

Draft

“Lay not up for yourselves treasures upon earth, where moth and rust doth corrupt, and where thieves break through and steal” Mathew 6:19 “

For a good tree bringeth not forth corrupt fruit; neither doth a corrupt tree bring forth good fruit.” Luke 6:43“

Do not steal, Do not bear false witness...”. Luke 18:20

PRIMING THE LEGISLATURE TO COMBAT GRAND CORRUPTION AND GRAFT

*Supportive role of International Organisations to the
Ethiopian Legislature*

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Combat Grand Corruption and Graft**

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Introduction:

At the climax of the drive by the Students movements for equitable and self-reliant development, Ethiopia was set to become the source of hope and inspiration to the many. Indeed as the feudal order crumbled, the prospects for popular participation and accountable governance were never brighter. It encouraged the hopes of many that the 'hidden and dark' nation would after all become the beacon of new hopes for the oppressed and dispossessed. Alas! Those high hopes soon were replaced with a general acknowledgement that it had lost the capacity to deliver the identity that the Ethiopian community had held self-evident and instead bred a socio-entity that has wildly spun off their axis.

It is now widely acknowledged that the bloated and corrupt military-bureaucratic machinery, which encouraged the encroachment of civil space in the name of development, thrived on graft and influence-peddling for the benefit of the powerful elite; rendering the poor powerless and voiceless and effectively disenfranchising people from participating in the decision-making processes. These have seriously handicapped socio-economic and cultural development and synergistically acted to create the poverty and vulnerability that ridiculously haunt the nation. Life is made even more exacting by the knowledge that only a few of the millions who struggle for survival, outlive the life expectancy set by human development indicators. Indeed, for too many, finding the right tactics to package and secure a livelihood has become a valorous act.

Corruption and graft are neither an Ethiopian malaise nor are determined by colour, race, or culture. It is a global phenomenon closely tied to both the Western market economies and the now discredited communist ideological camps. The important point to note is that its effects in Ethiopia have proven to more deleterious, more damaging, and completely obstructive of the development process than elsewhere. While it is common to argue these days that the democratisation process may have its glaring shortcomings, it remains the best form of government known to humankind. In operational terms, democratisation may be taxing, in the short or medium run, considering the limited resources available for most countries and the competing claims for them. The development of a democratic political culture is indeed a generational project; where a skilled and committed leadership can mitigate conditions that are hostile to it.

This paper is an attempt at enhancing the hallowed role of civil society in curbing grand corruption and graft as they impact strongly in national development. It considers the relations between corruption and development, the roles of civil society, state, and government in fending of core exploitation and corruption and the supportive role of international organisations.

I. Corruption and national development

Corrupt practices have contributed to the implementation of badly designed projects, which were not economically or commercially viable. Cost escalations have resulted in pricing policies, which have kept the services beyond the reach of people who were expected to be beneficiaries. All these factors have contributed to perpetuate a vicious circle of poverty and underdevelopment while at the same time mortgaging the future of coming generations. Corrupt practices negatively affect entrepreneurial skills to the extent that concerns are for projects of short term nature, and long term development investments are rarely given serious and due consideration. An attempt to review the causes and widespread nature of the problems of corruption in Ethiopia would need to include inter alia

- the overbearing nature and the overreaching powers and character of the post-feudal state in Ethiopia,
- Lack of the required will in the part of leaders causes the persuasiveness of corruption. This results in serious decline in ethical standards in public service institutions.
- Corrupt practices are not an exclusive preserve of the public service, as the private sector suffers from a similar malaise.
- Corruption also occurs because the public officials may lack sufficient understanding of the basic administrative procedures, laws, or policies they are supposed to implement.

The Institute of Educational Research has undertaken a comprehensive study of corruption in Ethiopia.¹ The following recommendations have been proposed by the study group: sustained political will and committed leadership, minimising information asymmetry, independence of judicial and bureaucratic institutions, transparency of government, proper training and realistic salaries for civil servants, citizens involvement, institution of an agency to fight corruption, the media and civil society in fighting corruption, and recommends further research requirements. In the following we consider to broaden the perspective further

- **Greater decentralisation of power, authority, and responsibility** could be one means of diffusing the scope of corruption. Decentralisation was a possible and attractive option of democratising society. It involves a larger number of people in the decision-taking process. But it was also recognised that this delegation of authority might also create a breeding ground for "decentralised" corruption, making prevention even more difficult when phenomenon is organised at the lower echelons of decision centres. Grand corruption is the major threat to development and fair and equitable economic systems. However, this should not be used as an argument to condone petty corruption on the ground that it accelerates processing time and causes insignificant damage. Both forms and levels of corruption remain financially burdensome for Ethiopia and Ethiopians.
- **Breaking the cycle of despair:** The vicious cycle of corruption and poverty must be broken; because, in a situation in which poverty encourages petty corruption and makes the people vulnerable to the corrupt manipulation by the elite, it deepens corrupt practices and aggravates the poverty of the people. Poverty in Ethiopia is so debilitating that the ordinary Ethiopian is too busy eking out a living to be concerned about the problematics of democracy, human rights, and the crusade against corruption. This resulted in "a culture of silence" which in itself facilitates/invites corrupt practices.

¹ Institute of Educational Research, 2001, Corruption in Ethiopia – submitted to the Ethics Sub-Programme of the civil Service Reform Programme. Addis Abeba.

🌐 **Tackling the problem requires a root and branch approach.** Those at the receiving and giving ends are equally responsible for the perpetuation of corrupt practices. The perpetrators need to be checked and deprived of the resources that they accumulated to buy off favours or exert influence on national priorities or policy decisions. A rare consensus that is evolving is the need to make corruption costlier to the perpetrator and the rewards much less significant. In so far as the likelihood exists that corrupters may be able to escape with their illicit proceeds, for so long, they would feel encouraged to carry on such destructive activities. On the part of the international community for instance it was noted that the push should be more for concerted or collective actions rather than to expect isolated actions from individual countries of the North. In any case, such isolated actions are bound to be largely ineffective. We should recognise that the battle ahead is expected to be a tough and drawn-out one. One possible modality in this respect may be to utilise advanced technology to streamline and expedite corruption-prone business activities. Information technology may also be put to good use in monitoring fraudulent activities, keeping an updated database of people/institutions involved in such activities and the sharing of such information between countries or at an international level. The existence of efficient mechanisms and clear-cut procedures, especially in the allocation of tenders for public works and procurement, would help to contain corrupt practices.

🌐 **The constitutional and legal framework:** there are in existence laws that make corruption a punishable offence. The lamentable fact is that these laws seem not to have served as a means of deterring people from carrying out such heinous crimes. Environmental conduciveness is the comfort of the corrupt and sadly, in most parts of Ethiopia, the corrupt are subtly in society; hardly pushed with social ostracism and isolation as it used to be the case a few decades ago. Consequently, laws promulgated in such a hostile socio-economic and political environment will not deter graft and grand corruption. Indeed, there are quite a number of constitutional and conventional mechanisms and procedures designed to prevent undemocratic conduct. In several instances judicial activism and uprightness has not been up to the required standard necessary to concretise the spirit behind the law. We need to reinforce the capacity and capability of the legal system to deal more efficiently with the problems of corruption, and lobby for a wholesome regulatory environment with the necessary checks and balances. The existence of a good legal framework and the strict adherence to the rule of law is a pre-requisite to containing and punishing corrupt practices. The need to set up complex and expensive machinery can be avoided if the laws are clear, precise, and unequivocal in interpretation. The training of law enforcement officers is of utmost importance to enable a proper and fair application of the clauses. It is also important to sensitise the population to legal enactment in order to enable them understand their rights and responsibilities as citizens.


Past governance modalities were generally based on top-down authoritarian approaches to problem solving, shift vast resources to the centre, destroy existing popular initiative, and discourage participation in the political process. It is known to be notoriously insensitive to local wants, needs, and is the primary instrument for retaining the power, wealth, and status of those who wield the authority of the state.

🌐 **The evolution of a political culture:** The legal and judicial systems are important parts of the antidote against corruption. While good intentions on the part of lawmakers and constitutions may be a basic starting point, experience over the years have shown that this may not be adequate. Legislation alone may not be effective in limiting corruption unless there is the evolution of a political/social culture that is anti-corruption.

- **Civic education and the role of the citizenry:** One major remedy is the effective sensitisation of the citizenry through public education. As part of this process, it is also necessary to build strong coalitions against corruption both nationally and internationally. It is crucial to involve business and commercial interest in developing such a coalition against corruption. In this regard, at the national level, a partnership has to evolve between the state and the institutions of civil society. This is fundamental if the required political culture, which eschews corruption and undemocratic forms of governance, is to be developed. The war against corruption would not be an easy one. This is because corruption has created systems that benefit people who are not likely to forgo or work against the system easily, thereby breeding corruption cultism in public institutions like the police, customs, etc. The problem at this point is in terms of devising the most practical modality for creating and transmitting a value system, which does not condone corruption. The effectuation of this requires in addition to a number of other factors, vibrant free independent and responsible media.

The key to building enduring and transparent public administration is the existence of strong, viable, and assertive civil society. Organisations of civil society operate between the state and the citizenry, give structure to the representation of interests of a diverse body of the populace, and facilitate the opportunity for participation in the political life for the citizens at large.

- Reviewing the political structures and process in Ethiopia, over its autocratic past, the powers of the executive appear to have grown exponentially at the expense of the legislature. Undoubtedly, a weak legislature facilitates abuse of human rights, undermines the entrenchment of the democratic process, and provides the executive with the added impetus and encouragement to be corrupt. There seems to be the prevalence of a political culture that encourages the keeper of the purse and purveyor of sanctions- the executive-high and above other estates of the realm that depend on the former, even for their own needs.
- Another major problem inherent in the political system in Ethiopia is the extreme weakness of the social movements and their failure to develop coherent strategies for promoting broad based and well organised citizenry. Some of the salient features that underlie the socio-economic and class formation of our society make it difficult to preserve and consolidate democracy. For the lack of self organised and civil associations, whose functions are to preserve basic rights of its constituents and the society at large, educate the citizens and advocate popular claims, build a consensus and promote political and moral ethical values and disseminate them among the populace, it has become difficult to nurture a sense of civil society. The reality is that the state is too powerful and too controlling in the face of an embryonic and weak civil society.

 **Corruption and the Ethiopian state:** Since its emergence in the early 20th century, the modern Ethiopian State has been typified by autocratic leaders and primarily existed for the benefit of the powerful elite of the centre. The overwhelming majorities of the people had no role in governance and are unfamiliar with their rights and obligations as citizens. The system of rule was authoritarian top-down style of governance, with an urban-based power structure and authority radiating from the centre. Various efforts to devolve authority and

involve people were unsuccessful. Consequently there was little popular participation in the political process and the populace has become distrustful, critical of the state, and wary of having any contact with it.

Whatever the technical construction chosen to express democracy, the sustainability of the system will depend on the understanding of the people and social groups and institutions of the rights and obligations of citizenship and the respect for democracy. Africa has very little, if any, experience in open democratic discourse, is unfamiliar with the critical values, and practices that anchor democratic culture and tradition. Once more, the key to building enduring and transparent public administration is the existence of strong, viable, and assertive civil society. Organisations of civil society operate between the state and the citizenry and give structure to the representation of interests of a diverse body of the populace. It is an essential prerequisite as it facilitates the opportunity for participation in the political life for the citizens at large. In defining the problems of corruption and proposing solution's for them, i.e. in setting goals, and tasks for attempting to solve the problems, the state have done so largely within a particular tradition of political thought, argument and struggle. Among these structural limitations that impinge upon the legislature are:

- the tendency to reduce broad-based and complex categories, like national tradition, the people and democracy of autonomous content, and the plenitude of meaning implicated in these categories to a set of signification tied to particular class interests or political projects;
- the inclination to saturate historically specific and localised problems of socio-economic and political change with global issues, the imposition of ground themes and formulae onto concrete situations faced by particular communities and nations;
- and a habit of discourse and argument whereby political parties exert ideological effort in the making or remaking of the "national" selves and identities of the people over whom they intend exercise political control while at the same time taking them unproblematically as given in advance (whether historically, culturally or naturally) rather than produced in their own ideology.

Consequently, where the leadership has not sufficiently assimilated the value system of the rule of law, checks, and balances or power sharing - basic to democratic governance and polity - the tendency to be corrupt, undemocratic and abuse human rights is rife. Hence, one major obstacle to efforts to install and consolidate democratic system in Ethiopia is the all-powerful, highly centralised, and hierarchical bureaucratic structure. Built over the last fifty years, the organisational imperative of the massive bureaucratic machine is to command and control and is preoccupied with its own survival and enrichment. It is unlikely that the powerful bureaucracy will abandon its privileged position and control of the state apparatus to democratically elected political leaders or respects the institutional restraints of democratic rule without struggle.

The state has proved to be the main channel for personal wealth accumulation and securing privileged position in society. As the result of the socialisation of the means of production, there was no, at least on paper, class differentiation and state power was appropriated to the political elite or bureaucratic bourgeoisie, that mainly constituted well-educated top officials, organisation leaders, and some high ranking officers. As the winner takes all and the loser is consigned to the political and economic wilderness, all the brutality and corruption of bitter fights ensure in every

As more and more people regard politics the easy way out for satisfactory income generation, they are willing to do anything including impairing a true democratic process.

political competition. It is simply a zero-sum game where the loser has no refuge or alternative. Consequently, the bureaucracy will no doubt fight aggressively in order to obtain its patrons in positions of political power by any means possible. The legitimacy of the democratic process underway in Ethiopia will depend in important ways on it being perceived as reasonably honest, predictable, transparent, and accountable in the execution of the state's responsibility. Public sector corruption and inefficiencies undermine political, economic, and social stability by undermining citizens' faith in the democratic process.

In situations where public officials are seen to be using their positions to advance parochial interest and self-aggrandisement, a general loss of respect for authority and the law occurs and despondency in the general population develops. It is apparent that as the continent enters this new era of political pluralism and democratic governance there is a need to overhaul the administrative machinery and develop institutional alternatives to the centralised, bureaucratic, and hierarchical organisational structure. The points made above regarding the identification of problems of democratic change in Ethiopia apply to the setting of goals and tasks for Governments' problem-solving activities. The "solutions," like the "problems," can be seen in large part as elements, features and effects of its revolutionary socialist-democratic ideology.² They have taken shape and come into play as the articulation and operation of a particular doctrine. This means that the objectives of Ethiopian transition do not represent purely or primarily its idiosyncratic ethnic agendas.

II. Parliamentary protection against corruption

Experience within and outside Africa suggests the overwhelming presence of parliamentarians who do not sufficiently appreciate and understand the crucial role and responsibility of this arm of government in a democracy, and also of parliamentarians whose privilege compels them to be more concerned about the spoils of office if they are to "deliver" in their constituencies or be replaced. In yet other instances, there are either insufficient parliamentarians or limited resources at their disposal. The international community can help the legislature in Ethiopia through the provision of some basic infrastructure that would remove some of the basic constraints on the ability of the parliament to serve as an effective watchdog. Parliamentarians require research capacity and ability to keep in touch with constituents. What we need are not necessarily super angels as leaders. What are required at the moment are transparent administrative processes that can encourage and allow people to participate, influence and control governance.

Constitutional ideals: In dealing with the problems of political corruption, which is basically an abuse of political power and authority, it is essential if not imperative that a demonstrable commitment to constitutional ideals as well as greater integrity on the part of political leaders is undertaken. In view of the above shortcomings of the legislators and the legislators themselves, one wonders if it is actually possible to talk of legislative initiatives for anti-corruption measures. While the power of the parliaments to control the executive must be shored up and increased, it is also important to subject the parliament itself to increasing and greater control by institutions of civil society. Within the legislature itself, democratic accountability is enhanced through public debate, open criticism, and free and regular elections.²

² Institutional aids to assist the legislature in the enforcement of public accountability include the parliamentary committees which are open to the public, the appointment of a Public Protector or Ombudsman and state auditors who must be unshackled and free to report fully and openly to legislature and through it to the public. At the same time public education of voters must be carried out as a supplement to enhance the ability of the society to reject and remove leaders who may be persuaded to act against the larger interest of the society. To this end, public education on the dynamics of corruption and similar anti-democratic actions of public office holders must be seen as a crucial weapon in confronting these challenges headlong.

- Support for and indicators for controlling corruption:** We have talked about the role of the media and other civil institutions in the fight against corruption. A checklist of potential areas of surveillance, developed by the ALF and GCA³ have been adopted here to help us to analyse the sources of corruption and graft that lend government to open up to corrupt practices and to look for capacity building measures by the international community. An evaluation of and capacity building modules for the nation's respect for the rule of law, budgetary transparency, administrative consistency, popular participation, and enabling environment for the private sector using the following criteria and indicators.

III. Capacity building targets and potential international support

Module	Capacity building targets
Rule of Law	
I. Legal protection of constitutionally defined rights	<ol style="list-style-type: none"> 1. fundamental rights are enshrined in a constitution 2. legislation protecting such rights has been passed and is it enforced 3. legislation protecting and enforcing such rights is outside of the control of the executive 4. there regulations protecting the independence of the judiciary 5. indicator: there are recorded instances of such legislation being overruled by executive orders or other legislation granting the executive sweeping powers
II. There is functioning court system, staffed by trained professionals	<ol style="list-style-type: none"> 1. there are courts at a provincial or local level 2. there are sufficient training opportunities for court personnel, and sufficient trained personnel exist 3. court records are kept, and easily accessible 4. there is attempt to incorporate traditional or customary law into the legal system
III. a system of civil security and a professional police force exist	<ol style="list-style-type: none"> 1. the concept of security extend to civil security for all citizens 2. there is a professional, politically neutral police force with career structure 3. there are means of redress for citizens who suffer such abuse or harassment 4. indicator: are there instances of widespread abuse or harassment of citizens by security forces?
IV. people are informed of their rights with access to the legal system	<ol style="list-style-type: none"> 1. information about rights is generally available in an easy to understand fashion 2. there some other means by which citizens can obtain information about their rights 3. there a system of legal aid, or a way in which poor people can obtain legal services 4. 4. customary or traditional rights correspond to legal rights, particularly in the case of women
V. enforcement of contracts by the courts immune to politics	<ol style="list-style-type: none"> 1. there are instances in which contracts have been enforced in the courts 2. there are legal specialists in contract law 3. contracts generally are understood to be legally binding 4. Indicator: are there known instances in which the executive has interfered with court enforcement of contracts?
VI. all budgets and public expenditures made public	<ol style="list-style-type: none"> 1. there is a general budgetary process that takes place over a specific time frame 2. budgets for all sectors are made publicly available in a timely manner 3. there is a system of recording public expenditures in all sectors 4. public expenditures are recorded and such records publicly available

³ GCA – 1996 Governance indicators, Washington DC

<p>VII. all government expenditures audited</p>	<ol style="list-style-type: none"> 1. government expenditures are audited at all administrative levels 2. government expenditures for each sector are audited 3. governmental audits to ensure compliance (or value for money audits) exist 4. audit reports are made public in a timely manner
<p>VIII. there an independent Auditor General's office, staffed with trained professionals</p>	<ol style="list-style-type: none"> 1. there is an independent Auditor General's office 2. It does have power that is not frequently overruled 3. it is staffed by sufficient trained and qualified professionals to perform its functions adequately 4. indicator: are there recorded or known instances of members of the Auditor General's office being the subject of bribery, harassment, or other undue influence to suppress, withhold, or alter information?
<p>IX. there legal and regulatory frameworks to control corruption and rent seeking</p>	<ol style="list-style-type: none"> 1. there are laws against bribery and rent seeking 2. there are regulations in governmental departments to make corruption more difficult 3. there is a system of checks and balances to ensure that such regulations are adequately enforced 4. indicator: are there recorded or known instances of corruption and rent seeking at senior levels that have gone unpunished
<p>X. all revenues accruing to the government or the central bank entered into official accounts</p>	<ol style="list-style-type: none"> 1. there are publicly available official accounts, and are there regulations requiring that all governmental revenues are entered in a timely manner 2. there is a standardised system for ensuring that all revenues are entered into such accounts 3. all levels of expenditure are entered into such accounts 4. indicator: there are known or recorded instances of central bank revenues not being entered into official accounts

Budgetary Policies and Priorities

<p>I. all government expenditures are on budget</p>	<ol style="list-style-type: none"> 1. there is a central, comprehensive budget, which is includes all governmental expenditure, or are some sectors "off- budget" 2. government budgets and expenditure reports are publicly available 3. expenditure reports are consistent with budgets in terms of budget line items 4. government expenditure reports are disaggregated by sector and geographic region
<p>II. government spending on military and security</p>	<ol style="list-style-type: none"> 1. military and security budgets are made public 2. military expenditures made public, and are they consistent with budget estimates 3. security and military spending are consistent with perceived need 4. indicator: are a higher proportion of public funds spent on the military than on social sectors?
<p>III. the executive have broad discretionary use of funds that escapes public accountability</p>	<ol style="list-style-type: none"> 1. the government has access to funds for which it does not require legislative oversight to undermine public accountability 2. there are known instances of such funds used to fund projects which have failed legislative approval 3. indicator: there are recorded instances of such funds being used to finance the party in power 4. indicator: there are known instances of government officials using such funds for personal profit
<p>IV. all ministries are responsible for developing their own budgets</p>	<ol style="list-style-type: none"> 1. all government ministries develop their own budgets based on analysis of need 2. government ministries have a chance to influence the way funds are allocated 3. there opportunities for government departments to generate their own resources 4. indicator: there are incentives for government ministries and departments to develop more cost efficient ways

V. there decentralisation of resource generation and allocation	<ol style="list-style-type: none"> 1. provincial and local authorities are able to collect revenue and programme if for their own use 2. local authorities develop their own budgets, or are they centrally planned and funds allocated 3. can local authorities develop their own budgetary priorities and programme funds accordingly 4. indicator: local government budgets, revenues and expenditures are made public and subject to audit
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Administrative and bureaucratic consistency

I. there a civil service, with appointments based on merit	<ol style="list-style-type: none"> 1. there a civil service with minimum entry requirements, or are few sectors of the population guaranteed a job in the public sector 2. there is a clear system of promotion based on merit 3. specific functions are clearly described, and chains of command clearly delineated
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II. governmental officials subject to the rule of law	<ol style="list-style-type: none"> 1. there are regulations prohibiting acceptance of bribes or kickbacks such regulations enforced 2. there are recorded instances or public officials being brought to trial for misconduct
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III. the compensation for civil servants comparable to other sectors	<ol style="list-style-type: none"> 1. the salary paid to civil servants is similar to that which they could earn in other sectors 2. they have alternative employment opportunities 3. there are benefits and access to government structures that the civil service affords significant attractions 4. indicator: the civil service is the preferred profession for whatever reason
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IV. civil service career development is independent of the executive or party in power	<ol style="list-style-type: none"> 1. there is a system of political appointment at all levels of the civil service, and is such system publicly known and acknowledged 2. there is a publicly acknowledged system of political appointment 3. indicator: most senior positions are held by career civil servants, or are they political appointments the party in power allocate positions without legislative approval of competence 4. government ministers or other high-ranking officials are also members of the military
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V. the military accountable	<ol style="list-style-type: none"> 1. laws apply to the military and the security forces are the same as to other citizens 2. the legislature approves military and security actions
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Popular participation and communication

I. there a range of countervailing CSOs that function freely and openly	<ol style="list-style-type: none"> 1. the non-governmental sector is well developed, with organisations serving a variety of sectors of the population, rural as well as urban 2. indicator: there are organisations which function as political pressure groups or which lobby for specific interests 3. indicator: labour unions and professional associations exist and promote their rights 4. indicator: independent institutions such as policy or political and economic think tanks exist
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II. legislative decisions made public	<ol style="list-style-type: none"> 1. legislative records are kept and decisions published 2. sessions of parliament or the legislature are open to the public 3. there are press and media coverage of the parliament or legislature 4. indicator: there is a system of disseminating legislative information all over the nation
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III. processes for popular participation exist	<ol style="list-style-type: none"> 1. indicator: there are established ways and means for the public to voice concern or express opinion to policy makers 2. there are such things as opinion polls or attitude surveys 3. indicator: there are means by which communities can express their development priorities 4. local government officials elected
IV. NGOs financially and operationally independent of the government	<ol style="list-style-type: none"> 1. NGOs receive subsidies from the government 2. most NGOs have independent boards of directors, and operate according to the constitution 3. indicator: legislation permitting NGOs to earn revenue, collect membership contributions, or receive donations from the public or local or foreign institutions exist 4. most NGOs self-financing
V. NGOs legally allowed to exist and free from governmental control	<ol style="list-style-type: none"> 1. NGOs are legally allowed to exist, and are there any restrictions placed upon them 2. are there known instances of interference with NGOs 3. indicator: the government encourage the formation of non-governmental entities and seek their opinion on issues 4. indicator: NGOs act as intermediaries between state & society

Favourable environment for private enterprise

I. there constitutional and legal provision for private ownership of property	<ol style="list-style-type: none"> 1. legislation are conducive to the private ownership of property, or does it make it difficult and only possible in certain circumstances 2. private ownership of both property and land for any purposes allowed, and can such property and land be sold or otherwise passed on by the owners 3. there are property and land ownership records that can be publicly consulted 4. indicator: the are regulations and administrative procedures that need to be followed facilitate or impede private ownership of property and land
II. there constitutional and legal provision for private investment	<ol style="list-style-type: none"> 1. indicator: provision made in the constitution for private investment, and legislation are conducive to private investment exist 2. private investment are permitted in all sectors, or is it controlled 3. the regulatory environment is conducive to small-scale business, the informal sector, and women entrepreneurs, or does it in effect discriminate against them 4. indicator: information about investment options are easily available and is the tax structure conducive to private and small-scale private investment
III. there political conditions on access to credit	<ol style="list-style-type: none"> 1. the amount of money available for credit is not controlled by the government 2. the restrictions on credit eligibility are such that only a small percentage of the population qualifies 3. credit is generally available, to both men and women, in rural as well as urban areas 4. indicator: there are governmental restrictions on what credit can be provided for
IV. the banking system's ability to support investment	<ol style="list-style-type: none"> 1. there is a functioning banking system 2. the banking system are not subject to arbitrary political manipulation 3. there are governmental restrictions on lending for private sector investment or purchase of property or land 4. government regulations on interest rates or tax on deposits exist

V. regulations governing investment, and import and export procedures are clear and easy to understand

1. there are administrative regulations governing investment and import and export procedures, and are these publicly available
2. there are regulations supportive of, and conducive to, private sector activity, or are not designed to exercise control over it
3. there are regulations consistent, or there are not instances in which one set of regulations are contradicted or overruled by another set
4. regulations are uniformly enforced –
5. **indicator:** are there known or recorded instances of their being waived in certain instances?



VI. the licensing procedures slow and complicated

1. there is a facility for "one stop" procurement of licenses or other required documents,
2. officials are generally familiar with regulations, and able to expedite the process
3. **indicator:** are there known or recorded instances of bribes or other payment being required to obtain licenses or other documents?
4. it is possible to obtain licenses or other documents within a relatively short time frame

IV. Conclusion

After such an exhaustive deliberation of all the issues raised above, we need to propose and adopt recommendations and suggestions charging, institution of civil society, individual in governments as well as organisations within the international community with specific responsibilities. It is to build a consensus on corruption and its impact in Ethiopia. This would strongly necessitate the formation of civic groups such as consumer unions that will educate citizens, advocate popular claims, and build moral and ethical values in society; formulate a comprehensive framework to combat corruption in all its aspects; set up mechanisms and procedures that would make business dealings more transparent and open to public scrutiny; choose and implement project programmes according to established priorities and criteria; and monitor the utilisation of aid resources.

Combating corruption and enhancing development lies basically in the entronement of democracy, but most essentially in the prevention and elimination of corruption through transparency in the leadership with equal and adequate access of the citizens to popular and informed participation. Aspirants to leadership in Ethiopia should not only demonstrate their commitment to transparency and human rights, as standard qualifications to compete for public office. They must proactively ensure and realise the creation and active existence of popular mechanisms that would serve as instruments in the fight against corruption. In addition, they would undertake to submit themselves to these mechanisms, irrespective of their personal positions or involvement. The following measure will be essential steps

-  There is need to heighten public awareness of the destructive effects of corruption and restore the confidence of the people in government by exemplary leadership both of which would create and reinforce the capacity to combat corruption. The independence of institutions such as the media, the judiciary, and other institutions that play the role of regulating the operation of public policies should be established and safeguarded undertaking to safeguard this independence, but also facilitate their operation and encouragement. It is important that adequate support should be given to all those whose public duties charge them with monitoring and enforcing laws against corruption, so as to ensure that the rule of law is followed and applied firmly but fairly to all, regardless of their position.
-  The mass media is a crucial institution of civil society in the campaign against corruption. It can be safely reasoned that perhaps the strongest real safeguard against corruption is an informed public. The media must be involved in promoting vigorous public debate. It is not enough for the media to merely report instances of corruption; it must also package such a

report in a way that it is intelligible to the people. The information must be easily digestible by the people it is meant to inform and educate. At the same time, it is important to do this without becoming unnecessarily sensational.⁴

- Technology may be a possible redeeming feature. Radio in particular represents the most effective means of disseminating information in the rural areas where the majority of Ethiopians live. However, the problem is the issue of the quality of the information, the packaging of the information and the ground rules under which such organisations operate. The important point therefore is the need to actualise the public ownership of government media organisations as against the operation of such organisations as government property used mainly for propaganda purposes. Regardless of the above operational and environmental constraints, the media has a dual role to play in fostering a culture of accountability as well as serving as a strong purveyor of the need to prevent corrupt practices. In this regard, since corruption is an act which is shrouded in secrecy, the media should serve as the purveyor of the required light that makes such dark deals difficult if not impossible to consummate. In addition, institutions of civil society must also have knowledge of the concrete actions required on their part in the creation and nurturing of a vibrant body politic.

Ethiopia faces pressing issues and problems of corruption, democratisation, and development to be settled. Nevertheless, there are alternative ways of weighing up and framing the issues and of charting the course of action that may be embarked upon towards their settlement. There is no simple or immediate identification of democratisation problems as they actually are; there is only a definition of them from a certain perspective and towards a certain "resolution." What are important in the politics of democratisation are not so much the problems of the democratic transition themselves as against to what various, competing organisations and groups conceive them to be and how the organisations "settle" their conceptual differences.

In the above review, the attempt has been to identify some of the impediment for the consolidation and preservation of democracy to combat corruption. Economically, socially, politically there exist almost insurmountable obstacles to the flourishing of democratic governance. However, other societies with identical features have managed to install and maintain multi-party democratic system. While current efforts at democratising Ethiopian society are in its early stages, there is no reason to believe that the capacity to contain corruption is doomed. Skilled and committed leadership at all levels of society and polity can mitigate conditions that are hostile to democracy and that can breed and perpetuate corruption.

⁴ The effective execution of this responsibility is a function of the degree, nature, and extent of freedom of the press. As a means of defending and effectively exercising press freedom, it is vital that there should be adequate professional training as well as decent remuneration packages for all categories of media practitioner. These are also crucial if high professional standards are to be met and kept. The major issue stemming from this is the issue of ownership of the media. One major problem confronting media practitioners is the operational environment -- poor pay structure job security and the need to achieve commercial success and viability by media organisations. More damaging over the years has been the desire to make media organisation commercially viable resulting, in some instances, otherwise some media organisations resorting to sensationalism. The point at issue at this stage therefore is the issue of media survival without alternative or additional financial support. Given the above dilemma, many people wonder the ability of the media to assist other institutions of civil society in the campaign against corruption is not in serious jeopardy? It was argued that much as the media may be vulnerable to sensationalism and somewhat irresponsible journalism, it would be more damaging for any media organisation to accept financial bail out by government. It was also hoped that in the years ahead, tradition of qualitative journalism would be built but within the realm of demands of the market forces as dictated by the preference of the consumer of media products.