

CORRUPTION HANDLING STRATEGIES: A COMPARATIVE STUDY OF VARIOUS CORRUPTION CONTROLLING MODELS

Rahman Hussain

PhD Scholar (Sociology)

University of Peshawar

Corresponding author: rahman334@hotmail.com

ABSTRACT

Corruption is deeply rooted in the third world countries and affecting almost all walks of life, but developed countries also suffering from the menace of corruption and it is now a global phenomenon. For controlling of corruption different countries have adopted different corruption control models. This paper is a comparative study of various corruption controlling models adopted by different countries for eradication of corruption. The study was based upon secondary literature obtained from studying relevant books, research articles, magazines, newspapers and various corruption control models of different countries. In this regard, corruption fighting models of different countries i.e. Singapore, Hong Kong, Malaysia, US, China, Lithuania and Pakistan, including Islamic model against corruption was studied, and a comparison was made to know the best model for controlling corruption in Pakistan. It was found that Islam, which is a complete code of life, has its glorious principles to take on corrupt practices. Islam has a very viable system of reward and punishment for eradicating corruption from the earth. It has been concluded that even modern-days techniques for handling corruption are very compatible with the ways taught and implemented by Islam. Hence, it is recommended that in Pakistan corruption may be reduced to the minimal possible level by adopting the mix of Singapore anti-corruption model and Islamic norms into practice.

Keywords: Corruption, Bribery, Embezzlement, Accountability, Favoritism, Anti-corruption

INTRODUCTION

The word corruption denotes a variety of acts such as favoritism, nepotism, influence, extortion, bribery fraud and embezzlement (Hassan & Lewis, 2014). Corruption is also the

offering, giving, receiving, soliciting, directly or indirectly of anything of value to influence improperly the actions of another party (Chaikin & Sharman, 2009). Corruption is a menace which causes irreparable loss to society. It is a disease which cause social disturbance, sense of deprivation, prevent social injustice, and harms the moral and ethical character of society. Corruption is responsible for many other problems in the society and once it starts, gradually captures every aspect of life and becomes a fatal disease. Corruption damages the reputation of the country and degrades its standing among the comity of the world. It is like an epidemic which cause degradation of the people, and ruins the society like cancer in human body (Rothstein & Varraich, 2017). It is scarring to the welfare of human beings and cause many injustices. Corruption in its essence is an illegal behavior and is dishonesty by the people who possess authoritative position and are in power (Collins Co-build Dictionary). Corruption is the misuse of public power for private or political gain, and occurs when someone get personal gain an unfair advantage from the status or condition of someone else. When the truth of a product, service or activity is altered in such a way that another person feels cheated or endangered, the practice meant as corruption (Harris, 2005 & Nguemegne, 2011).

In Islam corruption is regarded as a sin. The Holy Quran Says, do not consume each other wealth unjustly, and do not offer wealth as bribe to the person in authority, as with this you might grab the property of others unjustly (Al-Quran 2:188). This shows that we are the caretaker of this creation and we are supposed not to behave improperly and exploit this creation for our own personal greed. Corruption is an evil (Nuijten & Anders, 2013) and Allah prohibit the spreading of evil on the earth. Further, Islam emphasize on ethics and morality in both personal as well as communal life. The teaching of Islam supports all efforts to eradicate the menace of corruption from society, and is against transgression of noble ethics such as injustice and corrupt practices (Azra, 2010). A person power and authority is regarded as *amanah* (trusteeship) which Allah has given him and such position holder is accountable to Allah as well the general public (Ramady, 2016). The current study was a comparative study in its nature, which was based on studying the various corruption controlling models, and then comparing which models will work the best. The study also aimed to look into those factors that are responsible for the failure of corruption handling strategies.

STATEMENT OF THE PROBLEM

Corruption is a worldwide problem and faced by many countries (Elliot, 1997, Xixi, 2015). Unfortunately, Pakistan which is a Muslim majority state is also included in the list of most corrupt countries. Corruption is deeply rooted in Pakistan and the country (Pakistan) is continuously reported at the bottom of world index for corruption by Transparency International. Corruption is prevalent both at micro and macro levels, but petty corruption in the form of bribery is very common and no sector is immune from it (Wheatland, 2015). It is a known fact that corruption ruins a country and sustainable development is only possible when corruption is completely eliminated or reduced to minimum. Islam also emphasize on honesty and state that dishonesty pollutes human life. Those involved in corruption will be subjected to punishment. Corruption is immoral activity and our Holy Prophet in his saying stressed upon Muslims the need of moral integrity in every field of human activities. Islam is against of fraud and corrupt practices (Hassan, 2017). The aim of almost every country is to serve their public and provide them basic services and alleviate poverty and unemployment, but these objectives are harmed by corruption. Thus, controlling corruption is very important and for this purpose different countries have developed corruption control models to fight against corruption. The current study aims to make comparative analysis of the various corruption controlling models including Islamic stance on the control of corruption.

METHODS

The current study was a comparative study which focused on the study of various corruption controlling models. The study was based upon secondary literature in which seven corruption control models were thoroughly studied. Further, corruption handling in Islamic perspective was also studied and was compared with all these models. The information regarding the issue was collected from relevant books, research articles, newspapers, and various corruption control models and acts. The relevant information was gathered and conclusion was drawn on its basis.

VARIOUS CORRUPTION CONTROLLING MODELS

The study was a comparative study, based on the studying various corruption handling models. For this purpose, various corruption controlling models were studied in order to make comparison and to derive findings and conclusion on its basis. The various corruption controlling models are as under:

SINGAPORE CORRUPTION FIGHTING MODEL

In order to eradicate corruption, Singapore has established “Corrupt Practices Investigation Bureau” (CPIB), in 1952, which is one of the oldest agency in the world established to fight against corruption. Singapore also adopted a total approach for eradication of corruption both from public as well private sectors. The prevention of corruption act (PCA) was passed in the parliament for strengthening CPIB. Another act (PCA) which endorsed the CPIB, declared that action would be taken against both; the receiver and those who pay bribes. This has made CPIB very effective against fighting corruption. The CPIB is also empowered to carryout investigation against any one regardless of one position and status in the country. Further, no one can interfere the process of investigation and the head of the CPIB is not answerable to anyone except the prime minister of the country. The CPIB proved very effective against controlling corruption in the country and Singapore attained 6th position in Corruption Perception Index (CPI) of Transparency International (CPI, 2017). Two factors are responsible for lowering the indices of corruption in Singapore i.e. the adaptation of a single anti-corruption agency (CPIB) and solid political determination against corruption.

MALAYSIAN MODEL AGAINST CORRUPTION

The establishment of Malaysian Anti-Corruption Commission (MACC) in 2009 was the most significant corruption controlling step in Malaysia. This commission was entrusted with vast power of questioning and investigation from public officials. The commission has also power to prosecute foreign public officials if involved in corrupt practices (Malaysian Business Law, 2012). Similarly, those who commit corruption outside the country the commission has power to seize their properties and punish them. This has made the commission very effective for controlling corruption both within the country as well abroad. Islam also emphasizes and stress upon the Muslims not to indulge in the acts of corruption anywhere and in any condition. Corruption is a crime (Stoecker & Shakirova, 2014) and in Islam everyone committing a crime is subject to punishment even if the crime is committed everywhere on the earth.

HONG KONG FOR FIGHTING CORRUPTION

Fighting against corruption, Hong Kong has developed the Independent Commission against Corruption (ICAC), in 1974. Before this commission, corruption was widespread and deeply rooted in Hong Kong. In public sectors corruption was highly organized (Quah, 2011) and

the era of 1960s and 1970s was considered as “Dark Age” of corruption in the history of Honk Kong (Chow, 2014). To tackle the issue of corruption the commission established three approaches, the deterrence, prevention and education. Based on the approaches ICAC, established three different departments i.e. Operations Department, established for the purpose to carry out investigation and punish those involved in corruption, Prevention Department (CPD) established to find out loopholes and take remedial measures, while the third was Community Relations Department (CRD) which was meant to create awareness among the public regarding the evils of corruption. The commission adopted zero tolerance policy for alleviation of corruption from the country and corrupt people were strictly punished (Chow, 2004). The Hong Kong Model against corruption proved very effective against corruption and brought fruitful results. This is because of the efforts of ICAC that corruption is no more the major problem of Hong Kong and in Asia Hong Kong is now the second least corrupt country after Singapore (Quah, 2011). The commission is respected internationally not only for its efforts in Hong Kong but also for the advices which have offered for other countries seeking to eradicate corruption (Gaylord, Gittings & Traver, 2009).

THE U.S. FOREIGN CORRUPT PRACTICES ACT (FCPA)

In United States (US) the investigation of corruption goes back to 1896 when a committee was formed for investigation of police corruption especially about bribes which they received from gambling house operators and brothel owners. But latter it was found that receiving bribes is not only confined to police department, but there are many transnational corporations doing underhand business and get overseas contracts through bribes. In 1970, for the first time it was found in the US that there is connection between transnational corporations and corruption. The Watergate scandal uncovered that more than five hundred US transnational corporations had bribed foreign governments for getting contracts. But there was no law to act against foreign officers involved in corruption. The president Carter of US made a law entitled “Foreign Corrupt Practices Act (FCPA)” in 1977 which played an important role in curbing corruption. On that occasion, the president said;

“..... Bribery is ethically repugnant and competitively unnecessary.
Corrupt practices between corporations and public officials overseas

undermine the integrity and stability of governments and harm our relations with other countries.....” (Ferreiral & Morosini, 2013).

The act was enforced by Department of Justice (DOJ) and the security exchange commission of USA. The US Department of Justice has authority of criminal enforcement over the employees and bosses of companies. One of the sections of criminal division entitled “Fraud Section” is primarily responsible for all FCPA Matters. For reporting of such acts an easy way has been adopted and any person who has information on violation of the act can report electronically or can personally meet with whistleblower officers of securities commission. For controlling corruption organizations are required to have easy and informal ways and channel of communication so that the whistleblower can easily report about wrongdoings without any fear of backlash (Beekun, 1997). The whistleblower is the most important office holder who determines whether the law has been violated or not. The report is submitted by the whistleblower to the DOJ and Security Exchange Commission who enforce the law. Based on it the DOJ decide whether to act against an individual or the company or not.

CHINA STRUGGLE FOR COMBATING CORRUPTION

China also suffered from the problem of corruption and the culture of bribery was common. Addressing the problem of corruption has been on the agenda of many political leaders but no favorable result produced. To root out the trauma of corruption Xi Jinping who was the General Secretary of communist party in China started an organized effort. At the start of his struggle he decided to take action against high ranks corrupt officials as well petty corrupt lower officials which were given the name of “Hunting tigers and Swatting flies”. Acting against tigers give a ray of hope to the public as prior to that no action was taken against the tigers and with this the old saying in China went away that “you can’t touch the rear end of a tiger” (Xixi, 2015). Criminal justice system in Islam is also based on equal principles of criminal jurisdiction for all the people regardless of their power and position and stress on equality in the process of prosecution and punishment (Malekian, 2011). Thus, justice is very essential without considering the social status of some one. The action was taken against all and Xi Jinping warned his colleagues also and took action against deputy secretary of his own party.

In first quarter of 2013, inspection teams were formed and were sent for inspection to different provinces in China to uncover corrupt practices of officials. During this inspection by the teams a lot of public officials were charged for corruption and they were dismissed from the services. Several corruption scandals were uncovered by the inspection team throughout the country and high officials including vice governors of two provinces were apprehended. In later half of 2013, the inspection teams uncovered several high ranks officials including minister of public security and chief executive of petroleum whose were involved in corruption and were dismissed. A second round was conducted in November 2013 and the inspection team was sent again to various provinces of the country. In this round, very senior officers were apprehended in corruption. The most important case was of General Xu Caihou, the Vice Chairman of the Central Military Commission (CMC) who was serving on the post from ten years. He was dismissed from his service on account of taking bribes from officers for their promotion and was subjected to face criminal prosecution. The Xi Jinping campaign proved successful against controlling corruption. The Zero tolerance against corrupt officials and action against the big wigs as well lower cadre officials played an important role in the success of his campaign against controlling corruption. The second important factor is that Xi Jinping started accountability from his party and colleagues which created a fear among the public and ultimately resulted reduction in the level of corruption in China.

LITHUANIA ANTI-CORRUPTION SYSTEM

Lithuania got independence in 1990 and after independence in 2004 become member of European Union (EU) as well as North Atlantic Treaty Organization (NATO). To combat corruption one of the most successful anti-corruption systems was formulated by Lithuania and multifaceted approach including preventive, repressive as well institutional measures were followed. At the start, in 1997 the special investigation service was established under the ministry of internal affairs which performed criminal prosecution regarding corruption in both public and private sector (SCPC, 2003).

Later Lithuania decided to follow the Hong Kong model for eradication of corruption from the country. Therefore in 2000, a law was made and an independent institution was formed and a vast role of investigation as well prevention of corruption was assigned. According to the law the special investigation service was given the role of leading anti-corruption agency

to carryout investigation, take measures for prevention of corruption, create awareness among the people regarding the menace of corruption, and coordinate anti-corruption measures between government, private sector and civil society. The agency was completely made independent in 2002 and was answerable only to the president and parliament of the country.

Several other laws such as declaration of assets, control over the usage of public funds, prevention of conflict of interest and prevention of money laundering were made to further strengthen corruption control measures. Additionally, several other special anti-corruption bodies were formed to support anti-corruption measures in the field of prevention and coordination between government bodies, public and private sector. While taking action against corruption, preference was given to qualitative measures rather than quantitative as the aim was to curb corruption rather than just to show the progress in term of numbers. Focus was given to identification of corruption in public institutions, identification of loopholes and factors which encourage corruption, and steps were taken to address the causes of corruption. Because of these effective measures in 2009 Lithuania for the first time got 46th place amongst 178 countries in the Corruption Perception Index (CPI) conducted by Transparency International.

PAKISTAN EFFORTS TO FIGHT AGAINST CORRUPTION

Corruption in Pakistan is rooted from colonial period, when lands and other titles were rewarded not on merit but to those who were loyal to the Britain's which led towards favoritism and nepotism (Awan, 2004). Soon after independence of Pakistan, the resettlement and rehabilitation of homeless Muslims who migrated from India and the allotment of land and property gave the officials aroused an opportunity for corruption. In this era, corruption was found and emerged in many forms such as industrial and trade licensing, bonus vouchers and getting route permits (Javid, 2010).

After more than 70 years of independence, Pakistan is still suffering from the cancer of corruption, and we listen many new stories of corruption on daily basis. Similarly, Petty corruption in the form of bribery is very common and no sector is immune from it (Wheatland, 2015). Corruption is pervasive in health sector where the doctors receive commission from the laboratories by referring patients (Yousafzai, 2015). The education

sector is no exception where teachers are illegally appointed and millions of rupees are embezzled by the senior officers (www.ipaidbribe.pk/article/detail/216). Unfortunately, the judiciary is also ripe with corruption. Transparency International in 2011 pointed out that Pakistan judiciary is the second most corrupt institution in the country. The politicians are also corrupt, and the former Prime Minister of Pakistan was disqualified by the supreme court on the charges of corruption. However, certain corruption controlling action has been taken and legislation enacted.

To fight against corruption in 1949 “Public Representative Offices Disqualification Act” (PRODA), in 1959 “Elective Bodies (Disqualification) Order and in 1961 “The West Pakistan Anti-Corruption Establishment Ordinance” were passed. But none of them proved successful. Therefore, FIA was established in 1975 under FIA act 1974. The agency carried out operation against smuggling and other specific crimes. The FIA also plays role as anti-corruption agency. Upon the information received from the public or other sources, FIA carryout investigation. The investigation findings are forwarded to accountability courts for trial. Instead to control corruption this agency itself has become prone to corruption as recruitment to the agency is done on political bases. Mostly corruption cases are made and decided for the victimization of political opponents. Action is not taken against the influential and notables. The politicians use the agency according to their wish and even it is used for kidnapping the businessmen and political opponents (Ghazali, 2000). The recent Panama scandal reveals that many notables of Pakistan established offshore companies, but the agency did not act against them. Beside, the taker government during, 1997, passed Ehtesab act, according to which any enquiry to be completed within a period of one month and the findings to be presented to the chief commissioner of Ehtesab. The objective to eradicate corruption from the country but there was no political will and thus in 1997; the next government amended the act several times and made the chief of Ehtesab commission powerless

The National Accountability Bureau (NAB) is currently the leading anti-corruption agency in Pakistan, which was erected on the defunct Ehtesab commission. NAB was established during General Musharaf regime, which was initially run by military Generals. The NAB was given extra ordinary power to carryout investigation against all corrupt, including politicians and public officials. At the start NAB become popular and numerous corrupt

bureaucrats and politicians were arrested and were jailed (Muhammad, 2010). But again, due to no political will the rulers started using NAB for personal gain. The NAB shown biasness and only political opponents were targeted whereas turned a blind eye over supportive politicians (Baxter, 2004). But, despite the steps taken for eradication of corruption the problem still exists in Pakistan.

ISLAMIC MODEL AGAINST FIGHTING CORRUPTION

Islam forbids corruption that is define as “Illicit or illegal activities for private or group material gain” and or “the abuse of trust power and public office in the interest of private or group gain” (Ramady, 2016). Islam, which is a complete code of life state that corruption is a sin and emphasize on honesty and claim that dishonesty pollutes human life. Corruption is regarded as immoral activity, and those involved in corruption will be subjected to punishment. Islam directs Muslims to earn their living through lawful means. Allah says, avoid corruption on the earth, afterward it has been set in order and call him with dread and hope; verily Allah mercy is on good doers (Al-Quran 7:56). The Holy Quran says, “do not breed corruption on earth” (Al-Quran, 11: 85). The Quranic verses against corruption are supplemented by the warning of the Holy Prophet who repeatedly in his saying stressed upon the Muslims to be honest. Our Holy Prophet (Peace be upon him) said, “do not cheat or deceive one another” (Zarabozo, 1999), and “The person who is cared with ill-gotten wealth will not enter paradise (Ilahi, 2008). This shows that dealing with others such as friends as well business partners should be guarded against any fraud and there should be honesty in dealings with others. In the Saying of Prophet (S.A.W) in any association between two persons Allah is the third party as long non-among them betray the other in the relation. The teaching of Islam supports all efforts to eradicate the menace of corruption from society. Islam is against of transgression of noble ethics such as injustice and corrupt practices (Azra, 2010). It is not required for the Muslims to misuse his/her power. A person having power and authoritative position is *amanah* (trusteeship) given by Allah to human beings and such position holder is accountable to Allah as well the general public (Ramady, 2016). Corrupt practices are un-Islamic and also clearly condemned in the Quran (Askari, Rehman & Arfa, 2010). The Holy prophet cursed both, the giver and receiver of bribes (Qaradawi, 2013). Therefore, it is essential to aware the public about the evil of corruption.

The Holy prophet said “When someone hires a person and knows it that there is another person who is better (more qualified) than him, he betrayed Allah, his Prophet and the Muslims (Sharfuddin, 1987). The Holy Prophet says “When a ruler who is given the responsibility to run the affairs of Muslims, but does not strive with honesty for their welfare, will not enter paradise with them” (Sharfuddin, 1987). Therefore, the same also applies to the heads of the institutions and many others who have authority. They are required to strive with honesty for the welfare of their institutions and ultimately the public. Islam also recommends strict punishment for thieves. Conclusively, Islam forbids Muslims not to pay the bribes, and considers it as a sin both for the giver as well for the receiver.

CONCLUSION

Corruption is a universal problem and both developing as well-developed countries are suffering from this menace. Corruption brings several other problems and cause injustice in the society. It is like an epidemic disease which damages the roots of society. For curbing corruption different countries have adopted corruption control models and mitigated the problem to some extent. In China Xi Jinping started accountability from senior officers and adopted zero tolerance policy which created a fear among the people and ultimately resulted reduction in the level of corruption. Hong Kong established an Independent Commission against Corruption and now corruption is no more a major problem of Hong Kong. Singapore also took strict actions and both the receiver and giver of bribes were regarded the offenders and punished those who did corruption outside the country and attained 6th position in CPI for the year 2017. Lithuania gave more focus to identify loopholes and opportunity for corruption and addressed the causes of corruption due to which the level of corruption decreased. Malaysia also established Anti-Corruption Commission which proved very effective in controlling corruption. But despite of various anti-corruption strategies the problem is still unbridled in many countries. Pakistan has been experimenting several laws, but all the laws were made corrupted with no meaningful results. In Pakistan to control corruption the mix of Singapore model and teaching of Islam can be a success story subject to solid political determination.

REFERENCES

- Askari, H, Rehman, S.S & Arfaa, N. (2010) "Corruption and its Manifestation in the Persian Gulf". Cheltenham: Edward Elgar Publishing. P 18.
- Awan, M.K. (2004) "Anti-Corruption: Strategies in Pakistan". Lahore: Book Biz. P19.
- Azra, A. (2010). "Islam, Corruption, Good Governance and Civil Society: The Indonesian Experience" ICR Journal published by International institute of advance Islamic studies (IAIS) Malaysia. P: 110
- Baxter, C. (2004). "Pakistan on the Brink: Politics, economics and society". New York: Lexington Books. P63.
- Beekun, R.I. (1997) "Islamic Business Ethics". Herndon: International Institute of Islamic Thought. P 63.
- Chaikin, D & Sharman, J.C. (2009) "Corruption and Money Laundering: A Symbiotic Relationship" New York: Palgrave Macmillan Press P 9.
- Chow, G.C. (2004) "Knowing China" Singapore: World Scientific Publishing Company. P 96.
- Collins Co-build Dictionary New Edition (London: Bank of English).
- Elliot, K.A. (1997) "Corruption and the Global Economy" Washington: Institute for International Economic. P 147.
- Gaylord, M.S, Gittings, D & Traver, H. (2009) "Introduction to Crime, Law and Justice in Hong Kong". Aberdeen: Hong Kong University Press. P 95.
- Ghazali, A.S. (2000) "*Hegemony of the Ruling Elite in Pakistan*". Karachi: Eagle enterprises.
- Harris, G. (2005) "Corruption: How to Deal with Its Impacts on Business and Society" New Delhi: Viva Books Private Limited. p 14.
- Hassan, M.H. (2017). "Civil Disobedience in Islam: A contemporary Debate" Singapore: Palgrave Macmillan. P 52.
- Hassan, M.K & Lewis, M.K. (2014) "Handbook on Islam and Economic Life". Cheltenham: Edward Elgar Publishing. P 283.
- Javid, U. (2010) "Corruption and its Deep impact on Good Governance in Pakistan". Journal of Pakistan economic and social review Volume 48, No. 1. Pp 124-125.
- Malekian, F. (2011) "Principles of Islamic International Criminal Law". Leiden: Brill Publishing. P. 375.

Muhammad, F. (2010) "Logic of Corruption in Pakistan: A journey from NAB to NRO". Pakistan Journal of Criminology, Vol. 2, No 4, Oct, 2010. Pp 43-53.

Nguemegne, J.P. (2011). "Corruption and Human Development in Africa" New York: Xlibris Corporation. P117.

Nuijten, M., Anders, G. (2013) "Corruption and the Secret of Law: *A legal Anthropological Perspective*". Farnham: Ashgate.

Qaradawi, Y. (2013) "The Lawful and Prohibited in Islam". Kula Lumpur: Academe Art & Printing Services. P. 372.

Quah, J.S.T. (2011) "Curbing Corruption in Asian Countries: An Impossible Dream?". Bingley: Emerald group publishing Ltd

Ramady, M.A. (2016) "The political Economy of Wasta: Use and Abuse of Social Capital Networking" Basel: Springer. P: 170.

Rothstein, B &Varraich, A. (2017) "Making Sense of Corruption" London: Clays, St Ives Plc. P57.

Sharfuddin, I.M. (1987) "Toward an Islamic Administrative Theory", American Journal of Islamic Social Sciences, Vol. No 4, No 2. P. 235

State Commission for Prevention of Corruption (2003), Annual Report 2003, SCPC, Paris. P229.

Stoecker, S., Shakirova, R. (2014) "Environmental Crime and Corruption in Russia". London: Routledge. P 73.

Wheatland, B. (2015) "Pakistan: Overview of corruption and anti-corruption Efforts". CHR Michelsen Institute. P3.

Xixi, C. (2015) "Xi Jinping Wit and Vision: Selected Quotations and Commentary". Beijing: Foreign Languages Press".

Yousafzai, A.W. (2015) "Corruption in Medical Practice: Where do we Stand?". Journal of Ayub medical college Abbotabad. Vol 27 No 3. Pp 515-516.

Zarabozo, J.A.M. (1999) "Commentary on the Forty Hadith of Al-Nawawi" Al-Basheer company for publications and translations. P 1264.