

Anti-corruption strategies

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The government and opposition factions appear to be converging on a ten-point Agenda focused on eliminating some of the currently prevailing governance distortions in Pakistan. Articulated as a set of "Demands" by one particular opposition party, the points have been endorsed by others and have been admirably embraced by the incumbent federal government. The ten-points, per se, are non-controversial and there appears to be a broad consensus that action towards them will contribute positively in an environment where mistrust and malfunction are now deeply ingrained. This comment is aimed at explaining that whilst these points are significant stepping stones, and are important in their own right, they are nevertheless inadequate for addressing deeply rooted systemic issues, which can only be amenable to reform at a more fundamental level. Three points are being highlighted to elaborate this further.

Six of the ten demands center on eliminating corruption in one way or the other. The demands to dismiss Cabinet members and personnel in high offices with tainted credentials, dealing with culprits of the recent Hajj, banking, privatization and procurement scams and bringing perpetrators of the recent commodity hoardings to justice fall under this category. Additionally, the demand to implement the supreme courts' verdict in the aftermath of the National Reconciliation Ordinance being regarded null and void also falls within this rubric.

There is a long standing history of attempts to address corruption through disciplinary and penalizing action in Pakistan. Whilst it is true that punitive action has its value as it sets an example and acts as a deterrent, it has its limitations. Political governments and decision makers, deeply entrenched in the spirit of camaraderie are reluctant to bring

their peers to justice. With many opportunities to abuse discretionary powers, disciplinary efforts often take on politically-motivated overtures. Pakistan has made the mistake of focusing on corruption through the predominant focus on this approach for far too long. As a consequence, other more systemically effective means of garnering a culture of transparency in overall governance, have received little emphasis. More than punitive action, the key to anticorruption is to focus attention on building institutions and systems that limit opportunities of collusion, graft and arbitrage in the first place. An important aspect of this is mechanisms of oversight that can check discretionary powers, which create opaqueness in interpretation and variance in application of policies. There is potential within leveraging technology as a barrier against abuse and pilferage. Promoting market harnessing means of regulation, fostering competition to weaken economic interests and integrity-promoting measures in the bureaucracy are other entry points. The dividends of appropriate disclosure and freedom of information and safeguards against conflict of interest should additionally be brought to bear. Furthermore, one of the most effective anti-corruption strategies has to do with building safeguards against state capture and the legacy of patronage; this can be attempted by upholding democratic principles in governance so that the systemic manipulation by vested interest groups, which has become a governance norm in our country, can be circumvented.

Punitive actions being recommended as part of the Agenda, therefore, need to be supplemented with a greater emphasis on strengthening Pakistan's key institutions in general and accountability mechanisms in particular and implementing the country's National Anti Corruption Strategy, which seems to have gone into hibernation after its unveiling in 2002 and several successive attempts aimed at reviving it.

The second demand on the Agenda calls for the creation of an

independent Accountability Commission. It is widely accepted that impartial and depoliticized accountability bodies can help advance the accountability/transparency agenda. However, the past performance of commissions in Pakistan has not been promising and nothing harvests the hope that the case is likely to be otherwise this time round.

Commissions tend to fall prey to capture and end up behaving quite similar to bureaucratic structures. There are additional issues with the proposed accountability commission. The law under which it is supposed to be created and which has been pending in the Parliament/ Ministry of Law for over a year has been criticized because of its glaring list of exclusions and loopholes, which can enable exploitation. Furthermore, accountability is a broader thread in governance and is not synonymous with anticorruption. As an attribute, it is also relevant to the performance and financial realms. The determinants of the fiscal policy related Demands on the Agenda can be explored further to highlight the reality that Pakistan's systems of governance are bereft of any such effective structures. These demands relate to inflationary pressures, the energy crises, crowding out of fiscal space, sprawling size of the government and resulting expenditures. Each of these threads can be linked back to lack of effective mechanisms of accountability at the performance and financial levels.

If mechanisms to compel accountability existed and if disclosure and freedom of information laws had been implemented in their true spirit to assist with the accountability process, perhaps Pakistan's debt burden would not have accumulated to this scale and its footprint on the lives of the common man in terms of inflationary pressures and scaled back social services would not have been this brutal. The blatant graft, which leads to massive bleeds from the system, may not have been so deeply entrenched crowding out the space for resources, which can touch the lives of a common

man. The Public Sector Development Programme would not have continued to fund public sector enterprises and infrastructure projects with meager development resources at the cost of health and education while options to revitalize management and privatization for the former and private financing for the later existed. If accountability had been institutionalized, the energy czars would have not prioritized quick turnover thermal power plants over long term sustainable investments in hydel power projects; the common man would not have to bear the weight of massive load-shedding, which is having a domino effect on employment and the economy. There is a long list of illustrative examples to highlight the manner in which lack of accountability at the decision making level has translated into the current mayhem. So, important as the agenda targets may be, it will take more than a Commission to set things on the right path.

The third aspect of the Agenda I would like to comment on is the Call for an independent Election Commission. Perhaps what the agenda should have stressed on additionally is also to expedite and support what is already in the pipeline. The NEWS on January 12 featured a seemingly non-descript but an important news item regarding the National Database Registration Authority's efforts to install an electronic voting system and a law in the pipeline to enable that. Ideally this should be supplemented with other reforms to make the election process more facilitative for those that neither have the power nor the money to enter the run. Additionally the illiterate voter, currently beholden to feudal interests and dynamics of 'biradrai' will also have to be primed to the need for making the right choice. What Pakistan needs now is human capital in the right policy making roles with the hope that this will set key institutions on the pathway of recovery. The Agenda Demands need to be augmented to make headway in that direction.

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