



GLOBAL ORGANIZATION OF PARLIAMENTARIANS AGAINST CORRUPTION
ORGANIZATION MONDIALE DES PARLEMENTAIRES CONTRE LA CORRUPTION
ORGANIZACIÓN MUNDIAL DE PARLAMENTARIOS CONTRA LA CORRUPCIÓN

PARLIAMENTARIANS FIGHTING CORRUPTION A CONCEPTUAL OVERVIEW

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Parliamentarians¹ from around the world met in the Chamber of the Canadian House of Commons, from October 13th to 16th, 2002, and agreed on the need to form the Global Organization of Parliamentarians Against Corruption (GOPAC). Corruption was described as the greatest threat to the democratic ideal of self-government through representative institutions periodically selected in free elections by broadly enfranchised citizens. But it was seen as more than that – as undermining economic development, violating social justice, and destroying trust in state institutions. And, if most commentators were right, it is getting worse in many countries and becoming more widespread. No country appears to be immune, although some suffer less than others and a few have successfully reduced the incidence and impact of corruption. Citizens, accordingly, bear the heavy economic and social burden of corruption. And, in a democracy that works, they look to their parliament – the people they select to set the framework of law and oversee its implementation – to help lighten this burden. This does not imply that corruption is caused by a weak parliament or parliamentary inaction. The causes of corruption are many and complex. Rather it suggests that parliament plays an essential – and a leadership – role. Moreover, in systems where the executive is not directly elected, it is the most direct instrument citizens have to influence the executive, the locus of most state corruption. International efforts to curb corruption to date have focused mostly on the executive branch of government and on the electoral process. This is quite appropriate. However the functioning of individual parliamentarians, political parties and the institutions of parliament are additional important considerations. This paper examines how parliament and parliamentarians can help, but these other institutions must be kept in mind. Governance structures – for example, Westminster or Congressional – do influence how parliamentarians can best fight corruption, but likely are not the key determinants. Public expectations regarding the role of the state and particular histories of political development in each country likely are more important determinants of actual corruption. The challenge is tailoring the individual instruments and packaging them into a coherent strategy in specific countries. Doing so requires a thorough understanding of the individual circumstances, as well as the practical lessons-learned from other jurisdictions.²

¹ The term parliamentarian is used generically to cover the several terms used for those elected to legislative bodies. ² GOPAC, supported by the World Bank Institute is updating the Controlling Corruption: a Handbook for Parliamentarians.

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1. The Roles of Parliament and Parliamentarians Although parliaments and parliamentarians do many and quite different things, there is a reasonable consensus in the literature that these can be captured conceptually within four roles, as follows: a) *legislative*, which includes establishing rules for the ordering of social, political and economic activity and empowering the government to enforce these rules; b) *financial* control, which includes empowering the executive to collect tax and other revenues, to spend those revenues for specific purposes and to record and report on actual expenditures and achievements; c) *oversight* includes those parliamentary activities to help make the actions of government transparent to the electorate and holding the executive publicly accountable; and d) *representation* includes the less concrete functions of ensuring that citizens' concerns with government are addressed, that link parliamentarians with citizens and the civic sector in articulating the public purpose, and that helps in legitimizing the activities of government by ensuring that the people's voices are formally heard in deliberations of Parliament to mandate and fund them.

Legislative role: Of the four roles cited, it is likely that the legislative role is the best understood and

most similar among jurisdictions. Legislative bodies, constrained only by their constitutions, have the authority to enact any law they wish. They can enact laws against what they consider inappropriate behaviour by citizens, business and other organizations, and they can provide for surveillance and penalties. In addition they can focus on integrity in governance – a broader perspective than fighting corruption – by establishing incentives to encourage appropriate private sector behaviour, and regimes for financial and public service management, transparency and accountability in the government sector. Thus, to the extent that better law would solve the problem, legislatures – if they reflect well the interests of the citizens and are not dominated by other forces – can be the solution. However, depending on how laws are enacted and the credibility of the electoral process, the law might be seen as more or less legitimate. And even where it is seen as legitimate, respect for the rule of law might be weak in some jurisdictions. Moreover, an appropriate legislative base might not be enacted if the public and legislators are unaware of the costs and benefits of doing so. Finally, the executive might well be able to put pressure on the legislature – or sufficient numbers of legislators – to impede the enactment of certain legislation. **Financial Control:** On occasion, financial control is included with the legislative role since, as with legislation, it empowers the executive. However, it also constrains the executive to only tax and spend in specific ways, it also seeks to ensure disciplined management of funds, disciplined reporting and transparency. Since financial integrity is so central to anti-corruption, it is helpful to devote direct attention to parliament's role in financial management.

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Typically, constitutions require parliamentary approval before the executive can tax and assess fees and before public funds can be spent. The “power of the purse” provides for parliamentarians to be heard on how and how much money is to be obtained, its allocation, what results are to be pursued and what was actually spent and achieved. These powers are important, but even in mature democracies parliamentarians lament their loss of influence in financial and budgetary matters. Typically, an enormous amount of money is being processed, the expertise and detailed information on its application and use rests within the executive, extremely complex financial instruments are used, and pressures to use shortcuts to respond to crises are compelling. Moreover, in some countries finances are so stressed that financial management is reduced to cash flow management. For all these reasons, parliamentarians struggle to understand the application and use of public resources, to influence their use, and to communicate financial matters and any concerns to their constituents. Nonetheless, a regime of parliamentary financial control, including procedures for how it is managed within the public service is a key part of integrity in governance. To be effective parliamentary practices must be such as to ensure adequate parliamentary attention and understanding, disciplined scheduling to reduce the incidence of crises that lead to exceptions in stewardship, the support of technical experts, and transparency to the public. Some jurisdictions also call for a strict separation of the executive and the legislative parts of government to help ensure integrity of financial oversight by parliament. Finally, to complete the accountability circle, financial reporting back to parliament is required. There are three key elements. First is the need for disciplined and transparent assignment of authority for the disbursement of funds granted by parliament. Second is disciplined standards of measuring expenditures, their application and the results associated with those expenditures – all in relation to the authorities granted and the commitments made when the authorities were granted. Third is the actual reporting and provision of public access to this information. **Oversight:** Oversight practices by parliament vary

considerably, including among jurisdictions with apparently parallel oversight structures. However, it generally is seen as including the work of parliamentary agents (such as auditors and ombudsmen), mandatory executive reporting on certain operations and performance, the direct authority to question Ministers publicly on the operations of their departments, the authority to review departmental and program performance (usually by committees) by calling for witnesses and documents, and doing all of this in a transparent fashion. In some jurisdictions, parliaments have the authority to review and approve appointments of certain public officials – a special kind of oversight function. As government has grown, complicated by globalization on one-side and devolution on the other, and as the range of financial instruments used has expanded, the need for professional expertise and resources has led to the creation of specialized parliamentary

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investigation and accountability agencies in many jurisdictions. The most well-known of these agencies are Supreme Audit Institutions (SAI). Although their mandates vary considerably, particularly among the differing governance systems, all appear to examine the financial reports of the government and comment on whether resources were expended consistent with parliamentary authorization. Other institutions, dealing with violation of human rights provisions in law, citizen difficulties with accessing public services, and corruption fighting, now support parliament in its oversight role. Typically, the actual powers of redress and holding the executive to public accountability remain with parliaments. But the need for specialist supporting organizations that are adequately resourced and independent of the executive appears to be growing. The nature and balance of the links of these organization to parliament, the Finance Minister and the public service vary considerably in different jurisdictions. Questioning of the executive in the legislative chamber, or in its committees, can be the most important instrument of oversight. However for this to be effective, an independent and attentive media also is required, as well as free and fair elections. While Ministers may be obligated to respond, they do not always answer the questions posed. Nonetheless, where there is independent media, such behaviour attracts media and public attention and therefore can be a powerful means of oversight. Detailed study and review of government policy and programs by committees with the authority to call for and require the attendance of Ministers and officials can be an opportunity to expose corrupt practices. Such mechanisms can be enhanced by engaged citizens, who bring matters of inappropriate public administration to the attention of parliamentarians. Adequate staff resources for committees also is important. Together, these three approaches to oversight – specialized agencies, public questioning, and committee review – can be a powerful antidote to corruption. They are more effective to the degree that they have professional staff support and an independent media to ensure the public is well informed as to what is occurring – ultimately under their “authority.” However, where parliament itself is dominated by a corrupt executive, these theoretical oversight powers might well not exist in practice. Thus, as with legislative power and financial controls, it is only part of the parliamentary toolbox.

Representation: This is a combination of public deliberation and consensus building within parliament, as well as the engagement of citizens on matters of public policy. Although perhaps less tangible than the other parliamentary roles, representation is an important parliamentary instrument of building integrity in public governance. It can have the effect of empowering citizens to reject corrupt practices and expose politicians and officials who engage in corrupt activity. In this way, parliamentarians can help establish public standards for appropriate behaviour. The electoral process

might or might not be thought of as part of the representation role. Regardless, it an important element of building integrity to the degree that it is seen as fairly representing the electorate. There are great differences among jurisdictions in how representatives are selected, ranging from full proportionate representation to single

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representative districts selected by simple majority. There also are differences based on the role of political parties, election financing practices and the degree to which the executive is perceived to dominate the parliament. Political parties are becoming increasingly important. While they might not actively describe themselves as being more or less interested in integrity, their approaches to elections financing, engagement of citizens between elections, and to economic development might align more or less closely with a vibrant interest in integrity in governance. Political parties were seen to evolve over the last two centuries to help citizens understand differing political positions and to help establish consensus on policy issues. However, as their strength increased, political parties have become a locus of administrative power and therefore a potential agent of corruption, particularly where their accountability to the entire electorate is weak. Moreover, political parties can be a key determinant of parliamentary performance. Parliamentary practices and support services, regardless of party affiliation, might affect the capacity of individual parliamentarians to pursue a public leadership role in fighting corruption. Where public resources are provided to individual members to maintain an office in their districts and funds for travel to retain regular face-to-face contact, this aspect of representation is likely to be more effective. Resources to undertake research or access specialist expertise also can be important. Together, these are enablers for individual parliamentarians to investigate wrongdoing and engage citizens. Effective representation helps the public understand the incidence of corruption, its impacts on their lives, achieving redress in certain cases, and effectively setting the public standards and expectations. It can be a device for learning how others have dealt with corruption and its results. Moreover, it can help in some cases in creating the expectation that something can be changed, often a key step.

2. Variations in Parliamentary Roles Parliaments, where they do have scope for action, have an array of tools they can consider. It is clear that the instruments or package of instruments that will be most effective in one jurisdiction likely will differ from that in others. An issue frequently raised is whether these differences can be explained by the different legislative systems in place. This section provides a brief overview of the principal alternatives and how they might impact on the instruments used. Democratic systems often are classified into three groups: *Westminster*, *Congressional* and *Mixed*. The congressional system emphasizes the separation of powers between the legislature and the executive, with both being directly elected. The Westminster system emphasizes the accountability of the executive to parliament, with only parliament being directly elected. The executive only retain power as long as it retains the confidence of parliament. Other systems, here called mixed, have a mix of the separation and accountability features, typically including an elected head of the executive.

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In general, these broad structures do not much impact the legislative role, although an elected president might well have certain veto powers over legislation. Similarly, differences in systems do not appear to influence the role of parliament in its financial or representation roles. These observations in no way imply that all parliaments are equal in these area, but rather that the structural matters are not important

factors in explaining any differences. **Westminster:** The distinguishing features of a Westminster system is the selection of the executive by the parliament, which must maintain confidence in the executive for it to continue. Having ministers in parliament provides enhanced opportunity for exacting accountability. This is effected through questioning, periodic voting on motions of “no confidence”, and review by committees. **Parliamentary Questioning:** Questioning is regarded as an excellent means for private members seeking information on government financial management, raising – and perhaps resolving – grievances brought to the attention of members. Questions can be written or oral and focus on financial operations or on the adequacy of the entire system of financial management. The executive is required to respond, and if the responses seem oblique or hide key information, members can point this out to colleagues and the public. If there is an energetic and independent media questioning by members in Westminster systems can place additional pressure on the political executive to implement effective regimes of integrity and can redress wrong-doing by officials, ministers or by political staff of ministers or parties. **Motions of No Confidence:** Such motions if approved by a majority of members result in the defeat of the executive at any time. This can lead either to the formation of an alternative executive from among existing members or a new election of all members. This is the ultimate instrument of parliamentary control in Westminster systems. It can be exercised for any reason, such as a corrupt administration or a difference in policy. Where there is risk of such a dramatic event, it often occasions the removal of the minister who seems to be the cause of the problem or otherwise blamable. **Committees:** Committees of parliament are usually provided with considerable investigative powers, such as requiring witnesses to appear and requiring the provision of documents. Where they have specialist staff or the support of an officer of parliament, such as an Auditor General, and are covered by the media, they can be effective in rooting out inappropriate behavior and stimulating corrective action. They also can study systemic changes that would, if implemented, reduce the likelihood of such inappropriate behavior in the future. The Westminster system clearly provides extensive powers to parliament. The principal factor that can weaken this potential effectiveness in oversight is the growth of the importance of political parties. In majority parliaments, voting non-confidence seems to no longer be a feasible instrument of accountability. There still is considerable potential

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for public embarrassment. However, such embarrassment depends in large measure on an independent media. These two factors can mitigate the apparent accountability advantages for parliamentarians in a Westminster system. **Congressional:** The distinguishing feature of a Congressional system is the joint election of both the parliamentary body and one or more members of the executive. They tend to have fixed terms for the executive and seek a separation and balance of powers between the executive and congress. **Balancing of powers:** Corruption tends to occur when power is amassed without adequate compensatory accountability. By balancing powers between the executive and legislative branches, the potential for amassing powers is less than in a Westminster parliamentary system. Where they include two legislative branches – typically elected on different representation rules – this further reduces the accumulation of powers. At the same time, unlike the Westminster system, there is a much lesser threat of replacement of the chief executive. **Implications regarding questioning:** The daily questioning of the executive in the parliament does not occur in a Congressional system. This reduces the potential for exposing wrongdoing and exacting on-going accountability. On the other hand, the chief executive does not have close control over activities in the parliament and therefore is less likely to exercise the

power of the party as effectively. Moreover, congress can question witnesses from the executive in its committees. If the committees of the US Congress are used as examples, that questioning can be vigorous. While the Congressional system would seem to be less powerful than Westminster parliaments in regard to its ability to question and expose the executive, their greater independence from the executive might well more than compensate for this apparent weakness. The restriction on the accumulation of powers in the chief executives position is a clear advantage from the perspective of controlling corruption. In both cases, an independent and attentive media is important. **Mixed Systems:** There is an extraordinary variety of mixed systems. In a sense this group might well be characterized as “other systems”. In another sense, with the growth in importance of political parties all systems might well be described as “mixed,” since parties transcend the legislative and executive branches. Accordingly, it is difficult if not impossible to identify any general tendencies as to strengths and weaknesses as regards democratic accountability and the potential for corruption. The inclusion of mixed systems recognizes the variety of organizational options that are possible. Corruption clearly can occur in all systems. And the legislative body in most systems is capable – in an appropriate environment – to play a strong anti-corruption role. The nature of the system of governance plays a role in shaping the particular instruments used

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and identifies areas for particular attention. For example, since the potential for accumulating power is great in a Westminster system, attention should be directed to ensuring that such power does not overtake the accountability capacity of parliament. Analogously, in view of the potentially weaker day-to-day accountability of a Congressional system, attention should be directed to ensuring that committees have adequate mandates and resources to hold the executive to account. The remainder of this paper does not classify actions as more or less appropriate to the nature of the governing structure. The vast array of systems and great flexibility within system types suggests that the full range of instruments can usefully be considered by all parliaments – whether Congressional, Westminster, or the myriad of other arrangements. **3. The Nature, Causes and Responses**³ The simplest definition of corruption is the abuse of public power for private benefit. Corruption tends to exist where political power is highly centralized and not subject to compensatory and effective public accountability, where distortions in public policy and the regulatory framework provide extensive scope for discretionary administrative power, and where private and public interests meet. The power may be quite tangible or simply the power to provide access to important information or the setting of priorities on access to public services. Corruption spans a wide spectrum, ranging from petty whereby bribes are required before normal bureaucratic steps are completed, to large-scale corruption where considerable sums of money are paid in return for certain rights or privileges, or for preferential treatment. **Nature of Corruption:** Corruption occurs in the political, economic and administrative sectors, and exists in both private and public domains everywhere in the world. The central process is one where unrepresentative groups are allowed to monopolize national resources for the benefit of their members rather than all citizens. When corruption becomes pervasive in society, corrupt exchanges are spread horizontally and vertically creating networks that become informally institutionalized. They have their own rules and obligations creating relationships based on interpersonal links that lie outside the formal public sphere. The networks link powerful and well-placed patrons with less powerful clients for advancing their mutual interest. Situations such as this tend to be associated with three broad

factors: state capture by ruling elites; expansion of state bureaucracy; and weak democratic accountability. *State-capture by ruling elites*: The amassing of state powers by a ruling elite is an important cause of corruption. Extensive governmental involvement in the economy and

³This section is taken directly from a paper by Tilla McAntony, *The Taxonomy of Corruption*, World Bank Institute, Washington, D.C., 2003. This source paper provides access to the evidence provided in this section.

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regulation of public life by a small group creates the enormous scope for corrupt practices, although only those associated with the regime can benefit. Centrality of power is linked to the supremacy of state over associational life. The concentration of state power in hands of a few elites partly explains the governance crisis in developing countries in the 80s and 90s. *Expansion in state bureaucracy*: Expansion in state bureaucracy, which will inevitably include substantial discretionary powers, increases the scope for corruption. An extensive state bureaucracy can be an overwhelming challenge even in countries with substantial transparency and a reasonable accountability regime. If a large bureaucracy is also subject to chronically low wages and operates within an environment where informal payment for access has become accepted, such an environment will be particularly conducive to corruption. *Lack of transparency and accountability*: Lack of transparency and accountability based on the rule of law and democratic values on the part of public officials is a major cause of corruption. Without an environment of openness in government transactions – including independent institutions, vigorous parliamentary oversight, and media attention – politicians and officials who control access to public benefits tend to impose costs on private citizens seeking these benefits. And without transparency, there will be little risk to public officials who are tempted to use their positions for private gain. Private individuals may be obligated to make illegal payments to get access to what they should have access to without the payments of bribes. Moreover, individuals are more likely to offer bribes to gain access or preference if there is low risk of exposure and accountability and if such behaviour is seen as socially acceptable. *Anti-corruption strategy*: The World Bank Institute has established a multi-pronged government strategy for reducing corruption that focuses on the importance of democratic governance. Such governance provides institutional and procedural mechanisms to represent interests, arbitrate disputes, provide checks and balances, and negotiate policies for curbing corruption. Democratic institutions are more likely to produce consensus on anti-corruption programs, and enhance the legitimacy of governance reforms. The following instruments piloted by the World Bank Institute would be important steps toward curbing corrupt practices. *Economic policy reform*: The focus is on policy reforms that simplify rules and regulations, eliminate monopoly, reduce the discretionary authority of public officials, and increase transparency of public processes and institutions. These reforms include deregulation, simplification of tax processing, macroeconomic stability, and de-monopolization are effective in combating corrupt practices. *Administrative and civil service reform*: The reforms cover government structures, pay and employment policies that are needed to provide the incentives to promote honest and accountable behaviour. They focus on active public sector decentralization programs that involve all. 9

Improving public expenditure and financial management: Efficient, accountable, and transparent revenue raising, budgeting, accounting, expenditure management, and auditing processes are essential for effective government. Legislatures, media reporting and active citizens participation in public affairs can force government to be accountable. *Strengthening public oversight and other external accountability mechanism*: Parliament oversight bodies, civil society, and non-governmental

organizations can be effective in providing oversight and ensuring accountability from the government. *Increasing the availability of data for monitoring government performance:* This can be accomplished through use of technology to disseminate information on public spending and procurement, judicial decisions, regulatory activities and data on service delivery can help to foster external monitoring and improve accountability and performance. In this regard, legal and judicial reforms are particularly important to give judiciary independence and strength to deal with corrupt elites. **4. Personal**

Decision-making Much of the literature on anti-corruption focuses on a strategy of increasing the costs and reducing to benefits of corrupt activity. Clearly, this is an essential pillar in an anti-corruption and integrity-building program – there should be disincentives for undesirable behaviour. An approach predominantly focused on reducing undesirable behaviour through making such behaviour illegal, however, can be costly if it requires extensive surveillance to be effective. Moreover, elaborate judicial procedures might well be needed to protect civil rights and control possible abuse on the part of accusers and those doing the surveillance. As is often the case in economic and social regulation, a balance of incentives – including “carrots” as well as “sticks” – would seem to be more effective. Public compliance with regulations is more likely where the public and interested parties are engaged in their preparation, understand why the regulations are important, and know the social cost of non-compliance. If this experience can be translated effectively in some jurisdictions to integrity-in-governance standards or codes of ethics, it provides a further instrument for governments and parliamentarians to achieve their anti-corruption benefits at a lower public cost. Perhaps a more positive approach to these ideas is to recognize the importance of values other than narrow self-interest. While exhibiting such “higher” values might well be associated with countries where hunger and survival are less a matter of daily preoccupation, it also is evident that such values are not limited to any one region or country. Much of the analysis of corruption and its mitigation is based on a narrow perception of self-interest. Individual decisions, however, often are based as well on other values – fairness, legitimacy, or community interest. This perspective has two implications for achieving anti-corruption objectives: a) anti-corruption programs should take advantage of such values as exist in society and the executive, so as to reduce the cost of anti-

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corruption initiatives; and b) consideration should be given as to whether such values can be enhanced through public action. Parliament – in its representation role - can be particularly important in these “softer” forms of control of corruption due to the legitimacy derived from representing the entire population. Moreover, parliaments are seen as having a clear responsibility for engaging the public in articulating consensus views on important issues. If a code of conduct emerges from a considered public debate by a body seen as broadly legitimate, its impact can exceed that of a simple edict. Parliament can also play a considerable public education role. Corrupt behaviour involving government likely is more prevalent because those harmed often are not directly visible to the perpetrators – there is no evident victim. Clearly many are harmed by corruption and parliamentarians are well placed to explain who they are and the degree to which they have been harmed. Parliament can also encourage the executive to inform and train its officials in the costs of corruption to the population, the behaviour that creates such costs, as well as informing them of the costs of being caught and convicted. These “soft controls” are particularly related to the idea of leadership. But it is not just a case of deciding and directing; it is a case of being engaging, listening, deliberating and behaving. As articulated by John

Tait and his study team, who studied the application of values for the public service of Canada, “We do not learn about good from abstractions but rather from encountering it in real life, in the flesh and blood of a real community, and real people. Values are sustained by a community that believes in them and sees them acted out daily, in both concrete and symbolic actions.” The study from which this quote is taken was undertaken in support of developing a code of conduct for the Canadian public service. The team concluded that an effective code would best emerge out of an “honest dialogue” rather than imposition. If imposed prior to it representing a degree of reality manifested in the behaviour of leaders, it would likely have limited impact. To the extent that such dynamics exist elsewhere, Parliaments can be particularly relevant. They are best structured to provide both the leadership and honest dialogue with citizens. This section does not argue against laws, surveillance and the rule of law. Rather it raises the option of complementing these instruments through the combination of leadership and cultural development. People do the things they do for many reasons. To seek to shape behaviour using only the formal law and penalties seems unnecessarily limiting. The applicability of soft controls might well depend on the context. In a society where laws are relatively few and vigorously enforced, addition of a further law might well be more effective than in a situation where there are many laws that are weakly enforced. In situations where the rhetoric and reality are distant cousins, laws – that is, words – have lesser value.

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Creating a culture of integrity is a social undertaking, it is of the people not something done to the people. Parliamentarians, in their representation role, have the central role to play in this regard. **5.**

Action Framework for Parliamentarians Just as the World Bank, Transparency International and others have concluded, it would appear that the best approach for parliamentarians to helping to build integrity in governance is to pursue a balanced package of legislative, financial, oversight and representation initiatives. The appropriate mix of instruments will reflect the particular situation. As the foregoing illustrates, parliamentarians would seem to have an extensive array of potential tools. In practice, however, the options will be much more constrained. In much of the world parliaments seem to be dominated by the executive branch – a branch whose members might be benefiting substantially from corruption. Certain instruments require substantial parliamentary resources, which might not be available. Other instruments might rely on an active and independent media, which might not exist. A theoretical paper such as this cannot provide much guidance beyond identifying certain of the options. With that in mind, this section provides a list of the kinds of actions described in the text. **Legislative Framework:** A legislative framework – essentially the core package of law – to provide for integrity in public management must cover those aspects of corrupt behaviour that will be treated as crimes by all citizens and business, those aspects of government behaviour that represent essential parts of the public trust, and those covering the electoral and public accountability practices of government. **Criminal code** would identify those actions that would be defined as criminal and for which the courts would be the forum of accountability (note that a Code of Conduct is included below, for behaviour that is not illegal, but considered inappropriate for elected people and public officials) **Economic policies** that simplify private sector regulation, reduce monopoly power and transparency of private sector accounting **Control framework for use of public funds** and authority within the executive **Public service control framework** for engagement, compensation and management of the public service **Legislation for creation of programs and departments** to provide for the required authority, but also to limit that authority to that which is necessary for proper stewardship of public resources

Anti-money laundering legislation *Electoral law* such as campaign financing *Transparency legislation*, including reporting and access to information and creation of *horizontal accountability agencies* 12

Financial Control Framework Financial control *framework for accountability to Parliament* and the public (this might be in legislation or in the Standing Orders of Parliament) specifying how parliamentary authority for all taxation, fees, and expenditures will be provided and how the executive will account to parliament for their use *Annual* (or other fixed period) *budgets*, including aggregate revenues and spending, spending on each program – and in addition, sufficient explanation of expenditures as to financial instruments used and outputs and results to be achieved that this can be understood by parliamentarians and explained to the public Timely *public reporting* on actual expenditure and results Creating appropriate “*horizontal*” *oversight agencies*, including SAIs

Exclusion of legislators (other than those in the Ministry) from having any executive powers related to program and financial management

Oversight Framework *Questioning of the Executive* in the chamber/committee rooms by parliamentarians in a public and formal way and where there are penalties for contempt and perjury Committee *review of policy, programs and operations*, where executive witnesses can be called, where penalties for contempt and perjury apply, and where there is an obligation for these to be visibly dealt with in plenary; Committee *scrutiny of regulation* to ensure that all sub-ordinate legislation is consistent with parliamentary acts Receipt and active *consideration of performance reports* (financial and results) Receipt and *review of audit reports*.

Representation (Leadership) Framework Establishing consensus and *public expectations for what is acceptable behaviour* for conduct of elected/appointed officials *Acting in ways that are consistent with those expectations* Ensuring *citizens complaints* regarding the use of parliamentary authority and resources are visible to the executive and monitoring executive response Rendering visible *minority views* (including minority reports of committees) Limits of parliamentary *privilege*

Party and *election financing* practices Party *consensus building practices* that do not undermine parliamentary functioning

Parliamentary Capacity Building parliamentary – including parliamentary officers – administration that is independent of executive adequate resources to support parliament and parliamentarians in all its roles

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In addition to direct work within their own countries and parliaments, parliamentarians are increasingly engaged with their colleagues from other countries. This likely is a reflection of burgeoning globalization, but also a response to the capacity provided through the Internet. This can be seen as an extension and enhancement of their representation role, but one that is sufficiently distinct to be looked at separately. There is a long tradition of bilateral and multi-lateral inter-parliamentary organizations and friendship groups. However, these groups are increasingly seen as important instruments of diplomacy, learning and increased mutual understanding. In addition to their diplomatic value, they are becoming increasingly important to parliamentarians in playing their direct roles in parliament and in engaging citizens.

6. Conclusion Corruption in public governance as described at the GOPAC founding conference is a very serious problem. Fortunately, it now is getting public attention in many areas of the world. And a consensus is emerging that parliament, in addition to the executive, must play its roles vigorously to successfully combat corruption. In comparison with the attention devoted to the executive in combating corruption, relatively little international attention has focused on the role of

parliaments and parliamentarians. GOPAC is seeking to help redress this imbalance. As this paper illustrates, parliamentarians do have a potentially wide range of tools available if the political and administrative environment permits and encourages them to play such roles and if they have the knowledge and skills to take advantage of the opportunities available. GOPAC is examining ways that it can help in both areas. A central focus of GOPAC is the development of practical tools and training for parliamentarians. To help ensure their practicality, all are being developed together with regional chapters. In addition to the tools and training, GOPAC seeks to help build confidence through the security offered by being part of regional and global networks of like-minded elected officials. Providing the political and administrative context conducive to strengthening integrity in governance might well be the greater challenge. GOPAC is working to this end by providing a global voice of parliamentarians and developing alliances with other global and regional organizations with complementary objectives. For example, it is leading an initiative to have parliamentarians support the effective implementation of initiatives such as the UN Convention Against Corruption and the several Anti-Money Laundering initiatives of international organizations. Parliamentarians working with each other and with experts can make a difference. But it does require a focus, an organization committed to learn and deliver results, and the commitment of its members.