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**Curbing Corruption in Asian Countries:
The Difference between Success and Failure**

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Curbing Corruption in Asian Countries: The Difference between Success and Failure

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Abstract

Corruption is a serious problem in many Asian countries according to Transparency International's 2009 Corruption Perceptions Index (CPI). However, Singapore and Hong Kong appear to be the exceptions as they have been consistently ranked as the two least corrupt Asian countries on the CPI from 1995-2009. On the other hand, countries like India, Indonesia, the Philippines and Taiwan have much lower CPI ranks and scores for the same period. For example, Singapore was ranked 3rd with a score of 9.2 on the 2009 CPI, followed by Hong Kong (ranked 12th with a score of 8.2), Taiwan (ranked 37th with a score of 5.6), India (ranked 84th with a score of 3.4), Indonesia (ranked 111th with a score of 2.8), and the Philippines (ranked 139th with a score of 2.4). Why are Singapore and Hong Kong more effective than India, Indonesia, the Philippines and Taiwan in combating corruption?

This paper attempts to answer this question by examining the anti-corruption strategies employed in these six countries. Singapore, Hong Kong and Indonesia rely on a single anti-corruption agency (ACA) while India, the Philippines and Taiwan rely on multiple ACAs. The Corrupt Practices Investigation (CPIB) is the oldest ACA as it was established in Singapore in October 1952. The Independent Commission Against Corruption (ICAC) was formed in Hong Kong in February 1974. Indonesia's Komisi Pemberantasan Korupsi (KPK or Corruption Eradication Commission) was created in December 2003 to spearhead the nation's anti-corruption strategy. India relies on the Central Bureau of Investigation (CBI) and the Central Vigilance Commission (CVC) at the federal level and their branches at the state level to curb corruption. The Philippines has relied on 19 ACAs since its fight against corruption began in 1950. Today, there are six ACAs in the Philippines namely: Ombudsman, which is the lead ACA, followed by the Presidential Commission on Good Government, Inter-Agency Anti-Graft Coordinating Council, Presidential Committee on Effective Governance, Presidential Anti-Graft Commission, and Governance Advisory Council. Taiwan relies on the Ministry of Justice Investigation Bureau (the lead ACA), the Department of Government Employee Ethics, and the Public Prosecutors Offices to curb corruption.

This paper concludes that the critical difference between success and failure in combating corruption in Asian countries is the political will of the government. Singapore and Hong Kong are more effective in corruption control because their governments have demonstrated their commitment by enforcing the comprehensive anti-corruption laws impartially and providing the CPIB and ICAC with adequate personnel and budget to enable them to perform their functions effectively. In contrast, India, Indonesia, the Philippines and Taiwan are less effective in curbing corruption because their governments lack the political will as reflected in the higher staff-population ratios and lower per capita expenditures of their ACAs and the selective enforcement of the anti-corruption laws. In addition to political will, the favourable policy contexts of Singapore and Hong Kong SAR have enhanced the effectiveness of the CPIB and ICAC on the one hand, while the unfavourable policy contexts of Taiwan, India, Indonesia and the Philippines have hindered the effectiveness of their ACAs on the other hand.

Key words: Anti-Corruption Agencies; Asia; Corruption; and Policy Context.

Introduction

Corruption is a serious problem in many Asian countries according to Transparency International's 2009 Corruption Perceptions Index (CPI). Table 1 shows that among the 26 Asian countries included in the 2009 CPI, only Singapore, Hong Kong SAR, and Japan have respectable scores of 9.2, 8.2, and 7.7 respectively. The other five countries with scores between 5.0 and 5.6 are Taiwan, Brunei, South Korea, Macau SAR, and Bhutan. The remaining 18 countries have CPI scores ranging from 1.3 for Afghanistan to 4.5 for Malaysia.

Table 1: Transparency International's 2009 CPI for 26 Asian Countries

Country	CPI Rank	CPI Score**
Singapore	3 rd	9.2
Hong Kong SAR*	12 th	8.2
Japan	17 th	7.7
Taiwan	37 th	5.6
Brunei	39 th	5.5
South Korea	39 th	5.5
Macau SAR*	43 rd	5.3
Bhutan	49 th	5.0
Malaysia	56 th	4.5
China	79 th	3.6
India	84 th	3.4
Thailand	84 th	3.4
Sri Lanka	97 th	3.1
Indonesia	111 th	2.8
Mongolia	120 th	2.7
Vietnam	120 th	2.7
Maldives	130 th	2.5
Bangladesh	139 th	2.4
Pakistan	139 th	2.4
Philippines	139 th	2.4
Nepal	143 rd	2.3
Timor-Leste	146 th	2.2
Cambodia	158 th	2.0
Laos	158 th	2.0
Myanmar	178 th	1.4
Afghanistan	179 th	1.3

*Hong Kong and Macau are Special Administrative Regions of the People's Republic of China.

**The CPI score ranges from 0 = most corrupt to 10 = least corrupt.

Source: http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table.

Table 2: Control of Corruption among 27 Asian Countries in 2008

Country	Percentile Rank (0-100)	Governance Score (-2.5 to +2.5)
Singapore	99.5	+2.34
Hong Kong SAR	94.2	+1.88
Japan	85.5	+1.25
Bhutan	74.9	+0.72
Taiwan	72.9	+0.55
Brunei	71.5	+0.51
South Korea	69.6	+0.45
Malaysia	62.8	+0.14
Macao SAR	58.0	-0.03
Sri Lanka	54.1	-0.15
India	44.4	-0.37
Thailand	43.0	-0.38
China	41.1	-0.44
Maldives	32.9	-0.60
Mongolia	32.4	-0.62
Indonesia	31.4	-0.64
Nepal	29.0	-0.68
Philippines	26.1	-0.75
Vietnam	25.1	-0.76
Pakistan	24.6	-0.77
Timor-Leste	19.3	-0.89
Bangladesh	10.6	-1.10
Cambodia	8.7	-1.14
Laos	5.8	-1.23
Afghanistan	1.4	-1.64
Myanmar	1.0	-1.69
North Korea	0.5	-1.74

Source: http://info.worldbank.org/governance/wgi/mc_chart.asp

However, Singapore and Hong Kong SAR are the most effective in controlling corruption according to the World Bank's 2008 Control of Corruption governance indicator. Table 2 shows that only six Asian countries have percentile ranks above 70, with Singapore and Hong Kong SAR having the highest percentile ranks of 99.5 and 94.2 respectively. The remaining 21 countries have percentile ranks ranging from 0.5 for North Korea to 69.9 for South Korea. Why are Singapore and Hong Kong SAR more effective than the other Asian countries in curbing corruption?

This paper compares how six Asian countries combat corruption with the aim of ascertaining why Singapore and Hong Kong SAR are more effective in curbing corruption than India, Indonesia, the Philippines, and Taiwan. These six countries rely on

two patterns of corruption control. Singapore, Hong Kong SAR, and Indonesia have relied on a single anti-corruption agency (ACA) to implement the anti-corruption laws. In contrast, India, the Philippines, and Taiwan employ multiple ACAs to fight corruption. The main thesis of this paper is that Singapore and Hong Kong SAR are more effective in combating corruption than India, Indonesia, the Philippines, and Taiwan because of the commitment of their governments and their favourable policy contexts.

Anti-Corruption Strategies in Asian Countries

Asian countries rely on three types of strategies to control corruption. The first strategy, which is the least popular and ineffective, is employed by Japan, which does not rely on any ACA to implement the anti-corruption laws. The second anti-corruption strategy employed by Asian countries is the reliance on multiple ACAs to curb corruption. The six Asian countries which rely on multiple ACAs are Cambodia, China, India, the Philippines, Taiwan, and Vietnam. The third and most popular strategy is the reliance on a single ACA to implement the anti-corruption laws. Table 3 identifies these three anti-corruption strategies employed by 21 Asian countries.

Table 3: Anti-Corruption Strategies in Asian Countries

Anti-Corruption Strategy	Countries
No anti-corruption agency to implement anti-corruption laws	Japan
Multiple anti-corruption agencies to implement anti-corruption laws	Cambodia, China, India, the Philippines, Taiwan, Vietnam
Single anti-corruption agency to implement anti-corruption laws	Singapore, Malaysia, Hong Kong SAR, Brunei, Nepal, Sri Lanka, Pakistan, Thailand, Macau SAR, South Korea, Indonesia, Bangladesh, Bhutan, Mongolia

Table 4 provides details of the single ACAs established in 14 Asian countries. Singapore's Corrupt Practices Investigation Bureau (CPIB) is the oldest ACA in the world as it was established in October 1952. The Anti-Corruption Agency was formed in Malaysia in October 1967 and was replaced by the Malaysian Anti-Corruption Commission (MACC), which began operating from January 2009. The Independent Commission Against Corruption (ICAC) was created in Hong Kong in February 1974. Brunei established the Anti-Corruption Bureau (ACB) in February 1982. In 1990, Nepal formed the Commission for the Investigation of Abuse of Authority (CIAA). The Commission to Investigate Allegations of Bribery or Corruption (CIABOC) was established in Sri Lanka in November 1994. In November 1999, the National Accountability Bureau (NAB) was created in Pakistan, and the National Counter Corruption Commission (NCCC) was formed in Thailand. The NCCC was replaced by the National Anti-Corruption Commission (NACC) in July 2008. The Commission Against Corruption (CAC) was created in Macau SAR in December 1999. The Korea Independent Commission Against Corruption (KICAC) was established in January 2002,

Table 4: Anti-Corruption Agencies in Asian Countries

Country	Anti-Corruption Agency	Date established
Singapore	Corrupt Practices Investigation Bureau	October 1952
Malaysia	Anti-Corruption Agency Malaysian Anti-Corruption Commission	October 1967 January 2009
Hong Kong SAR	Independent Commission Against Corruption	February 1974
Brunei	Anti-Corruption Bureau	February 1982
Nepal	Commission for the Investigation of Abuse of Authority	1990
Sri Lanka	Commission to Investigate Allegations of Bribery or Corruption	November 1994
Pakistan	National Accountability Bureau	November 1999
Thailand	National Counter Corruption Commission National Anti-Corruption Commission	November 1999 July 2008
Macau, SAR	Commission Against Corruption	December 1999
South Korea	Korea Independent Commission Against Corruption Anti-Corruption Civil Rights Commission	January 2002 February 2008
Indonesia	Corruption Eradication Commission (<i>Komisi Pemberantasan Korupsi</i>)	December 2003
Bangladesh	Anti-Corruption Commission	May 2004
Bhutan	Office of the Anti-Corruption Commission	January 2006
Mongolia	Independent Authority Against Corruption	December 2006

Source: Compiled by the author.

and replaced by the Anti-Corruption Civil Rights Commission (ACRC) in February 2008. Indonesia established the Corruption Eradication Commission or *Komisi Pemberantasan*

Korupsi (KPK) in December 2003, followed by Bangladesh, which formed the Anti-Corruption Commission (ACC) in May 2004. The most recent ACAs are the Office of the Anti-Corruption Commission (OACC), which was created in Bhutan in January 2006, and the Independent Authority Against Corruption (IAAC), which was formed in Mongolia in December 2006.

Reliance on a Single Anti-Corruption Agency

Singapore's Corrupt Practices Investigation Bureau

Singapore's fight against corruption began in 1871, when corruption was made illegal with the enactment of the Penal Code of the Straits Settlements of Malacca, Penang and Singapore. In 1879, a Commission of Inquiry into the causes of inefficiency of the Straits Settlements Police Force found that corruption was prevalent among the European inspectors and the Malay and Indian junior officers. Similarly, the 1886 Commission of Inquiry into the extent of public gambling in the Straits Settlements confirmed the existence of systematic corruption in the police forces in Singapore and Penang (Quah, 1979: 24-26).

The British colonial government's efforts to curb corruption failed because the existing Prevention of Corruption Ordinance (POCO) was ineffective. Even though corruption was made illegal in 1871, the British colonial authorities took another 66 years to introduce the first anti-corruption law with the enactment of the POCO in December 1937. The POCO's aim was to prevent "bribery and secret commissions in public and private business." However, the POCO was ineffective for two reasons: its offences were not seizable and limited the powers of arrest, search and investigation of police officers as warrants were required before arrests could be made; and the penalty for imprisonment for two years and/or a S\$10,000 fine for those found guilty of corruption did not deter corrupt behaviour (Quah, 1978: 9).

The Anti-Corruption Branch (ACB), which was formed within the Criminal Investigation Department (CID) in the Singapore Police Force in December 1937 to curb corruption by enforcing the POCO. This was a serious mistake for three reasons. First, the ACB was a small unit of 17 men with a difficult task to perform: the eradication of corruption in the civil service. Second, as the CID's top priority was to deal with serious crimes like homicide, the task of fighting corruption received lower priority as the ACB had to compete with other branches for limited resources. Third, the ACB was ineffective because of the rampant police corruption in colonial Singapore (Quah, 2007: 14-15). In October 1951, a consignment of 1,800 pounds of opium worth S\$400,000 (US\$133,330) was stolen by a gang of robbers, which included three police detectives. A special team appointed by the British colonial government to investigate the robbery found that corruption was widespread especially among those policemen involved in protection rackets (Quah, 2007: 16). The opium hijacking scandal made the British authorities realize the importance of creating an independent ACA that was separate from the police. Consequently, the ACB was replaced with the CPIB, which was formed as the first Asian ACA in October 1952.

The CPIB had a small staff of civilian investigators and senior seconded police officers when it was formed in October 1952. However, it encountered many problems during its early years because the “anti-corruption laws were inadequate” and “hindered the gathering of evidence against corrupt individuals” (CPIB, 2010). Consequently, the CPIB was ineffective during its first eight years because it lacked staff and enforcement powers to perform its functions effectively.

The People’s Action Party (PAP) won the May 1959 general election and assumed office on June 3, 1959, when Singapore was granted self-governing status by the British government. When the PAP government assumed office, corruption was a way of life in Singapore and perceived by the population as “a low risk, high reward” activity. Furthermore, the PAP government realized that it could not continue with the British colonial government’s incremental anti-corruption strategy because of the ineffectiveness of the POCO and CPIB. Accordingly, the PAP government initiated a comprehensive anti-corruption strategy in June 1960 by enacting the Prevention of Corruption Act (POCA) and strengthening the CPIB to reduce the opportunities for corruption and increase the penalty for corrupt behaviour if one is caught (Quah, 2007: 17-18).

The POCA removed the weaknesses of the POCO and gave the CPIB a new lease of life by giving it additional powers to perform its functions. Section 5 increased the penalty for corruption to imprisonment for five years and/or a fine of S\$10,000 to enhance the POCA’s deterrent effect. Sections 15, 18, 21 and 22 gave special powers to CPIB officers, public prosecutors, and police officers in their investigation of corruption cases. Section 24 is the most important asset for the CPIB in its investigation of corruption offences because “the fact that an accused person is in possession, for which he cannot satisfactorily account, of pecuniary resources or property disproportionate to his known sources of income” is evidence that he or she had obtained these pecuniary resources or property “corruptly as an inducement or reward” (Quah, 2010: 177).

To ensure the POCA’s continued effectiveness, the PAP government has introduced whenever necessary, amendments or new legislation to deal with unanticipated problems or to plug legal loopholes. For example, in 1966, the POCA was amended so that, according to section 37, Singapore citizens working for their government in embassies and other government agencies abroad would be prosecuted for corrupt offences committed outside Singapore and would be dealt with as if such offences had occurred within Singapore. In 1989, the fine for corrupt offences was increased from S\$10,000 to S\$100,000 (US\$73,659 on August 13, 2009) to increase the POCA’s deterrent effect. The Corruption (Confiscation of Benefits) Act was enacted on March 3, 1989 to enable the court to issue a confiscation order against a deceased defendant (Quah, 2010: 177-178).

The CPIB enforces the POCA by performing these three functions: (1) receiving and investigating complaints concerning corruption in the public and private sectors; (2) investigating malpractices and misconduct by public officers; and (3) examining the practices and procedures in the public service to minimize opportunities for corrupt practices (CPIB, 1990: 2). Furthermore, as part of its preventive function, the CPIB is also responsible for screening candidates selected for positions in the civil service and

statutory boards to ensure that only those candidates without any taint of corruption or misconduct are actually appointed (Republic of Singapore, 1994: 638).

The CPIB has grown by nearly 19 times from its original staff of 5 personnel to its current size of 93 members. Its budget has also been increased by almost 20 times from S\$1,024,370 in 1978 to S\$20,094,000 in 2010 (Republic of Singapore, 1978; 2010: 382). In terms of organizational structure, the CPIB is divided into the Operations Division and the Administration and Specialist Support Division. In July 2004, the CPIB upgraded its Computer Information System Unit with the formation of the Computer Forensic Unit to improve its investigative and evidence gathering capabilities (Quah, 2010: 180).

The CPIB has adopted a “total approach to enforcement” by dealing with both “big and small cases” of corruption in both the public and private sectors, “both giver and receiver of bribes” and “other crimes uncovered in the course of [the] corruption investigation” (Soh, 2008a: 1-2). In addition to emphasizing investigation and enforcement, the CPIB employs a proactive approach to its activities on corruption prevention and education. To prevent corruption, the CPIB reviews the procedures and practices in those government agencies, where corruption has occurred and makes recommendations to remove the “loopholes and vulnerabilities.” The CPIB uses this review process to “identify potential problem areas and loopholes” in order to minimize the opportunities for corruption (Soh, 2008b: 8).

The CPIB has an extensive outreach programme and conducts the prevention and education talks for pre-university students, principals, and teachers, newly appointed civil servants, law enforcement agencies like the police and immigration, and the management and staff of major organizations in key industries. The CPIB’s success has attracted worldwide attention and it has received many visitors from other countries. It also conducts anti-corruption training courses for civil servants at various levels in Singapore with the Civil Service College. In 2007, the CPIB conducted talks for 7,000 persons and hosted 2,000 foreign visitors (Quah, 2010: 181).

Finally, the CPIB’s activities are reviewed by the Anti-Corruption Advisory Committee (ACAC) and the Anti-Corruption Review Committee (ACRC), both of which are staffed by senior civil servants. The CPIB was originally under the jurisdiction of the Attorney-General’s Chambers (AGC) when it was formed in October 1952. From 1959 to 1968, it was under the purview of the Ministry of Home Affairs, the Prime Minister’s Office (PMO), and the AGC. However, since 1969, the CPIB has been under the PMO’s jurisdiction (CPIB, 2003: 16.109). Even though the CPIB is under the PMO’s purview, it has not hesitated to investigate all allegations of corruption against political leaders and senior civil servants in Singapore as the PAP government is committed to curbing corruption. Four PAP leaders and three senior civil servants were investigated for corruption by the CPIB (Quah, 2010: 182).

Hong Kong SAR's Independent Commission Against Corruption

Corruption was also a serious problem in Hong Kong during the British colonial period. Leslie Palmier (1985: 123) contended that corruption was already a way of life in Hong Kong when the British acquired it in 1841 because the Chinese “who formed its population had long been accustomed to a system where most of an official’s income depended on what he was able to extort from the public.” Consequently, it was not surprising that corruption prospered at all levels of government during the first decades of the colony’s history.

Bertrand de Speville (1997: 13–14) a former ICAC Commissioner, has attributed the rampant corruption in Hong Kong before the advent of the ICAC in 1974 to four reasons. First, the rapid population growth after 1945 severely strained the social services, government resources and manpower in Hong Kong and contributed to corruption as “everything was in short supply.” Second, the Chinese immigrants to Hong Kong paid bribes to the police and other civil servants to avoid being harassed by them. Third, the government’s monopoly and regulations of various activities and the discretion of civil servants responsible for these activities provided many opportunities for corruption. The final factor was the widespread police corruption, which prevented the police from resolving the problem of corruption.

To cope with the increase in corruption after the Second World War, the British colonial government enacted the POCO in 1948. It adopted the same method of corruption control employed in Singapore in Hong Kong by forming the ACB as a special unit of the CID of the Royal Hong Kong Police Force (RHKPF) to deal with the investigation and prosecution of corruption cases (Kuan, 1981: 24). The ACB was separated from the CID in 1952 but it still remained within the RHKPF. However, the ACB was not effective as its prosecution of corruption offences resulted in between two to 20 court convictions per year (Wong, 1981: 45).

The ACB initiated a review of the POCO in 1968 and sent a study team to Singapore and Sri Lanka during the same year to examine how their anti-corruption laws worked in practice. The study team was impressed with the independence of their ACAs and attributed Singapore’s success in curbing corruption to the CPIB’s independence from the police (Wong, 1981: 47). However, the RHKPF rejected the recommendation to separate the ACB by upgrading it into an Anti-Corruption Office (ACO) in May 1971 (Wong, 1981: 47–48; Quah, 2003: 138).

The ACO was given more manpower but its credibility was undermined on June 8, 1973, when a corruption suspect, Chief Superintendent Peter F. Godber, escaped to the United Kingdom. Godber’s escape angered the public and the government reacted by appointing a Commission of Inquiry to investigate the circumstances contributing to his escape. Consequently, the Governor, Sir Murray MacLehose, was forced by public criticism to accept the Blair Commission’s recommendation to establish an independent agency, separate from the RHKPF, to fight corruption (Quah, 2003: 138–139).

Accordingly, the ICAC was formed on 15 February 1974 “to root out corruption and to restore public confidence in the Government” (Wong, 1981: 45). In contrast to Singapore, which took 15 years (1937–1952) to establish the CPIB, Hong Kong took 26 years (1948–1974) to form the ICAC.

From its inception, the ICAC adopted a three-pronged strategy of focusing on investigating and preventing corruption, and educating the public and obtaining their support in curbing corruption. Section 12 of the ICAC Ordinance has described the Commissioner’s duties in terms of investigating corruption complaints, advising heads of government departments and public agencies on how to minimize corruption by reducing opportunities, educating the public against “the evils of corruption” and enlisting public support in fighting corruption (McWalters, 2003: 106). In short, the ICAC’s mission was “to tackle corruption on three fronts—investigation, prevention and community education” (ICAC, 2002a: 18).

The ICAC’s three-pronged strategy is reflected in its organizational structure of three departments, with the Operations Department being responsible for investigation, the Crime Prevention Department concerned with prevention, and the Community Relations Department focusing on community education (ICAC, 2002b: 24). The Prevention of Bribery Ordinance (POBO) of 1971 enabled the government to prosecute a civil servant for corruption if he could not provide a satisfactory explanation for maintaining a standard of living or controlling excessive pecuniary resources that were not commensurate with his present or past official salaries.

Furthermore, the POBO provided extensive powers of investigation as the Attorney-General could authorize the inspection of bank accounts, safe-deposit boxes, books, documents or articles. He could also require the suspect or any other persons to submit information, and authorize the entry into and search of any premises. More importantly, the POBO introduced the severe maximum penalty of a fine of HK\$50,000 and 3 years’ imprisonment, or on indictment, a fine of HK\$100,000 and 7 years’ imprisonment. The duration of imprisonment was also increased to 10 years for offences involving contracts and tenders (Kuan, 1981: 32, 38–39)

In addition to these features of the POBO, the ICAC Ordinance of 1974 has identified the duties, responsibilities and scope of the ICAC’s powers, which have strengthened greatly its battle against corruption. The ICAC Ordinance enables the Director of the Operations Department in the ICAC to authorize his officers to restrict the movement of a suspect, to examine bank accounts and safe deposit boxes, to restrict disposal of a suspect’s property and to require a suspect to provide full details of his financial situation. ICAC officers can also arrest without warrant for the offences indicated in the PBO and ICAC Ordinance, and search premises and seize and detain any evidence for such offences (Kuan, 1981: 40).

The ICAC inherited 181 police officers and 44 civilian employees from the ACO and recruited 144 new staff members, making a combined total of 369 employees, or 54% of

its establishment of 682 positions in 1974 (Lethbridge, 1985: 107). During 1974–2009, the ICAC has succeeded in recruiting more staff and has grown by more than three times to its actual strength of 1,268 officers or 92% of its establishment of 1,380 positions in December 2009 (ICAC, 2010: 27).

Table 5 below shows that in 2009, the Operations Department is the largest with 941 staff members (74.2%), reflecting the importance of the ICAC’s investigative function. The Deputy Commissioner is also Head of the Operations Department. He is assisted by two Directors of Investigation for the government and private sectors. There are four investigation branches, with Investigation Branches 1 and 3 under the supervision of the Director of Investigation (Government Sector) and with Investigation Branches 2 and 4 under the purview of the Director of Investigation (Private Sector) (ICAC, 2003: 15).

The Community Relations Department is the second largest department with 159 personnel (12.5%). It is divided into two divisions. The first division consists of specialist units responsible for publicizing anti-corruption messages through the mass media and the Hong Kong Mainland Liaison Office. The second division provides in-depth, face-to-face corruption prevention education service to the public through its regional offices in the various districts (ICAC, 2007: 66).

The smallest department is the Corruption Prevention Department as it has only 51 members (4.0%). Its role is to minimize opportunities for corruption in government departments and public agencies by reviewing and modifying those practices and procedures which are vulnerable to corruption. The Corruption Prevention Department works with the government departments and public bodies to identify corruption prone areas for review and monitors the implementation of the recommended corruption prevention measures. Private sector organizations may also request for free corruption prevention advice from the Corruption Prevention Department (ICAC, 2007: 49).

The Administration Branch has 117 staff members (9.2%) and ensures that the relevant government rules and procedures are adhered by the three departments. It is responsible for managing human and financial resources, supplies, accommodation, general administration, training, staff relations and welfare matters (ICAC, 2007: 29).

Table 5: ICAC Staff by Department, 2009

Department	No. of Staff	Percentage
Operations	941	74.2
Community Relations	159	12.5
Administration Branch	117	9.2
Corruption Prevention	51	4.0
Total	1268	100.0

Source: ICAC (2010: 27).

The ICAC's budget increased by 15 times from HK\$12.9 million in 1974 to HK\$193 million in 1987. It was further increased to HK\$686.7 million in 2001, and to HK\$808.1 million in 2009 (ICAC, 1989: 80; 2002b: 77; 2010: 75). Thus, the ICAC's budget has increased substantially by 63 times during 1974-2009.

Finally, there are four committees consisting of citizens from different sectors of the community, who are appointed by the Governor before July 1997, and the Chief Executive after July 1997, to review the ICAC's activities. The Advisory Committee on Corruption reviews the ICAC's overall policy and the work of its three departments and the Administration Branch. The work of each department is also scrutinized by an advisory committee. Accordingly, the Operations Review Committee focuses on the Operations Department, the Corruption Prevention Advisory Committee deals with the Corruption Prevention Department, and the Citizens Advisory Committee on Community Relations advises the Community Relations Department on its activities (ICAC, 2010: 6, 72-74).

Indonesia's Komisi Pemberantasan Korupsi

The origins of bureaucratic corruption in Indonesia can be traced to the Dutch colonial period because "bribery and corruption were rife among the [Dutch East India] Company's personnel as their salaries were quite low" and they were not properly monitored (Quah, 1982: 154). However, no attempt was made by the Dutch colonial government to curb corruption. Indeed, the first attempt to do so occurred after the 1955 election when corruption was rampant especially in the area of import licences. Several civil servants and a minister were arrested. In June 1968, the *Team Pemberantasan Korupsi* (Corruption Eradication Team) was appointed by President Soeharto within the Attorney General's Office to deal with corruption cases. The Corruption Eradication Team was ineffective because its efforts were blocked by influential men in the regime (Quah, 1982: 170).

The anti-corruption demonstrations in January 1970 by Indonesian students resulted in the appointment of a special Commission of Four (*Komisi IV*) elder statesmen by President Soeharto to review the problem of corruption within the civil service and to suggest recommendations for improvement. In its seven reports that were submitted to President Soeharto from February to June 1970, the Commission identified areas where large sums of money had been lost as a result of inefficiency, poor accounting, or corruption. It recommended, *inter alia*, that the "Attorney-General's Department must be more energetic in dealing with corruption" and urged the "immediate completion of a bill proposed by the Minister of Justice on the investigation, examination, and prosecution of corruption cases" (Mackie, 1970: 87-101). The Commission's most important consequence was the passing of the Prevention Against Corrupt Criminal Acts Bill in 1971 (Manurung, 1979: 68-70).

Presidential Instruction No. 9 of 84 Year 1977 on Operation for Order transferred the task of combating corruption to the National Security Agency (*Kopkamtib*) in June 1977. *Kopkamtib* was instructed to take action against "unofficial levies" which included forced

discounts, extortion, and bribes. It initiated Operation Orderliness (*Operasi Tertib* or *Opsitib*) by making “lightning visits” to government departments well known for corruption, and dismissing those officials caught red-handed on the spot (Palmier, 1985: 241-244). Even though many officials were arrested and charged in court, *Kopkamtib*'s major handicap was its inability to take action against those generals and senior civil servants involved in corrupt practices (Palmier, 1985: 250-252).

For the next 21 years until President Soeharto stepped down in May 1998, nothing was done by him to curb corruption among his family, ministers and cronies. Indeed, President Soeharto did not control the corrupt practices of his wife, children and grandchildren. Ross H. McLeod (2000: 150-151) wrote:

His [Soeharto's] late wife Tien had been known as “Madame Ten Percent” because of her alleged propensity for skimming 10 per cent of the value of government projects with which she had some connection, but this “tax rate” was reasonable. ... Several of the Suharto offspring appear to have taken the view that 10 per cent was far too modest and by all appearances seem to have grabbed lustily for everything they could, without any concern for the longer-term consequences for the franchise their father had built.

Since the phrase *korupsi, kolusi dan nepotisme* (KKN or corruption, collusion and nepotism) symbolizes the “social costs, inequities and abuses of the Soeharto regime,” it is not surprising that President Soeharto's successors have “espoused the goal of combating corruption” to accommodate the widespread public demand to eradicate KKN (Hamilton-Hart, 2001: 66). Soeharto's successor, President B.J. Habibie introduced two important laws: Law No. 28 of Year 1999, which established the State Commission for Audit of Public Officials' Wealth; and Law No. 31 of Year 1999, which increased the penalty for corruption to a maximum of 20 years imprisonment or a fine of one billion Rupiahs, and created the Anti-Corruption Commission (Hamilton-Hart, 2001: 72).

Even though the Habibie administration made the eradication of KKN a top priority, its anti-corruption efforts were ineffective for two reasons. First, there was no serious effort made to “bring offenders to justice” during Habibie's presidency as KKN was instead “sidelined as a legislative [*sic*] problem” to be resolved by introducing new laws. Second, the various institutions created by President Habibie to eradicate KKN “failed to perform, and no significant progress was made” (Assegaf *et al.*, 2002: 150). Indeed, according to Damien Kingsbury (2002: 213), “little happened to address corruption” during Habibie's presidency because he was “himself a beneficiary of corruption and nepotism, while his party, Golkar, was able to function only as a result of its various and usually illegal money-gathering schemes.”

President Abdurrahman Wahid, who succeeded President Habibie after winning the October 1999 presidential election, inherited the new anti-corruption laws and the Joint Team for the Eradication of Corruption (TGTPK) was formed in June 2000 according to Article 27 of Law No. 31 of 1999 to deal with criminal acts of corruption that are difficult

to prove” (Assegaf *et al.*, 2002: 168). However, the TGTPK team was ineffective because of the poor work commitment of its members, the lack of financing which resulted in the non-payment of its members’ salaries for several months, and its lack of authority to investigate corruption cases which occurred before 1999 (Assegaf *et al.*, 2002: 169). The most important problem undermining President Wahid’s anti-corruption efforts was that he was personally implicated in three corruption scandals: “Buloggate” scandal; “Bruneigate” scandal; and “Borobudurgate” scandal (Budiman, 2001: 149). Needless to say, these three scandals damaged Wahid’s image and undermined his credibility in curbing KKN.

When Megawati Sukarnoputri became president in July 2001, she inherited “a severely weakened presidency” and the unresolved problem of KKN (Sen, 2002: 17). In her first state of the nation speech on August 16, 2001, she promised that her anti-corruption campaign would begin with her family and that corruption must be eliminated to strengthen Indonesia’s democratization. She revealed that:

... I have privately gathered all members of my immediate family requesting them to solemnly pledge not to open the slightest window of opportunity for the recurrence of KKN in my family. They have given me their solemn pledge, and I hope that they will be able to resist the many temptations around them (Quoted in Sen, 2002: 22).

Furthermore, she directed her cabinet ministers and senior civil servants to declare their assets to the state auditors. She also indicated that her ministers would be held responsible if they were found to have given unlawful benefits to her relatives. She added that “If later it is found that any of the children have benefited from any project, or anything else, it will be the minister who will bear the blame” (*BBC News*, 2001). It is particularly significant that she made no reference to her husband, who was a prominent businessman.

However, on January 21, 2002, Satrio “Billy” Joedono, the head of the State Auditing Agency (BPK), criticized President Megawati for not doing enough to curb corruption in her government. According to him:

There is yet no indication of stronger commitment to fighting corruption in this government. The number of graft cases in the government that have made it to court is still and the level of successful prosecution of the cases remains low. ... The current government will not be able to fight graft without a major overhaul of the bureaucracy, which comprises largely of corrupt officials (Quoted in Asmarani, 2002: A5).

Unfortunately, President Megawati’s initial interest in fighting corruption waned and she demonstrated her lack of political will by delaying the establishment of the CEC or KPK by her refusal to sign the authorizing legislation for more than two years (Quah, 2006: 178). The CEC or KPK was formed on December 29, 2003 according to Law No. 30 of 2002, which was passed in December 2002 (KPK, 2009: 14). The KPK consists of

five commissioners, with a Chairman and four Vice-Chairmen, who serve for a maximum of two four-year terms. There is also an Advisory Team consisting of four advisors. The KPK has 540 employees and its investigators and prosecutors are seconded from the Attorney General's Office (AGO) and the police (KPK, 2009: 101; Davidsen, Juwono and Timberman, 2006: 47).

According to Law No. 30 of 2002, the KPK is responsible for these five functions:

1. Coordination with other state institutions to eradicate corruption.
2. Supervision of other state institutions authorized to eradicate corruption.
3. Performing investigations, indictments and prosecutions of corruption cases.
4. Preventing corruption by examining wealth and gratification reports, conducting anti-corruption education and socialization programmes, and engaging in bilateral and multilateral cooperation to eradicate corruption.
5. Monitoring the administration of state institutions and making recommendations for making them more corruption-resistant (Davidsen, Juwono and Timberman, 2006: 48).

Furthermore, the KPK is also empowered by the same law to (1) conduct surveillance of other state institutions which are involved in fighting corruption; (2) carry out wire taps, record conversations, and access bank and tax records; and (3) take over investigations or prosecutions performed by the police or AGO (Davidsen, Juwono and Timberman, 2006: 48).

Organizationally, the KPK is divided into these five divisions:

1. The *Office of the Deputy for Prevention*, which consists of the Directorate of Registering and Examining of Public Officials' Wealth Reports, the Directorate of Gratuity, the Directorate of Education and Public Services, and the Directorate of Research and Development.
2. The *Office of the Deputy for Repression*, which is made up of the Directorate of Preliminary Investigations, the Directorate of Investigations, and the Directorate of Prosecutions.
3. The *Office of the Deputy for Information and Data*, which consists of the Directorate of Information and Data Processing, the Directorate of Fostering Networks between Commissions and Institutions, and the Directorate of Monitoring.
4. The *Office of the Deputy for Internal Monitoring and Public Complaints*, which is made up of the Directorate of Internal Monitoring and the Directorate of Public Complaints.
5. The *Secretariat General*, which consists of these five bureaus: Bureau of Human Resources; Bureau of Planning and Finance;

Bureau of General Affairs; the Legal Bureau; and Bureau of Public Relations (KPK, 2009: 5-6).

Table 6: KPK Staff by Division, 2008

Division	Number	Percentage
Board of Commissioners	5	0.93
Advisory Team	2	0.37
Office of the Deputy for Prevention	107	19.81
Office of the Deputy for Repression	157	29.07
Office of the Deputy for Information and Data	101	18.70
Office of the Deputy for Internal Monitoring and Public Complaints	59	10.93
Secretariat General	109	20.19
Total	540	100.00

Source: KPK (2009: 101).

Table 6 shows that the Office of the Deputy for Repression is the largest division in the KPK with 29% of its total staff. The Secretariat General is the second largest division, followed by the Office of the Deputy for Prevention, the Office of the Deputy for Information and Data, and the Office of the Deputy for Internal Monitoring and Public Complaints. The KPK's budget has also increased from Rp 109 billion (US\$11 million) in 2004 to Rp 170 billion (US\$18 million) in 2005, and to Rp 224 billion (US\$23 million) in 2006 (Davidsen, Juwono and Timberman, 2006: 52). In 2008, the KPK's budget was marginally increased to Rp 232.6 billion (US\$ 24.2 million) (KPK, 2009: 106).

Reliance on Multiple Anti-Corruption Agencies

India's Anti-Corruption Agencies

Corruption was made illegal in India in 1860, when it was defined in the Penal Code as "acceptance by public servants of any gratification, other than legal remuneration, in exchange for an official act" (Shunglu, 2000: 13). However, the fight against corruption in India only began 81 years later with the formation of the Delhi Special Police Establishment (DSPE) in 1941 to "investigate cases of bribery and corruption in transactions" involving the War and Supply Department (Palmier, 1985: 30).

The DSPE's officers were empowered in 1943 by Ordinance No. 22 to investigate corruption cases involving central government departments in India. In September 1946, this ordinance was replaced by the DSPE Act, which transferred control of the DSPE to the Home Department, which is now known as the Ministry of Home Affairs (MHA) (Palmier, 1985: 30). In March 1947, the Prevention of Corruption Act (POCA) incorporated relevant sections of the Indian Penal Code and became law. In 1953, the DSPE was expanded to include an Enforcement Wing to deal with offences involving violations of import and export regulations at Bombay, Calcutta and Madras. In 1955, an

Administrative Vigilance Division (AVD) was created within the MHA to coordinate anti-corruption measures within the central government (Palmier, 1985: 13, 31).

In June 1962, the Santhanam Committee was appointed “to review the existing instruments for checking corruption in the Central Services” and to provide advice on the “practical steps that should be taken to make anti-corruption measures more effective” (quoted in Palmier, 1985: 14). The Santhanam Report made three important recommendations. The first recommendation was the formation of a Central Vigilance Commission (CVC) to “investigate any complaint or suspicion of improper behaviour” against a civil servant. The second recommendation was the appointment of a Chief Vigilance Officer (CVO) in each ministry or department to supervise its vigilance staff. The Santhanam Report’s final recommendation was the amendment of the POCA to include the provision: “The possession by a public servant of assets disproportionate to income, and for which a satisfactory explanation could not be made, was itself criminal misconduct” (quoted in Palmier, 1985: 14).

In April 1963, the government established the Central Bureau of Investigation (CBI) by incorporating the DSPE as one of its six divisions namely, the Investigation and Anti-Corruption Division. As the CBI’s role is to investigate crimes handled by the DSPE, the DSPE Act of 1946 remains in force and provides the legal sanction and authority for investigations by the CBI, which does not have any statutory basis itself. Through the AVD, the MHA assumed control of the CBI’s work and provided for its budget. The CBI and AVD were transferred from the MHA to the new Department of Personnel, Cabinet Secretariat in 1970 on the recommendation of the Administrative Reforms Commission of 1966 (Palmier, 1985: 31-32).

The CBI derives its investigating powers from the DSPE Act of 1946 as its Section 5 states that the central government can empower it to investigate the notified offences in any state, but such empowerment is only possible with the consent of the government of that state. The Constitution of India states that law and order come under the jurisdiction of the states. This means that the CBI, as a police organization of the central government, cannot operate in the states without the permission of the state concerned because of this constitutional provision.

Table 7: CBI Staff by Designation, 2009

Designation of Posts	Number	Percentage
Executive Officers	3639	70.28
Law Officers	146	2.82
Technical Officers	64	1.24
Support Staff	1329	25.66
Total*	5178	100.00

*This total excludes the 64 personnel working in the CBI canteen as they are not directly involved in performing the CBI’s functions.

Source: CBI (2010: 78).

The CBI has five divisions namely: the Anti-Corruption Division; the Economic Offences Division; the Special Crimes Division; the Policy and International Police Cooperation Division; and the Administration Division. In addition to these five divisions, the CBI includes the Directorate of Prosecution and the Central Forensic Science Laboratory (CBI, 2010: 5). Table 7 shows that the CBI has 5,178 staff members in 2009 according to their designations. The CBI's budget for 2009-2010 was Rs 382.8 crores (about US\$83 million) (CBI, 2010: 63).

The 28 states in India have their own anti-corruption bureaus (ACBs) for dealing with vigilance and anti-corruption work, but these ACBs derive their powers of investigation from the Police Act as they are regular police units. If there is public pressure for an inquiry into the misconduct of a minister, the central or state government concerned will form a commission to inquire into the specific allegations against the minister. The Commission of Inquiry will present its report on the facts ascertained during the inquiry to the government concerned, which will refer the matter to the CBI or state ACB for investigation if a person is to be prosecuted (Quah, 2008: 246).

Following the recommendation of the Santhanam Committee, the CVC was formed in February 1964 to perform these four functions:

1. To investigate any transaction in which a public servant is alleged to act for an improper purpose;
2. To examine any complaint that a public servant had exercised his powers for improper or corrupt purposes and any complaint of corruption, misconduct, lack of integrity or other malpractices by a public servant, including members of the All India Services;
3. To request reports from ministries, departments and public enterprises to enable it to check and supervise their vigilance and anti-corruption work; and
4. To request the CBI to investigate a case, or to entrust the complaint, information or case for inquiry to the CBI or the ministry, department or public enterprise concerned (Narasimhan, 1997: 264-265).

During 1964-1998, the CVC was headed by a commissioner, who was appointed by the president on the recommendation of the prime minister for five years. The CVC Ordinance was enacted on August 25, 1998, and it transformed the CVC into a statutory body to supervise the operations of the CBI. The CVC consists of a central vigilance commissioner appointed for four years, and a vigilance commissioner appointed for three years. The CVOs in the ministries and departments are appointed in consultation with the commissioner, who assesses their performance. The CVC submits an annual report on its activities to the MHA. Apart from receiving complaints from individuals, the CVC collects and collates data on corruption and malpractices from such sources as press reports, parliamentary speeches, audit objections, reports of parliamentary committees and CBI reports (Palmier, 1985: 52). The Commissioner advises the departments on the action to be taken on CBI reports on gazetted officers. He also reviews the preventive

work of the CVOs and vigilance officers in different departments and provides them with the required directions (Narasimhan, 1997: 266).

The Philippines' Anti-Corruption Agencies

The fight against corruption in the Philippines began in May 1950, when President Quirino created the Integrity Board consisting of five members to investigate complaints of graft and corruption against civil servants. However, this first anti-corruption agency was short-lived as the lack of public support led to its dissolution five months later (Quah 1982: 159). The Philippines is the Asian country with the most anti-corruption measures as it has relied on seven laws and 19 presidential anti-corruption agencies (ACAs) since it began its fight against corruption in the 1950s. Table 8 provides details of the 19 presidential ACAs.

The first anti-corruption law was the Forfeiture Law of 1955, which authorised “the state to forfeit in its favour any property found to have been unlawfully acquired by any public officer or employer” (Alfiler 1979: 324-325). Unfortunately, this law was ineffective as there were no conviction even after four years of its passage. In April 1960, the second anti-corruption law, the Republic Act (RA) No. 3019, entitled the Anti-Graft and Corrupt Practices Act, was passed. RA No. 3019 identified 11 types of corrupt acts among public officials and required them to file every two years a detailed and sworn statement of their assets and liabilities. The third anti-corruption law, RA No. 6028, which provided for the formation of the Office of the Citizens' Counsellor, was passed in August 1969, but was not implemented.

The remaining anti-corruption laws were the four Presidential Decrees (PD) issued by President Marcos after the establishment of martial law. PD No. 6 identified 29 administrative offences and empowered heads of departments to dismiss guilty officials immediately. This resulted in the sacking of nearly 8,000 public officials. Two months later, PD No. 46 prevented public officials from receiving and private individuals from giving gifts on any occasion including Christmas. Finally, PD No. 677 and PD No. 749 are amendments to RA No. 3019, requiring all government employees to submit statements of their assets and liabilities every year, instead of every other year; and providing immunity from prosecution for those willing to testify against public officials or citizens accused of corruption (Alfiler 1979:326-327).

The proliferation of ACAs is the result of the frequent changes in political leadership as these agencies are either created or abolished by the President. From May 1950 to January 1966, five ACAs were formed and dissolved as there were five changes in political leadership during that period. Similarly, President Marcos created another five ACAs during his 21 years in power because the first three agencies were ineffective and lasted between eight months and two years (Quah, 1982: 168-169). In July 1979, President Marcos formed the *Sandiganbayan* (Special Anti-Graft Court) and the *Tanodbayan* (Ombudsman) by issuing PD No. 1606 and PD No. 1603 respectively.

Table 8: Presidential Anti-Corruption Agencies in the Philippines (1950-present)

Anti-Corruption Agency	President	Period
Integrity Board	Quirino	May to November 1950
Presidential Complaints and Action Committee	Magsaysay	December 1953 to July 1958
Presidential Committee on Administrative Performance Efficiency	Garcia	July 1958 to December 1961
Presidential Anti-Graft Committee	Garcia	February 1960 to December 1961
Presidential Anti-Graft Committee	Macapagal	January 1962 to January 1966
Presidential Agency on Reforms and Government Operations	Marcos	January to September 1966
Presidential Complaints and Action Office	Marcos	September 1966 to October 1967
President Agency on Reforms and Government Operations	Marcos	October 1967 to February 1970
Complaints and Investigations Office	Marcos	February 1970 to February 1986
Special Cabinet Committee in Backsliding	Marcos	October 1973 to February 1986
<i>Tanodbayan</i> (Office of the Ombudsman)	Marcos Aquino	July 1979 to April 1988 Reorganized in May 1988
Presidential Commission on Good Government	Aquino	February 1986 to present
Presidential Committee on Ethics and Accountability	Aquino	February 1986 to 1988
Presidential Commission Against Graft and Corruption	Ramos	February 1994 to June 2000
Inter-Agency Anti-Graft Coordinating Council	Estrada	August 1999 to present
Presidential Committee on Effective Governance	Estrada	October 1999 to present
National Anti-Corruption Commission	Estrada	July 2000 to April 2001
Presidential Anti-Graft Commission	Arroyo	April 2001 to present
Governance Advisory Council	Arroyo	July 2001 to present

Sources: Compiled from Alfiler (1979: 347), Batalla (2001: 47) and Oyamada (2005: 100-101).

President Aquino assumed office in February 1986 and “there was high expectation that the end of the culture of graft and corruption was near” (Varela, 1995: 174). She established the Presidential Commission on Good Government (PCGG) to identify and retrieve the money stolen by the Marcos family and its cronies. Unfortunately, Aquino’s “avowed anti-graft and corruption” stance was viewed cynically by the public as two of her Cabinet members and her relatives (referred to derisively by her critics as “relatives”) were accused of corruption. The PCGG was also a target for charges of corruption, favouritism and incompetence. Indeed, by June 1988, five of its agents faced graft charges and 13 more were being investigated (Quah, 1999: 81). In May 1987, Aquino created the Presidential Committee on Public Ethics and Accountability (PCPEA) to respond to increasing public criticism. However, the PCPEA was also ineffective as it lacked personnel and funds. In other words, Aquino’s “honesty has not been matched by the political will to punish the corrupt” (Timberman, 1991: 235). In short, Aquino herself had “shared the people’s exasperation and despair that she could not achieve the very thing that she wanted to leave as a legacy: a clean and accountable government” (Carino, 1994: 113).

In May 1992, Fidel Ramos was elected president for a six year term. Even though the major focus of his administration was the recovery of the economy, he established the Presidential Commission Against Graft and Corruption (PCAGC) in 1994 to investigate violations of the anti-graft laws by presidential appointees and appointed Eufemio Domingo as its chairman. Joseph Estrada succeeded Ramos as president and in his State of the Nation Address on July 28, 1998, Estrada identified the struggle against graft and corruption as his major priority. He established three ACAs: the Inter-Agency Anti-Graft Coordinating Council (IACC) in August 1999; the Presidential Committee on Effective Governance (PCEG) in October 1999; and the National Anti-Corruption Commission in July 2000 (Oyamada, 2005: 100-101).

On January 20, 2001, Gloria Macapagal-Arroyo was sworn in as the president by the chief justice after Estrada agreed to resign when the military withdrew its support. In her inaugural speech, President Arroyo emphasized that one of the four core beliefs was to “improve moral standards in government and society, in order to provide a strong foundation for good governance.” She formed the Presidential Anti-Graft Commission (PAGC) in April 2001, followed three months later by the establishment of the Governance Advisory Council (GAC) in July 2001 (Oyamada, 2005: 101).

From Table 8, it can be seen that there are six ACAs in the Philippines today namely, the Office of the Ombudsman (OMB), which is the lead ACA, and the PCGG, IACC, PCEG, PAGC and GAC. According to Section 13, Article XI of the 1987 Constitution, as well as Republic Act No. 6770 (otherwise known as the “Ombudsman Act of 1989”), the OMB performs these five functions:

1. Investigation of anomalies and inefficiency.

2. Prosecution of graft cases in the *Sandiganbayan* (Special Anti-Graft Court).
3. Administrative adjudication. The OMB has disciplinary control over all elective and appointed officials except for members of the Congress and Judiciary and impeachable officials.
4. Public assistance. The OMB can require public officials and employees to give assistance to the public.
5. Graft prevention by analyzing anti-corruption measures and increasing public awareness and cooperation (OMB, 2009: 7-8).

In December 2008, the OMB had 1,007 personnel nationwide: 299 (29.69%) of which are lawyers and the remaining 708 (70.31%) are investigators, other technical staff (legal researchers, accountants, information technology personnel) and administrative support staff (OMB, 2009: 10). The OMB's Central Office in Diliman is divided into the Office for Legal Affairs and the Preliminary Investigation, Administrative Adjudication and Review Bureau. The Ombudsman is assisted by an Overall Deputy Ombudsman, the Deputy Ombudsman for Luzon, Visayas and Mindanao, the Deputy Ombudsman for the Military and Other Law Enforcement Offices, and the Office of the Special Prosecutor (OMB, 2009: 10-11). The OMB's budget for 2007 was Php 825.534 million (US\$17.946 million) (OMB, 2008: 27).

Taiwan's Anti-Corruption Agencies

Like India and the Philippines, Taiwan also relies on several ACAs to implement the anti-corruption laws. The lead ACA is the Ministry of Justice Investigation Bureau (MJIB), which is responsible for the "investigation and prevention of matters that may jeopardize national security and violate national interests; matters [which] shall be stipulated by the Executive Yuan" (MJIB, 2010). The MJIB's specific functions are:

1. Prevention of sedition;
2. Prevention of treason;
3. Prevention of unauthorized disclosure of national secrets;
4. **Investigation of corruption, bribery, and vote-buying;**
5. Prevention of drug trafficking;
6. Coordination in handling cases of organized crime;
7. Prevention of significant economic crimes and money laundering;
8. Investigation of national security matters; and
9. Other investigations and prevention of matters as assigned by superior authorities concerning national security and interests (MJIB, 2010).

The MJIB's primary mission is twofold: to protect national security and to investigate major crimes. To protect national security, the MJIB has to deal with counter-infiltration from other countries, counter terrorism, protection of national secrets, domestic security investigation, coordination of national internal security, and research on cross-strait relations. Secondly, the MJIB is also responsible for investigating these

major crimes: public corruption, malfeasance and election fraud; economic crime; drug crime, money laundering, and cyber crime (MJIB, 2010). In short, the MJIB is not a dedicated ACA as the investigation of corruption, bribery, and vote-buying is only one of its many functions.

The MJIB's origins can be traced to the establishment of the Investigation Bureau of the Ministry of Interior in Kuanchew in 1949. It was relocated together with the other government departments to Taipei in December 1949. It was renamed the Investigation Bureau of the Ministry of Judicial Administration on June 1, 1956 and assumed responsibility for major investigation and internal security issues concerning national safety and violation of national interests. With the reorganization of the judicial system on August 1, 1980, the Bureau was renamed the MJIB (MJIB, 2010).

In May 1979, the Economic Crime Prevention Centre (ECPC) was established to take over the anti-corruption activities. The ECPC was expanded to become the Corruption and Economic Crime Prevention Centre in August 1979. In February 1989, the MJIB formed the Corruption Elimination Department (CED) with a staff of 505 personnel (Republic of China, 1995: 2, 8). The CED's activities were discussed and reviewed by taking into account the experiences of the ICAC in Hong Kong and the CPIB in Singapore. Consequently, the CED was reorganized and renamed the Anti-Corruption Division (ACD) in February 1991 and the five sections were assigned new responsibilities. Section I was entrusted with the acceptance of various reports of impeachment and management of various clues concerning corruption cases. Section II was responsible for checking the clues and the investigation and supervision of general corruption cases. Section III dealt with the investigation, prosecution, supervision of special cases and cases referred by the Executive Yuan, Control Yuan, and other government agencies. Section IV was given the task of preparing case studies, conducting research and providing analysis and suggestions for improving the ACD's anti-corruption efforts. Section V was responsible for the planning, controlling, evaluating, and execution of the anti-corruption task by collecting relevant statistics, compiling anti-corruption regulations, and coordinating the efforts of the relevant government agencies. A Special Team was also formed to prevent and investigate public construction fraud (Republic of China, 1995: 8-9).

The Department of Government Employee Ethics (DGEE) is the second ACA in Taiwan. Article 3 of the Act on the Establishment of the Government Employee Ethics Units and Officers identifies the MOJ as the competent authority of government ethics operations in Taiwan. The DGEE is one of the five departments in the MOJ and is responsible for the planning, supervision, and evaluation of all the government ethics units operating at all levels in the central and local government agencies and state-run enterprises. The DGEE's role is fourfold: (1) to supervise the ethics of government employees in Taiwan; (2) to execute anti-corruption work; (3) to protect official secrets; and (4) to prevent "impairment to and sabotage of public agencies (MOJ, 2010).

The work of government ethics in Taiwan is implemented by the various public prosecutors offices, the MJIB, and the government ethics units under the supervision of

the DGEE. The task of eradicating corruption is performed by the public prosecutors offices (PPOs) and the MJIB, while the DGEE and the units under its supervision focus on preventing corruption. All public agencies in Taiwan except for elective institutions, military organizations, and public schools, have government ethics units, which are responsible for detecting corruption by advising the heads of the organizations on the establishment of built-in anti-corruption mechanisms. The government ethics units also work with the PPOs and MJIB on the prevention of corruption (DGEE, 2008: 1). The DGEE's role is to supervise and evaluate the performance of the personnel in all the government ethics units in the central and local government agencies in Taiwan. To prevent conflict between these personnel and the staff of the agencies when they perform their duties, the DGEE is also responsible for appointing and transferring the personnel of the government ethics units to ensure their independence and neutrality (DGEE, 2008: 1).

Apart from the MJIB, the task of investigating corruption cases is also performed by the Supreme Prosecutors Office (SPO), the High Prosecutors Offices (HPOs) and the 21 PPOs throughout Taiwan. There are also four Special Investigation Task Forces which are located at the Taiwan HPO and its branches in Taichung, Tainan and Kaohsiung (Republic of China, 2000: 5). All the PPOs are responsible for prosecuting crimes and supervising the execution of criminal verdicts. According to the Chief Prosecutor, these PPOs "prosecute criminals and conduct investigations to crack down on crimes and protect the public interest." Their additional functions include exercising judicative power over criminal cases, administering probation and aftercare services, increasing the legal awareness of peoples' rights and obligations, offering legal aid, and building capacity to protect victims of crime (Taipei District Prosecutors Office, 2010).

Table 9 summarizes the above discussion by indicating that the function of corruption control is shared between the MJIB, DGEE, and the PPOs.

Table 9: Anti-Corruption Agencies in Taiwan

Anti-Corruption Agency	Function
Ministry of Justice Investigation Bureau	Investigation of Corruption Cases
Department of Government Employee Ethics and all Government Ethics Units	Investigation and Prevention of Corruption
Public Prosecutors Offices throughout Taiwan	Investigation and Prosecution of Corruption Cases

Source: Quah (2010b: 58).

Comparative Analysis

Using Five Indicators

Having discussed the origins, structure and functions of the ACAs in Singapore, Hong Kong, Indonesia, India, the Philippines, and Taiwan, we can proceed to compare their effectiveness in combating corruption according to these five indicators:

1. Transparency International's Corruption Perceptions Index (CPI), 2009 covering 180 countries.
2. Political Economic Risk Consultancy (PERC) 2010 Survey of Corruption covering 16 countries.
3. World Bank's Control of Corruption Indicator for 2008 covering 212 countries.
4. World Bank's *Doing Business 2010 Survey* covering 183 countries.
5. *Global Competitiveness Report 2009/2010's* Public Trust in Politicians' Honesty covering 133 countries.

The first three indicators provide direct “measures” of the perceived extent of corruption in the six countries while the fourth and fifth indicators are indirect “measures” of the perceived extent of corruption because the absence of red tape and the high level of public trust in politicians' honesty reflect the lower levels of perceived corruption in Singapore and Hong Kong (Quah, 2010a: 242-245). Tables 10 and 11 confirm that Singapore and Hong Kong are the most effective countries in Asia in curbing corruption according to the five indicators mentioned above. Table 10 also shows that there is a significant gap between Singapore and Hong Kong on the one hand, and the other four countries on the other hand. Table 11 shows that the Philippines is the least effective in combating corruption, followed by Indonesia, India, and Taiwan.

Table 10: Effectiveness of Curbing Corruption in Six Countries by Indicators

Country	CPI Rank and Score 2009	PERC Rank and Score 2010	Control of Corruption 2008	Doing Business Rank 2010	Public Trust in Politicians' Honesty 2009/2010
Singapore	3 rd (9.2)	1 st (1.42)	99.5	1 st	1 st (6.4)
Hong Kong	12 th (8.2)	3 rd (2.67)	94.2	3 rd	15 th (4.8)
Indonesia	111 th (2.8)	16 th (9.27)	31.4	122 nd	52 nd (3.2)
India	84 th (3.4)	11 th (7.18)	44.4	133 rd	79 th (2.4)
Philippines	139 th (2.4)	13 th (8.06)	26.1	144 th	130 th (1.6)
Taiwan	37 th (5.6)	8 th (6.28)	72.9	46 th	42 nd (3.4)
Sample size	180	16	212	183	133

Sources: Compiled from http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table; Dela Pena (2010); http://info.worldbank.org/governance/wgi/mc_chart.asp; World Bank (2009: 4); and Schwab (2009: 349).

Table 11: Ranking of Six Countries in Curbing Corruption by Indicators

Country	CPI 2009	PERC 2010	Control of Corruption 2008	Doing Business 2010	Public Trust in Politicians' Honesty 2009/2010	Overall Rank
Singapore	1	1	1	1	1	1 st
Hong Kong	2	2	2	2	2	2 nd
Taiwan	3	3	3	3	3	3 rd
India	4	4	4	5	5	4 th
Indonesia	5	6	5	4	4	5 th
Philippines	6	5	6	6	6	6 th

Why are Singapore and Hong Kong more effective than Taiwan, India, Indonesia, and the Philippines in curbing corruption? There are two major reasons for the difference between success and failure in combating corruption in the six countries: the importance of political will; and whether the policy context is conducive or unfavourable for the implementation of the anti-corruption measures.

Importance of Political Will

The key factor responsible for combating corruption effectively in a country is the political will or commitment of its political leadership. According to Ian Senior (2006:184, 187):

The principal people who can change a culture of corruption if they wish to do so are politicians. This is because they make the laws and allocate the funds that enable the laws to be enforced. If, however, politicians at the top of the hierarchy have routinely worked their way up by accepting bribes to fund their parties and themselves, there is little prospect that they will wish to cleanse their colleagues or their nation of corruption. ... The very people who are the greatest beneficiaries of corruption have the greatest power and use the corrupt nature of government to maintain that power.

In other words, without political will, the probability of detection and punishment for corrupt offences cannot be enhanced, and the resources required for a comprehensive anti-corruption strategy will not be allocated by the incumbent government. Similarly, a comparative study of anti-corruption strategies in Hong Kong SAR, India, Mongolia, the Philippines, Singapore, and South Korea concluded that:

Political will is the most important prerequisite as a comprehensive anti-corruption strategy will fail if it is not supported by the political leadership in a country (Quah, 2003: 181).

How can the “political will” of a country in fighting corruption be assessed? Political will refers to the commitment of political leaders to minimize corruption in a country. More specifically, political will exists when these three conditions are met: comprehensive anti-corruption legislation exists; the independent ACA is provided with sufficient personnel and resources; and the anti-corruption laws are impartially enforced by the independent ACA (Quah, 2007: 37-38).

To assess whether the ACAs in the six countries have been provided with adequate personnel and budget by their governments to perform their functions, data on their personnel numbers and budgets for a selected year (2005) are used to calculate these two indicators:

1. Per capita expenditure – that is, the ACA’s budget for 2005 in US\$ (to ensure comparability), divided by the total population in the country for the same year.
2. Staff-population ratio – that is, the ratio of the population in the country in 2005 to the number of ACA personnel in 2005 (Quah, 2009: 181-182).

Table 12 provides data on these two indicators for Hong Kong SAR, Singapore, India, the Philippines and Indonesia because data on the 2005 personnel and budget for Taiwan’s MJIB are not available. It confirms that the governments in Hong Kong SAR and Singapore have demonstrated their political will in curbing corruption as reflected in the higher per capita expenditure and lower staff-population ratios of the ICAC and CPIB. Conversely, the lower per capita expenditure and higher staff-population ratios of the CBI, OMB, and KPK indicate clearly the lack of political will of their governments in combating corruption.

Table 12: Comparative Analysis of Personnel & Budgets of Five Asian ACAs, 2005

ACA	Personnel	Budget	Population	Staff-population ratio	Per capita expenditure
Hong Kong ICAC	1,194	US\$85 m	6.9 m	1: 5,779	US\$12.32
Singapore CPIB	82	US\$7.7 m	4.5 m	1: 55,556	US\$1.71
India CBI	4,711	US\$30.3 m	1,081.2 m	1: 229,505	US\$0.28
Philippines OMB	957	US\$12 m	81.4 m	1: 85,057	US\$0.15
Indonesia KPK	305	US\$18 m	222.6 m	1: 729,836	US\$0.08

Sources: ICAC (2006: 28); Republic of Singapore (2007: 371-372); CBI (2006: 38, 44); OMB (2006: 73, 91); and Davidsen, Juwono and Timberman (2006: 52).

In addition to the low per capita expenditure and high staff-population ratios of the CBI, OMB and KPK, the lack of political will in curbing corruption in Taiwan, India, and the Philippines is also reflected in their governments' continued reliance on the multiple ACAs even though they have been found to be ineffective for so many years.

In the case of Taiwan, the lead ACA, the MJIB, is not a dedicated ACA because combating corruption is only one of its many functions. This means that the function of corruption control has to compete with the MJIB's other functions for limited resources. More importantly, as the MJIB is also responsible for national security matters, the function of combating corruption will always be given lower priority than the investigation of national security matters (Quah, 2010b: 74). Furthermore, as shown in Table 9, the task of curbing corruption in Taiwan is shared among the MJIB, the DGEE and all the government ethics units under its supervision, and the SPOs, HPOs and PPOs. In other words, like India and the Philippines which rely on multiple ACAs, Taiwan also suffers from the same disadvantages of lack of coordination, overlapping of functions, competition for resources, and dilution of the country's anti-corruption efforts (Quah, 2010b: 73).

The CBI in India is ineffective in fighting corruption for three reasons. First, fighting corruption is not its top priority because it is also responsible for curbing economic crimes, organized crime, and terrorism. Second, as a police agency, the CBI has been ineffective in curbing the rampant police corruption in India. In view of this, it is surprising that the Indian government has continued to rely on the CBI to curb corruption even though this traditional British method of relying on the police for corruption control is ineffective (Quah, 2008: 254). Finally, as mentioned earlier, the CBI cannot investigate allegations of corruption at the state level without obtaining the consent of the state government concerned.

Similarly, the reliance on six ACAs has not benefited the Philippines as the proliferation of these ACAs has led to "duplication, layering and turf wars" (Quimson, 2006: 30). There is also no coordination or cooperation among the various ACAs, which compete for recognition, staff and resources because they are under-staffed and poorly funded. Even though their basic mandates are defined, these ACAs have overlapping jurisdiction, which diffuses anti-corruption efforts, and results in "poor coordination in policy and programme implementation, weak management and wastage of resources" (Oyamada, 2005: 99).

The lack of political will in curbing corruption in the Philippines is also reflected in the low risk of detection of corrupt offences and the low probability of punishment for corrupt offenders. Robert P. Beschel Jr. (1998: 8) observed that sanctions were imposed inconsistently in the Philippines, "with draconian punishment being meted out for relatively minor infractions and major crimes receiving lenient treatment—particularly when they are committed by the rich, powerful and the politically well-connected." In his comparative study of successful prosecution of corrupt offenders in Hong Kong and the Philippines, Beschel (1998: 8) found that a person committing a corrupt offence in Hong Kong was 33 times more likely to be detected and punished than his counterpart in the

Philippines. More specifically, he found that Hong Kong's ICAC successfully prosecuted approximately 8.24 cases per 10,000 civil servants for corruption in 1997. On the other hand, the comparable figure in the Philippines was less than 0.25 cases per 10,000. The lower probability of being convicted for corruption in the Philippines was confirmed by the former Ombudsman, Simeon V. Marcelo (2004: 37), who revealed that the Office of the Special Prosecutor's conviction rate at the *Sandiganbayan* (the Anti-Graft Court) was "a dismal 6%" which means that "a high-ranking government official accused of graft and corruption has a 94% chance of walking away scot-free."

Another indication of the Philippines government's lack of political will in fighting corruption is that the anti-corruption laws are not enforced impartially as the big fish or "rich and famous" appear to be immune from conviction. On September 11, 2007, former President Joseph Estrada was found guilty by the *Sandiganbayan* of receiving payoffs and kickbacks before his ouster from office and sentenced to a maximum of 40 years imprisonment (Conde, 2007: 3). However, on October 25, 2007, President Arroyo pardoned Estrada six weeks after his conviction even though anti-corruption advocates and state prosecutors have urged her not to do so (*Deutsche Presse-Agentur*, 2007). The *Economist* (2008) criticized Arroyo's pardon of Estrada because it renews "concerns in many quarters that the rich and powerful remain immune from punishment" and fails "to dispel concerns about entrenched corruption in the Philippines."

In Indonesia's case, the lack of political will in combating corruption is clearly reflected in the lowest per capita expenditure of US\$0.08 of the KPK in 2005 and its highest staff-population ratio of 1: 729,826. President Susilo Bambang Yudhoyono, who was elected in October 2004 and re-elected in October 2009, appears to be committed to combating corruption. However, he unwittingly undermined the KPK's effectiveness in May 2005 by establishing an anti-corruption task force, consisting of prosecutors, police officers, and auditors. Indeed, the task force has diluted the KPK's efforts by competing instead of cooperating with it (Quah, 2006: 178-179). Furthermore, the constant conflict and competition between the KPK, the police and the Attorney-General's Office (AGO) erupted in November 2009 in the arrest of two senior KPK officials by the police allegedly for bribery. The arrest of these officials in the wake of the arrest of the KPK's Chairman for murder is widely viewed as "an apparent high-level conspiracy" by the police and AGO to weaken the KPK (Osman, 2009: A9; Onishi, 2009: A10).

Importance of Policy Context

Apart from political will, the other important variable influencing the effectiveness of a country's anti-corruption strategy is the nature of its policy context. Does the policy context in the country favour or hinder the control of corruption? Is the policy context conducive or hostile for implementing anti-corruption reforms in the country? (Quah, 2004: 4). The policy context refers to the geography, history, economy, demography, and political system in a country (Quah, 2010a: 16). Table 13 provides data on the policy contexts of the six countries discussed in this paper.

Table 13: Policy Contexts of the Six Asian Countries

Country	Land Area (sq km)	Population (2008)	GDP per capita (2008)	Political System
Singapore	710	4,987,600	US\$38,972	Parliamentary Democracy
Hong Kong SAR	1,104	7,300,000	US\$30,755	Special Administrative Region of China
Taiwan	36,179	22,700,000	US\$17,040	Presidential Democracy
Philippines	300,000	89,700,000	US\$1,866	Presidential Democracy
Indonesia	1,904,443	234,300,000	US\$2,246	Presidential Democracy
India	3,287,263	1,186,200,000	US\$1,016	Parliamentary Democracy

Sources: Compiled from Schwab (2009: 341-342); *Economist* (2009); and Government Information Bureau (2008: 624).

Table 13 shows that Singapore and Hong Kong SAR have more favourable policy contexts for implementing their anti-corruption strategies because of their small land areas and populations, higher GDP per capita, and stable governments. In contrast, Taiwan, the Philippines, Indonesia, and India, have unfavourable policy contexts because of their larger land areas and populations, lower GDP per capita, and less stable governments. The island of Taiwan is 51 times larger than Singapore and 33 times larger than Hong Kong SAR. The Philippines and Indonesia are archipelagos while India is a sub-continent with a vast land area of 3,287,263 sq km. Similarly, Taiwan's population is 4.6 times than of Singapore and three times larger than that of Hong Kong SAR. India has the second largest population in the world, while Indonesia has a population of 234.3 million, and the Philippines has a population of 89.7 million. The GDP per capita of the six countries also varies widely, ranging from the high incomes of Singapore and Hong Kong SAR, to the middle income of Taiwan, and the low incomes of Indonesia, Philippines, and India.

Conclusion

As corruption is rampant in many Asian countries, their governments have introduced various anti-corruption measures since December 1937, when the ACB was established to enforce the POCO in Singapore. Except for Japan, which does not rely on an ACA to implement the anti-corruption laws, Cambodia, China, India, the Philippines, Taiwan, and Vietnam have multiple ACAs. Table 4 shows that the most popular pattern of reliance on a single ACA has been adopted by Singapore, Malaysia, Hong Kong SAR, Brunei, Nepal, Sri Lanka, Pakistan, Thailand, Macau SAR, South Korea, Indonesia, Bangladesh, Mongolia, and Bhutan.

What is the difference between success and failure in the fight against corruption in these Asian countries? Table 10 shows clearly that only Singapore and Hong Kong SAR are the most effective in curbing corruption according to the five indicators mentioned. Furthermore, it is also obvious from Table 10 that there is a significant gap in effectiveness between Singapore and Hong Kong SAR on the one hand, and Taiwan, India, Indonesia, and the Philippines, on the other hand. What accounts for the difference in performance in curbing corruption among the six countries discussed in this paper?

First, Singapore and Hong Kong SAR have been effective in curbing corruption because their governments have demonstrated their political will by enacting comprehensive anti-corruption legislation, allocating adequate budgets and personnel to the CPIB and ICAC, both of which enforce the anti-corruption laws impartially, and without fear or favour. Second, the CPIB and ICAC have also benefited from their favourable policy contexts in implementing the anti-corruption measures because of the smaller land areas and populations, higher GDP per capita, and stable governments of Singapore and Hong Kong SAR.

On the other hand, Taiwan, India, and the Philippines are ineffective in combating corruption because their governments have continued to rely on multiple ACAs even though these ACAs have been ineffective for the past 60 to 70 years. The lack of political will of the governments in these three countries is also reflected in the inadequate budgets and personnel allocated to their multiple ACAs. Even though Indonesia does not rely on multiple ACAs, it is still ineffective in curbing corruption because its government's lack of political will is manifested in the KPK's extremely low per capita expenditure of US\$0.08 and very high staff-population ratio of 1: 729,836. Finally, the anti-corruption strategies adopted in Taiwan, India, Indonesia, and the Philippines have been hindered by their unfavourable policy contexts because of their larger land areas and populations, lower GDP per capita, and less stable governments.

In sum, Singapore and Hong Kong have succeeded in curbing corruption because of their government's commitment to clean government and their favourable policy contexts. Conversely, corruption remains a serious problem in Taiwan, India, Indonesia, and the Philippines because of their government's lack of political will in curbing corruption and their unfavourable policy contexts.

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