

**HEIGHTENED PUBLIC SENSITIVITY AGAINST
GRAFT AND CORRUPTION**

by

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“Administrative corruption is as old as organised states.
It can be traced to all periods of human civilisation.”

- Morteza Ahmadi

(4th Asian Ombudsman Conference, Tehran, 1999)

“Conversation demands equality between participants and,
indeed, is one of the most important ways of establishing equality.”

- Theodore Zeldin (Oxford University)

You have asked me to address what is seen to be a greater public awareness of and sensitivity against graft and corruption, a recognition that there is a “*disease*” afoot which badly affects the health of our societies.

My address on this important topic will emphasize that if the consequences of graft and corruption are to be avoided, there must be a serious “*conversation*” between the governor and the governed, between the rulers and the citizens, about what it is and what must be done to overcome it. That “*conversation*” requires that the views of both sides be heard and respected as both have an equal interest in removing a major impediment to achieving a just, fair and sustainable society.

There is everywhere a heightened public awareness of and sensitivity to the consequences of graft and corruption. That unacceptable behaviour potentially exists everywhere. Graft and corruption act like rust, eating away at the foundations of a just and fair society. When the rust has done its work, little remains.

The starting point of any “*conversation*” on this issue should be a willingness to do something about it, not to sweep it like dust under the carpet where it remains hidden until the carpet is lifted. If it is a problem, then it should be tackled openly and resolutely, with the aim of ridding society of the underlying reason for its existence.

That underlying reason is, I suggest, not just greed on the part of a few but an almost universal perception that in order to obtain that to which one is entitled, someone must be paid, and the more that is paid, the more it is likely that one will get what one wants.

This goes to the heart of how our economic and social systems are structured, and the values placed on such things as honesty, fairness and equity in the system of public administration.

Which brings me to the question of the principles of good governance as the foundation for a fair and just society. Adopting those principles will have a major impact upon the citizens’ perception of how governments and their officials perform. The principles of good governance

* Chief Ombudsman of New Zealand; President, International Ombudsman Institute. Address delivered at Vth Asian Ombudsman Conference, Westin Philippine Plaza Hotel, Manila, Philippines, July 19, 2000.

centre upon a process of government which is open and accountable—in recognition of the fact that the business of government is on behalf of the people being governed.

Until there is such a “*conversation*” about the problem and its causes there will be little chance of tackling the graft and corruption which is widely understood to be one of the major constraints to developing a civilized society which acknowledges individual rights and freedoms.

Good governance involves the development of a governmental system in which the governed can have confidence that the government’s agenda is to improve the lot of the ordinary citizen, in the greater good, and not for personal gain.

The aim over time should be to see in place a governance system which is both open and accountable. Openness provides the antiseptic to treat any endemic disease of corruption. By itself openness ensures the system is accountable by making it subject to the scrutiny of independent review and of the ordinary citizen. Where there are no places to hide nothing can be hidden.

Unless the causes of corruption are tackled and overcome, corruption inevitably becomes more rampant. More join what is seen as a gravy train. Others are on it, why not board it too? This has been the unvarying experience worldwide and throughout history.

How should it be addressed? Quite simply attitudes in society from the bottom to the top must change if corruption is to be defeated. This cannot be imposed by the leadership alone, no matter how well intentioned. Changes must be desired by citizens at large based upon their experience. But leadership is important; it must be displayed and the actions of leadership must support its words.

Progress towards achieving a corruption free society requires three essentials:

- The establishment of an anti-corruption agency, accountable to an elected legislature and not to a government, to investigate charges and evidence of corruption.
- The adoption of legislation to protect whistleblowers, people with the courage to report corruption, from retaliation.
- The introduction of an education program against corruption aimed at all segments of society, to advocate honesty in personal behaviour and in the exercise of power.

Such a corruption-free society is possible and should be everyone’s goal. It will not be easy to achieve, but it should remain the goal. The shift from tolerance of graft and corruption to intolerance of it will not occur overnight. It will take time. It has taken New Zealand nearly 100 years to reach the point that it has, not to tolerate graft and corruption. Only this year have we gained legislation protecting whistleblowers who expose graft and corruption, which is one of the ingredients of what I have earlier described as being required to make progress towards a corruption-free society.

It has taken us in New Zealand a long, long time—but with a few isolated failures we are probably there. From the perception of my office as Chief Ombudsman, I can say that New Zealand is significantly free from graft and corruption. That fortunate state of affairs has been largely driven by the abhorrence New Zealanders have of those who seek personal advantage,

secretly and secretively. That sense of abhorrence needs to be nurtured and expressed at all levels of society so that those falling to the temptations of wrongful gain are deterred from even the smallest transgression.

We are dealing with a subject (graft and corruption) as old as society itself. Kautilya, the Chief Minister of a north India state many centuries ago, is reported to have said: “If one drop of honey ... is placed on the tip of someone’s tongue he will taste it, inevitably, and the same thing happens to a person who is in charge of public property. He will taste a little bite of the King’s wealth.” How true.

I have been told of a country where the corruption was once so bad you needed an arrangement with the “*appropriate official*”. The queues of people waiting to get to see this person were longer than the queues to see the “*normal official*”. The system apparently made sense in the context of the particular country, because the appropriate official could satisfy what it was you wanted while the normal official was less likely to. Even if it takes a little longer we should join the queue to the normal official. Our individual actions cumulatively can make a difference.

A system which is corrupted is inevitably an enormous burden to a country which has it.

People simply get fed up, with the perception that they are suffering because “*the system*” itself is corrupt. Societies in which people have become so frustrated and angry have seen governments fall. Whether the cycle lasts five years, ten or twenty, the end result is inevitable. The consequences are catastrophic political, social and economic upheaval—even collapse. The financial damage is probably beyond calculation. Then, if the new regime which replaces the old regime is not very careful, it too will become affected by the same malaise of graft and corruption. So the vicious cycle will repeat itself.

The day-by-day costs of a corruption-ridden system cannot be calculated. Graft and corruption replace taxable income the government could use and needs to use, to build a country’s infrastructure and improve the lot of its citizens. The misdistribution of wealth to those at the top of a corrupt system invariably entrenches disease, malnutrition and violence to those at the bottom, further destabilizing the system.

Common sense and past experience suggest there is wisdom in avoiding these excesses and their consequences. The answer lies in part with good governance, to which ombudsmen are committed. With a system that allows people to know what rights they have and has the openness to investigate where rights are being denied or infringed, it is possible to build a society that is increasingly free of graft and corruption.

The challenge then is to construct such a system, with adequate checks and balances, such that the ordinary citizen—the heart of a civilized society—gains the perception that he or she will be treated fairly and honestly when contact with the system is needed.

The greater the public sensitivity to graft and corruption with a willingness to reveal it when it occurs, the increased likelihood there is of building such a society. It is possible, provided the governors treat the governed as they themselves would wish to be treated. Without mutual respect, no system to facilitate this is possible. An open dialogue is paramount in rooting out graft and corruption. An effective ombudsman institution is an important means of exposing it when it occurs and discouraging it before it occurs.

Unfortunately at present the opportunities for graft and corruption are still present in many

countries. In spite of the great technological and economic achievements of the 20th century, we enter the 21st century with many societies still trying to uproot corruption in general and administrative corruption in particular. There is much to be done and for valid reason. Ensuring there is effective “*conversation*” between the ruler and the ruled is an essential beginning for change.

The probable consequences of corruption were well expressed by a high-ranking Judge of Iran, Sadrol-Hefazi, head of the 9th branch of Administrative Justice, who said “... the grounds for misuse of public property, degrading of the political system’s integrity and violation of people’s properties are increased. People feel that the government is not trustworthy and, hence, the great wheels of executive and administrative organisation of the state are faced with interruption” Yes, the governor, be it a king or an elected government, has a particular interest in seeing that his/its agencies are under regular review and evaluation and that corruption in its widest sense, is exposed by the light of the lamp of independent scrutiny.

I believe this conference can confirm and affirm that an effective ombudsman institution is an important means of achieving the laudable goal of a graft and corruption-free society. Responding to the universally heightened public sensitivity against conduct of that nature is a significant and immediate challenge to us all.