botswana, the personal leadership of the first president also seems to have played an important role in the adoption of certain policies, although not directly associated with anti-corruption efforts. This may have some connection with the fact that the Executive is rather strong in almost all cases. Recent alternations in power in Taiwan, South Korea and Ghana also created momentum for the adoption of anti-corruption policies and for increased investigations and prosecutions on corruption charges. Civil society has been of major importance only in the case of South Korea; in Uruguay, Taiwan and Ghana, it has been actively involved only in regards to specific policies or episodes.

It is interesting to notice that the qualitative evidence presented seems to contrast with the aggregate indicator considered earlier, namely the WGI Control of Corruption (see table 3.1 on page 8). First, while none of the countries, except Estonia, had statistically significant changes in their scores between 1998 and 2009, all of them had some degree of real change, even if negative, based on the analysis developed in this paper. Second, the perceived level of control of corruption in each country doesn't always correspond to what would be predicted by the model, considering the characteristics of the dimensions explored in the previous section. In the case of Botswana, for instance, the evidence for most of the selected variables would lead to a worse assessment of control of corruption. In South Korea, on the other hand, the model implies an expected higher level of control of corruption. Evidence to this are the considerably strong legal and normative constraints and the improvements in the other dimensions as well.

Such disparities are probably a sign that other factors remain unaccounted for in the model. For the other cases, however, it may be said that the model fits rather well. One example is that Uruguay and Estonia, which are considered to be “green” countries, do better than the others in most of the variables. By the same token, Ghana does worse in almost all variables – despite the recent improvements –, which is consistent with the fact that its perceived level of control of corruption is the lowest among the six countries. Taiwan has an intermediate position among the countries, more or less in accordance with its characteristics in each dimension.

## **6. Conclusion**

The comparison developed here offers limited scope for conclusive causal relationships between the selected variables and improvements in control of corruption. One reason for that is a weakness of the case selection itself, namely the decision to analyze only countries that had progress in control of corruption. This research design requires much caution when extending the findings to other cases. A second reason is that the six selected cases have taken mostly different paths toward improving corruption. Nevertheless, the evidence suggests some common aspects that may be relevant explanatory factors to control of corruption and could be explored in studies with larger samples for more robust results.

One example is the increase in political competition in four of the six cases and the fact that important anti-corruption policies in some of them were adopted after major alternations in power. Another factor refers to the role of the Executive. In almost all the selected cases, the Executive is quite strong; when power discretion was low, it was mostly due to strong accountability mechanisms and functioning checks and balances. This aspect, associated with the prominent role of certain political leaders as drivers of change in most cases, suggests a relationship between this characteristic of power distribution and changes in control of corruption. Regarding legal constraints, effective judicial independence and the moment when it was introduced appear as potential explanatory variables for a country’s level of corruption. Possible relationships between those variables and improvement in control of corruption should be further tested.

It is difficult to draw solid policy recommendations from the analysis, since many of the observed changes did not result from specific policies. This is the case of political competition, for instance. Improvements in material resources did involve policy changes, but as mentioned earlier were mostly triggered by very specific circumstances and external factors. Weaknesses regarding political finance regulation and the implementation of anti-corruption policies, however, can be

addressed by policies that strengthen their enforcement and that broaden the mandate of control institutions, allowing them to become more effective.

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## 8. Appendix A: tables

<b>Table A1. Power discretion</b>							
	<b>Uruguay</b>	<b>Estonia</b>	<b>Botswana</b>	<b>Taiwan</b>	<b>South Korea</b>	<b>Ghana</b>	
<b>Year of independence</b>	1830	First in 1918, then in 1991	1966	Not independent	1948	1957	
<b>System of government</b>	Presidential Republic since 1985, with bicameral Legislative	Parliamentary Republic since 1991, with unicameral Legislative; indirectly elected President nominates Prime, Minister, who is finally appointed by Parliament	Parliamentary Republic with National Assembly; the other Legislative House (House of Chiefs) represents the country's main tribes but has no real legislative power (Polity IV, 2008)	Semi-Presidential Republic since 1949, with unicameral Legislative; President is directly elected and appoints Prime Minister	Presidential Republic with unicameral Legislative	Presidential Republic with unicameral legislative	
<b>Introduction of free elections</b>	1918	1992	1966	1992	1987	1960 – followed by political instability	
<b>Authoritarian rule</b>	1933-1942 (civilian); 1973-1984 (military)	1934-1940; 1944-1991 (Soviet rule)	None	1949-1991 (under martial law)	1948-60 (civilian); 1961-1988 (military)	Several coups until 1981; authoritarian regime until 1992	
<b>Political elites</b>	Predominance of educated and business elites, with some families historically involved in politics; late integration of former Tupamaro guerrilla members with new party Frente Amplio	Associated with the independence movement or interest groups from different sectors; members of the communist regime have not remained important players (EIU, 2008)	The leaders of the main party are mostly land and cattle owners or older members of the urban middle class (TI, 2007), with connections to leaders of local tribes (Johnston, 2005)	Gradual prominence of local Taiwanese politicians over the mainland elite that first established the regime (Huang, 2006)	Close network of politicians and businessmen, usually from the same region and educated at the same university; new groups were integrated after 1998 (Johnston, 2005)	Clear ethnic divide between two main parties; NPP's base is the Akan population, while the NDC draws support from the other ethnic groups; Christian southern elite dominates politics (Gyimah-Boadi, 2010)	

**Table A1. Power discretion (cont.)**

	<b>Uruguay</b>	<b>Estonia</b>	<b>Botswana</b>	<b>Taiwan</b>	<b>South Korea</b>	<b>Ghana</b>
<b>Ruling party</b>	Frente Amplio since 2005; in 2009 former guerrilla member José Mujica was elected with 54.8% of votes in presidential runoff; majority in both Legislative houses in the last two legislatures	After 2011 elections, Reform Party (33 seats of 101) is likely to continue as government leader, but the coalition hasn't been yet defined	Botswana Democratic Party (BDP) holds Executive and has wide majority of 45 seats out of 57 in the National Assembly	Kuomintang (KMT) holds Executive and has majority with 81 of 113 seats in the Legislative Yuan	Grand National Party (GNP) holds Presidency and a majority in the National Assembly (153 of 299 seats)	National Democratic Congress (NDC) holds the Presidency and has a near majority in Parliament (114 of 230 seats)
<b>Opposition</b>	National Party has the second largest number of seats in both Houses, followed by the Colorado Party	Center Party continues as main opposition (26 seats) after 2011 elections	Main opposition party is Botswana National Front (BNF)	Main opposition party is the Democratic Progressive Party (DPP), with 27 of 113 seats	United New Democratic Party (UNDP) has the second largest representation (81 seats)	Main opposition party is the New Patriotic Party (NPP), with 107 legislative seats
<b>Alternation in power</b>	First alternation in 1958; historical predominance of Colorado Party, with two alternations to National Party and more recently to Frente Amplio	Several alternations followed successive changes in the governing coalition	BDP has always been in power since independence	First alternation when DPP won presidential elections in 2000; KMT back in power since 2008	First alternation in 1998, with opposition victory in the presidential run	First democratic alternation in 2000, when NPP won elections after 8 years of NDC democratic rule
<b>Party competition</b>	Bipartisan system since the 19 <sup>th</sup> century; in 1971, left-wing Frente Amplio emerged; each party has several factions	Competitive multiparty system with large number of smaller parties; entry barrier with 5%-vote threshold	Multiparty system with absolute BDP dominance	Multiparty system, but with two dominant parties; vote-buying in elections has been reported (BF, 2010)	Competitive multiparty system with two main parties and emergence of numerous small parties; cases of vote-buying are common (TI, 2006)	Multiparty system, with two main parties

**Table A1. Power discretion (cont.)**

	<b>Uruguay</b>	<b>Estonia</b>	<b>Botswana</b>	<b>Taiwan</b>	<b>South Korea</b>	<b>Ghana</b>
<b>Separation of powers</b>	Clearly defined; however, Executive has a large role in proposing legislation (Melo, 2009)	Executive has been vulnerable to changes in the governing coalition; Judiciary is independent	Some executive and legislative powers are not clearly distinguished, and Executive has strong legislative role (TI, 2007); Judiciary is independent	Unique five-branch structure; relationship between President, Legislative and Head of Cabinet is poorly defined; Judiciary still subject to political influence (Polity IV, 2008; FH, 2010)	Well-defined, with traditional three branches and additionally the independent Constitutional Court and Election Commission; Executive has important legislative role (BF, 2010)	As half of the Cabinet must be recruited among MPs, separation between these branches becomes less clear (Gyimah-Boadi, 2010); Judiciary is seen as politically influenced (EIU, 2008)
<b>Government tenure</b>	5 years without reelection	4 years (President and Members of Parliament)	5 year-term; President may hold two consecutive terms	4 years; President may hold two consecutive terms	5 years without reelection (President); 4 years (Legislative)	4 years; President may hold two consecutive terms
<b>Accountability mechanisms</b>	Mechanisms of judicial and parliamentary review of government decisions function well (BF, 2010)	Prime Minister directly accountable to Parliament	Parliament's overall power to check the Executive is not clear; judicial review has become the main accountability mechanism (BF, 2010)	Legislative powers to check President are limited, since President may dissolve the legislature (Shin and Chu, 2004)	Legislative has significant powers to check and oversee the Executive (Polity IV, 2008)	Legislative is weak relative to Executive; appointment of MPs to the Cabinet creates disincentives for Legislative oversight of Executive (Gyimah-Boadi, 2010)

<b>Table A2. Material resources</b>						
	<b>Uruguay</b>	<b>Estonia</b>	<b>Botswana</b>	<b>Taiwan</b>	<b>South Korea</b>	<b>Ghana</b>
<b>Natural resources</b>	Newly-found offshore gas reserves (BF, 2010)	Mineral and timber products account for about 25% of exports (EIU, 2008)	Extensive diamond reserves have been exploited since shortly after independence; copper and nickel are also significant	No significant natural resources	No significant natural resources	Gold is main resource since the colonial period; manganese, bauxite and newly-found oil reserves are also important
<b>Government consumption spending<sup>34</sup></b>	Stable between 11% and 13% in the last two decades; public expenditure is mostly fixed and there is small margin for discretionary spending; overall spending has been reduced (WB/IDB, 2005)	Increased to 22% in the last two years, after a decreasing trend since 1999; public sector as a whole was subject to downsizing and efficiency reforms in the last decade (Randma-Liiv and Tõnnisson, 2006)	Has remained above 20% for almost all the period since 1980, and reached 24% in 2009	12% in 2007 (EIU, 2009)	Increased from 12% in 2000 to 16% in 2009	Varied between 10% and 15% between 2000 and 2009
<b>State-owned companies and property</b>	State-owned monopolies exist in sectors such as basic services and oil refining; some have been privatized, but public opinion has resisted privatization in some sectors (BF, 2010)	Appointments to state companies' Executive Boards have become a political perk, as they entail very high salaries and little work time (BF, 2010: 19)	Diamond exploitation is a monopoly operated by a joint venture between state-owned Debswana and De Beers; a case of embezzlement in Debswana was recently exposed (BF, 2010)	Privatization processes are reported to have benefited politicians, who used inside information to invest in profitable companies (Hsueh, 2007)	State controls companies in the provision of public utilities and owns shares of a number of other enterprises, but has plans to privatize a large part of them (BF, 2010)	Public land has been object of rent-seeking through illegal sales to developers (Gyimah-Boadi, 2010); privatizations have occurred as part of liberalization reforms

<sup>34</sup> Based on the indicator "General Government Final Consumption Expenditure (% of GDP)", from the World Bank database.

<b>Table A2. Material resources (cont.)</b>						
	<b>Uruguay</b>	<b>Estonia</b>	<b>Botswana</b>	<b>Taiwan</b>	<b>South Korea</b>	<b>Ghana</b>
<b>Public contracting</b>	Public contracting procedures ensure free competition among bidders, and corruption is not a serious problem in this area (WB/IDB, 2005)	Contracting at local level is vulnerable to corruption, because most municipalities lack institutional capacity (TI-Estonia, 2009); collusion among bidders has been reported (Pettai and Molder, 2010)			Introduction of e-procurement has improved the system but cases of corruption still occur; legislation provides for public participation in procurement decisions (TI, 2006)	World Bank has reported that only 37% of government purchases go through competitive bidding; many abuses in the award of contracts have been reported (Gyimah-Boadi, 2010)
<b>Public employment</b>	Traditionally represented a large share of employment, but was significantly reduced after a public sector reform in the 1990s (Panizza, 2001)	1996 Public Service Act aimed at ending patronage and transforming public service into a merit-based system (Randma-Liiv and Tõnmisson, 2006)	45% of work force (Martin, 2008: 46); recent increase in government employment to accommodate conflicting interests in the BDP (von Soest, 2009: 14)	Professional and non-politicized at mid- and low level; Examination Yuan, an independent branch of government, is in charge of education, recruitment, and evaluation (BF, 2010)	Neptotism is outlawed; system is believed to rely mostly on merit; tenure of ministers is typically very short (TI, 2006)	Politicized appointments are common, especially at the local level and in state companies and special agencies (Gyimah-Boadi, 2010); cases of “ghost” employees have been reported (GI, 2009)
<b>Privileges to companies</b>	Numerous incentives in the form of industrial policy, but capture by private interests seems low (Rodrik, 2008)	Recent scandal showed that real estate companies profited from a policy to expand conservation areas (BF, 2010)	Favoritism in decisions by public officials is minimal (BF, 2010), but there is evidence of irregularities in the allocation of public land to private businesses (von Soest, 2009: 15)	Companies with connections to parties, especially during KMT rule, were favored by government policies; this continued under DPP rule (Hsueh, 2007)	Major conglomerates ( <i>chaebols</i> ) were long favored by government policies and resources (TI, 2006; Johnston, 2005)	

<b>Table A3. Legal constraints</b>						
	<b>Uruguay</b>	<b>Estonia</b>	<b>Botswana</b>	<b>Taiwan</b>	<b>South Korea</b>	<b>Ghana</b>
<b>Oversight institutions</b>	Committee of Transparency and Public Ethics (3 members appointed by the President), Court of Accounts	Law enforcement institutions and Parliamentary Committees	Directorate on Corruption and Economic Crime (DCEC) and Ombudsman, Parliamentary Committees, Auditor-General	Control Yuan, established as an independent government branch	Board of Audit and Inspection, Korean Independent Commission Against Corruption (KICAC), Public Prosecutor's Office	Audit Service, Economic and Organized Crime Office and Commission on Human Rights and Administrative Justice (CHRAJ)
<b>ACA</b>	No central agency	No central agency	DCEC created in 1994; head appointed by President	No central agency	KICAC (2002); however, it has no investigation powers (Quah, 2010)	CHRAJ has this role, but can't start investigations on its own and can't prosecute (GI, 2009)
<b>FOIA</b>	Law of Access to Public Information (2008)	Public Information Act (2000)	---	Freedom of Government Information Law (2005)	Disclosure of Information by Public Agencies Act (1996)	---
<b>Ombudsman</b>	---	Chancellor of Justice, since 1993	Operating since 1997, is appointed by the President	Control Yuan exercises this function	Operating since 1994, is since 2005 a presidential body	CHRAJ exercises this role as well
<b>UNCAC ratification</b>	2007	---	Not signatory	---	2008	2007

<b>Table A3. Legal constraints (cont.)</b>						
	<b>Uruguay</b>	<b>Estonia</b>	<b>Botswana</b>	<b>Taiwan</b>	<b>South Korea</b>	<b>Ghana</b>
<b>Prosecution for corruption</b>	Enforcement against corruption is effective; corrupt officials have been severely prosecuted (BF, 2010)	Several high-level government officials have been prosecuted and a former Minister of Environment was convicted of bribery in 2009 (Pettai and Mölder, 2010: 207-208)	President has immunity; many low-level public officials have been prosecuted and convicted, whereas high level officials usually face formal charges only after leaving office (TI, 2007)	President, MPs and ministers have immunity; former president Chen (2001-2008) was convicted to a life sentence for corruption (Polity IV, 2008); other high-level officials have been prosecuted (EIU, 2009)	Parliamentarians have immunity; high-level officials have been prosecuted, but lightly punished; bribery of prosecution officials to protect politicians and businessmen have been reported	President has immunity; as Attorney-General is both chief legal advisor to the government and chief prosecutor, position is seen as subject to political influence; claims of selective prosecution of NDC members during the NPP government (Gyimah-Boadi, 2010)
<b>Judicial independence</b> <sup>35</sup>	Independent since 1985, functions without interference from other branches, but there are efficiency problems (BF, 2010)	Independent since 1992; new Courts Act from 2009 attempts to further improve the functioning of the Judiciary	Not constitutionally guaranteed, but in practice is very strong; however, Judiciary's budget is connected to the Executive's budget (TI, 2007)	Partially independent; it is argued that some prosecutions are politically motivated (Shin and Chu, 2004)	Independent since 2003; however, doubts about effectiveness of law enforcement still exist (TI, 2006)	Partially independent; potential for political influence is high (Gyimah-Boadi, 2010)
<b>Political finance regulation</b>	Party financing law passed in 2009, with limits to private donations (BF, 2010)	1994 Law on Political Parties, with later amendments; party financing has been prone to scandals recently (FH, 2010)	Weak regulation, with no disclosure requirements (TI, 2007)	2004 Political Contribution Act limited donations and increased transparency (BF, 2010), but enforcement has limitations	Political Fund Act was amended in 2004 to outlaw contributions from corporations; scandals of illegal financing continued (TI, 2006)	There are no limits to contributions nor to expenses; requirements to disclose party finances are weakly enforced (GI, 2009)

<sup>35</sup> Based on the classification by the CIRI Human Rights Data Project (not independent, partially independent and generally independent), complemented with qualitative information. <http://ciri.binghamton.edu/>

<b>Table A4. Normative constraints</b>						
	<b>Uruguay</b>	<b>Estonia</b>	<b>Botswana</b>	<b>Taiwan</b>	<b>South Korea</b>	<b>Ghana</b>
<b>Civil society</b>	Civil society tradition developed early (BF, 2010); there are numerous CSOs, but very few are dedicated to fighting corruption	Very active in the elaboration of anti-corruption policies (Velykis, 2010); government support through Civil Society Development Concept (2002)	Involvement in political issues has increased; many non-political CSOs, however, are dependent on public funding (TI, 2007)	CSOs operate freely in general (FH, 2010); some CSOs, such as trade associations, are dependent on government subsidies (Shin and Chu, 2004: 20)	Numerous CSOs monitor the public administration; government supports sector with Act on Support for Non-Profit Civil Organizations (TI, 2006)	CSOs offer technical support and service provision; participation in the policy process is limited (Gyimah-Boadi, 2010)
<b>Media and press freedom</b>	Free press; three main media conglomerates have connections to right-wing political parties (Solares, 2011)	Free press, with mostly private media, except for state-owned TV and radio channels; media consumption is very high in the country (Dirks, 2011)	Downgraded to partly free press in 2005; main media outlets are state-owned and report partially on government policies (FH, 2008)	Free press with large number of channels and companies; state-owned media, however, are said to be somewhat politically influenced (FH, 2010)	Government influence is minimal; private sector has more influence through advertising (TI, 2006)	Free since 2001; multiple private outlets reduce overall government interference, but government advertising has been used to influence the sector (Gyimah-Boadi, 2010; GI, 2009)
<b>Political pluralism and participation</b>	Strong political participation, due to mandatory voting, but low civic participation (Boidi <i>et al.</i> , 2010)	Main obstacle to participation is the non-citizen status of Russian minority, which is almost 20% of the population (BF, 2010)	Main limitations are BDP political dominance and some discrimination of ethnic minorities	High level of pluralism and participation	Political participation has decreased in recent years, as shown by low voter turnout of 46% in 2008	Some obstacles to participation have been the relatively low voter turnout and the clear dominance of two parties
<b>Trust in government institutions</b>	High trust in the government, particularly in the Electoral Court (72%) and the President (73%) (Boidi <i>et al.</i> , 2010)	Moderate trust in institutions; most trusted are Judiciary (53%) and national government (38%) (Eurobarometer, 2009)	High trust in most institutions except for opposition parties (30%) (Afrobarometer, 2008)	Low trust in most institutions (Asian Barometer, 2006)	Trust in government institutions has eroded in the last decade and reached very low levels (<10%) (Park, 2009: 11)	Strong trust in the President (75%) and the Electoral Commission (66%) (Afrobarometer, 2008)

## 9. Appendix B: country profiles

### Uruguay

Uruguay is one of the most developed countries in Latin America. Its GDP per capita is among the highest in the region, 92% of its 3.3 million inhabitants live in urban areas and it has a literacy rate of 98%. Moreover, it has had a solid welfare state since the early 20<sup>th</sup> century. Its trajectory toward a stable democracy includes numerous political troubles: a series of civil wars between the two traditional political parties (Colorado and National) in the decades after independence (1830), two periods of authoritarian rule in the 20<sup>th</sup> century and the emergence of the Tupamaro movement, a leftist urban guerrilla in the 1960s (EIU, 2008).

Despite some interruptions, it is a country with a long-standing competitive party system. In 1971, after the Tupamaros were defeated, the movement's leaders created a new party, the Frente Amplio (FA), to challenge the traditional two-party system. In the 1990s, the electoral performance of the FA showed that it had become one of the main political forces in the country. Finally, in the 2004 presidential elections the FA defeated the Colorado Party, establishing Uruguay's first left-wing government. This change is believed to have been partly motivated by the dissatisfaction of the electorate with how the previous Colorado government handled the economic recession that the country faced between 1999 and 2002, as an impact of the crisis in neighboring Argentina (EIU, 2008).

### Estonia

Among the countries that were part of the Soviet Union, Estonia has had one of the most successful transitions to the market economy. Extensive liberalizing reforms were initiated already by the first elected government (EIU, 2008) and set the country on a path of accelerated growth until the mid-2000s (BF, 2010). It is now a high income country, with a GDP per capita of US\$ 14,400<sup>36</sup>. It joined the European Union in 2004 and recently adopted the euro as a currency. Since 2008, the impact of the international financial crisis has brought about some economic hardship in the country (BF, 2010).

The post-communist transition was marked by a strong nationalist orientation that attempted to move the country away from Russian influence in several aspects. In the political sphere, the former communist leadership practically disappeared in the new regime (EIU, 2008). In the economy, foreign trade was redirected away from Russia towards partners in the Western hemisphere (EIU,

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<sup>36</sup> International Monetary Fund (IMF) World Economic Outlook Database, GDP per capita (current prices), 2009.

2008). The 1992 Citizenship Law instituted criteria that left the Russian and other ethnic minorities without citizen status, mostly due to a requirement that all citizens have knowledge of Estonian (EIU, 2008). Integrating these minorities has been a difficulty throughout the last two decades; almost 20% of the country's 1.3 million inhabitants still do not have Estonian citizenship (BF, 2010).

The political system that took shape after 1991 is characterized by a large number of political parties, although two of them, the Reform Party and the Center Party, have established themselves as the main political forces. The country has been through numerous changes in power due to continuous instability of governing coalitions. This picture appears to have changed in the last years, under the government of Prime Minister Andrus Ansip. He has been in power since 2005 and resisted coalition shifts in 2007. After the latest elections in March, 2011, he shall continue as Head of Government<sup>37</sup>.

## **Botswana**

Botswana is a small country, with a population of only 1.8 million, but has been distinguished as an exceptional case in Sub-Saharan Africa due to its remarkable economic growth, driven by diamond exports. It had the highest growth rate in the world until 1999, which led its GDP per capita to increase from US\$ 250 in 1960 to US\$ 4,800 in 2008 (Kojo, 2010). Despite this impressive performance, poverty remains a concern: in 2001, 37% of the population were living below the poverty line (UNDP, 2004). Another problem is high HIV/AIDS prevalence, which in 2002 reached 35% among adults between 15 and 49 years of age (UNDP, 2004). This has been the cause of a sharp decrease in life expectancy in the last two decades, and the consequences for future economic growth may be disastrous. Furthermore, diversifying the country's productive activities, in order to reduce dependence on diamond production, is an important challenge for sustainable development (BF, 2010).

Since its independence in 1966, Botswana has developed into a politically stable and democratic country. Nevertheless, some experts have reservations about the true democratic nature of the regime, considering that the country still hasn't seen alternation in power and, despite the existence of a multi-party system, no clear alternative to the ruling Botswana Democratic Party (BDP) has yet emerged (EIU, 2008: 3). Its high governance standards also set the country apart from most nations in the African continent.

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<sup>37</sup> See *supra* note 8.

## Taiwan

Taiwan is an example of strong economic development and successful transition to democracy in Asia (Shin and Chu, 2004). The economic take-off took place mostly under the authoritarian rule of the Kuomintang (KMT), which at first adopted a very interventionist approach to the economy and later gradually laid down the foundations of a solid social market economy. Today it is among the high income countries, with a GDP per capita of US\$ 16,300<sup>38</sup>. In comparison to the other selected cases, it has a much larger population, with about 23 million inhabitants. An important particularity is that Taiwan still lacks formal independence from China and has limited international recognition.

After four decades of authoritarian government, political liberalization started in 1987 and was consolidated in the following years through the legalization of new political parties in 1991, the first free legislative elections in 1992 and finally the first direct presidential election in 1996 (BF, 2010). Another important step towards strengthening political pluralism took place in 2000, when the election of a candidate from the main opposition party – the Democratic Progressive Party (DPP) – to the Presidency brought about the first alternation in power in 50 years. The KMT came back to power in 2008.

The government system in Taiwan is quite unique: it is a semi-presidentialist government with a five-branch structure. In addition to the traditional Executive, Legislative and Judiciary branches, there are also the Control Yuan, which is the main oversight body, and the Examination Yuan, responsible for recruitment, training and evaluation in the public service. This political arrangement, however, is based on an unclear relationship between the Executive and the Legislative (EIU, 2009). Moreover, the political deadlock between the two branches during the DPP government highlighted fundamental weaknesses of the system in ensuring governability and accountability (BF, 2010; Huang, 2006).

## South Korea

South Korea is the richest country among the selected cases and has the largest population, with over 48 million inhabitants. It is also an example of notable democratic and economic development. Under authoritarian rule, the country experienced strong economic growth through state-led industrialization (BF, 2010). This process supported the emergence of the traditional family-run conglomerates (*chaebols*) that have ever since dominated the Korean market. Furthermore, industrialization was accompanied by policies that significantly reduced income inequality (Trautvetter, 2010) and promoted strong human capital development. Economic liberalizing reforms

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<sup>38</sup> See *supra* note 36.

started in the last years of the authoritarian regime, in the 1980s, and regained strength after the Asian financial crisis of 1997-1998, when great pressure for reforms in the financial and banking sectors emerged (BF, 2010). In the last two decades, such reforms have set the foundations for a solid market economy and a strengthened regulatory framework (Trautvetter, 2010) in the country.

After 40 years of authoritarian rule, democratic transition finally began in the late 1980s, and to some degree resulted from increasing external pressure (BF, 2010). Since then, democracy has fully consolidated. The country has a competitive party system, in which the conservative Grand National Party (GNP) and changing liberal parties contend for power. The first alternation in power took place in 1998, with the election of opposition leader Kim Dae-Jung, a former dissident in the authoritarian period. Moreover, in recent years the political elite, that was always composed of a limited group of individuals with similar regional and educational background, underwent a renovation process, with the integration of a new generation of politicians (BF, 2010).

## **Ghana**

Ghana has proven to be a good example of important improvements in political stability and governance in Sub-Saharan Africa. These developments represent a clear transformation in comparison to the country's previous political history, marked by chronic political instability after independence, in 1957. Ghana experienced nine changes in power and four military coups until 1981, when Mr. Jerry Rawlings took over and established a military authoritarian regime with socialist and anti-imperialist orientation (EIU, 2008). His authoritarian rule came to an end in 1992, when democratic elections were introduced again. Nevertheless, in that very year he was elected president and, after winning a second term in 1996, remained in power until 2000. This was not only the year in which Rawlings finally stepped down after 19 years as President, but also when the first alternation in power took place: Rawlings's National Democratic Congress (NDC) was defeated by the New Patriotic Party (NPP), the main opposition party in the country. The NDC managed to return to power after the latest elections, in 2008.

The country's economy has been driven for a long time by gold and cacao exports. After cacao prices fell sharply in the 1960s, Ghana entered a period of severe economic decline and eventually turned to the Bretton Woods institutions for assistance in restructuring its economy in the 1980s (EIU, 2008). Nevertheless, no remarkable progress in terms of economic development was seen in the last decades. Ghana is still a low-income country, with 30% of its 23 million inhabitants living below the poverty line<sup>39</sup>. Only in the last few years the country has shown signs of more accelerated economic growth (EIU, 2008).

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<sup>39</sup> World Bank database, poverty headcount ratio at \$1.25 a day (PPP), 2006.

## 10. Appendix C: list of abbreviations

ACA	Anti-Corruption Agency
BDP	Botswana Democratic Party
BF	Bertelsmann Foundation
CAInfo	Centro de Archivos y Acceso a la Información Pública
CHRAJ	Commission on Human Rights and Administrative Justice
CNA	Central News Agency
CSO	Civil Society Organization
DCEC	Directorate on Corruption and Economic Crime
DPP	Democratic Progressive Party
EIU	Economist Intelligence Unit
FA	Frente Amplio
FH	Freedom House
FOIA	Freedom of Information Act
GI	Global Integrity
GDP	Gross Domestic Product
GNP	Grand National Party
GRECO	Group of States against Corruption
IDB	Inter-American Development Bank
KICAC	Korean Independent Commission against Corruption
KMT	Kuomintang
MP	Member of Parliament
NDC	National Democratic Congress
NORAD	Norwegian Agency for Development Cooperation
NPP	New Patriotic Party
OECD	Organization for Economic Cooperation and Development

TI	Transparency International
UNCAC	United Nations Convention against Corruption
UNDP	United Nations Development Program
USAID	United States Agency for International Development
WB	World Bank
WGI	Worldwide Governance Indicators