



“CORRUPTION PREVENTION AS A PRACTICE” TOWARDS EXCELLENT GOVERNANCE

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Abstract

A healthy governance system can lead to a sustainable community as envisioned by treaties and conventions on development of the society and the world as a whole. Corruption Prevention is a very young term used in the Philippine Governance System which promises a more sustainable solution to fight corruption. In a long line of jurisprudence in the area of public accountability, it has been the practice that government anti-corruption crusaders run after culprits, after the latter, had amassed a large amount of government funds; a whistle-blower “blows” out information in an illegal government transaction, or a recurrence of a complaint in the same government frontline service. The preparation and the long legal process of fighting individuals committing such infraction of law on public accountability, is evident, and sometimes the art of legal battle among seasoned lawyers now becomes the subject of the issue and not the illegal act that should be corrected and never again be emulated. Corruption prevention practice in government envisions *preventing corruption in happening* by means of instituting concrete and implementable control and preventive policies in government processes through the use of an extensive research/corruption prevention audit tool/s. This study seeks to explore the possibility of instituting reforms through systems studies of government processes towards excellence in governance. The dilemma of this infant specialization in the fight of corruption is the lack of acceptance and internalization of the value of corruption prevention in government organizations presumably due to want for information or just getting tired of thinking that *there* still hope in fighting corruption.

Keywords: Governance, Civil Service, Corruption Prevention.

1. Introduction

A healthy governance system can lead to a sustainable community as envisioned by treaties and conventions on development of the society and the world as a whole. Corruption Prevention is a very young term used in the Philippine Governance System which promises a more sustainable solution to fight corruption. In a long line of jurisprudence in the area of public accountability, it has been the practice that government anti-corruption crusaders run after culprits, after the latter, had amassed a large amount of government funds; a whistleblower “blows” out information in an illegal government transaction, or a recurrence of a complaint in the same government frontline service. The preparation and the long legal process of fighting individuals committing such infraction of law on public accountability, is evident, and sometimes the art of legal battle among seasoned lawyers now becomes the subject of the issue and not the illegal act that should be corrected and never again be emulated. Corruption prevention practice in government envisions *preventing corruption in happening* by means of instituting concrete

and implementable control and preventive policies in government processes through the use of an extensive research/corruption prevention audit tool/s. This study seeks to explore the possibility of instituting reforms through systems studies of government processes towards excellence in governance. The dilemma of this infant specialization in the fight of corruption is the lack of acceptance and internalization of the value of corruption prevention in government organizations presumably due to want for information or just getting tired of thinking that *there still hope in fighting corruption*. “Leadership by example”, “Setting the tone at the top” and other good governance principles for the leaders in government is the heart and soul of a corruption prevention audit tool. It is in the hands of the head of such government agency to implement a policy to prevent corruption at its door step. Now, the run of a corruption prevention audit tool can be voluntary or mandatory due to an executive order issued by the Aquino administration.

This paper is then focused on the following questions about the practice of Corruption Prevention in the Philippines and finally connect it to third world studies:

1. Is the practice of corruption prevention already mainstreamed in the Philippine Governance System?
2. Is corruption prevention culture already internalized in Philippine Governance System?
3. Is corruption prevention practice in the Philippine governance system a waste of time and government resources?
4. Shall corruption prevention initiatives be sustainable throughout any administration that shall pass?
5. Is there really a need for the institutionalization of corruption prevention in the Philippine Governance System?

Corruption holds back growth and progress to lift people out of poverty. Corruption wastes general public’s resources that came from the hard-earned money or labor for work by its people through collection of taxes, be it professional or skilled. The Commission on Audit estimated around 2 billion pesos was the cost of this ill-embedded system, or about 25% of the annual budget. It was corruption that hinders government’s capacity to deliver basic services especially to the poor – who are vulnerable sectors.

Corruption is a governance and social issue. It destroys the trust and confidence of the public to government institutions. Transparency International, a lead non-affiliated international organization, who does the Corruption Perception Index (CPI) survey amongst 150+ countries, including the Philippines and it was for the past five years, found that the Philippines just stayed in its CPIScore 34-38 and ranking between 94th-105th out of 174-176 countries:

Country (CPI Score)	2013	2014	2015	2016	2017
Philippines	36	38	35	35	34

Country	2013		2014		2015		2016		2017	
Philippines	No. of Countries ranked	Rank	No. of Countries ranked	Rank	No. of Countries ranked	Rank	No. of Countries ranked	Rank	No. of Countries ranked	Rank
	175	94	174	85	167	95	176	101	180	111

Source: www.transparency.org

Year	Rank 1	Rank 2	Rank 3	Rank 4	Rank 5
2012	LTO	HOR	PNP	DPWH	BIR
2013	LTO	HOR	DPWH	PNP	DA
2014	BOC	LTO	HOR	DPWH	DA
2015	BOC & LTO	DBM	PNP	BIR	HOR
2016	BOC	LTO	HOR	BIR	DOTR

Source: See references for news article source of the rankings.

Branding and processing of the norm stating that the “government is corrupt” even though in some respects is a reality, makes other good people in the government develop low morale and become adamant to the needs of the people they serve, coupled with low salary and less benefits before, these good people may internalize the “branding/perception building/impression making” to be corrupt and becomes now the norm or value in the civil service – redounds to non-actuation or passiveness if there are evident corruption in their organization, and fear of being a whistleblower due to non-protection of the State to those who report irregularities in offices of the government.

The study of theory will help the Corruption Prevention Practitioners check on the root causes of corruption and design effective corruption prevention projects and programs. Reform initiatives can be at its best if such are grounded to theoretical and empirical principles. *Theory of Corruption Prevention is an informed guess of the source of corruption and the needed*

approach to address it. International best practices provide critical lessons in strengthening corruption prevention practice. Hand in hand, the foundations of theoretical approach and experience in the implementation of corruption prevention audit tools shall help in the sustainability and development of the field.

Corruption Prevention practice in the Philippines at its early stage had many challenges, among which are the lack of research/study on the subject area; academic expertise and specialization in governance setting; compilation of specific good governance habits; management of knowledge sharing and data banking; etc. This is the reason why academicians and practitioners should merge their varying/unique experiences and exposure to the study of root causes of corruption and the corruption prevention practice in the country. The experience of those who took a course in Corruption Prevention and practiced it at such person's work place could be generated; gathered or documented that can serve as empirical inputs in generating theories to explain the challenges and opportunities in such field of specialization.

The past years have seen a surge of anti-corruption efforts. The increase in the number of anti-corruption stakeholders is unprecedented. There is no shortage of lessons that can be learned from different anti-corruption crusades. However, it has been observed, according to an article published by the Career Executive Service Board in 2005, that lessons are not well articulated and even internalized, hence stakeholders in the fight of corruption fail to address the incidents of such. The levels of anti-corruption initiatives are international, national and local encompassing the boundaries of the private-public divide.

Corruption prevention programs are effective if it is both theoretically sound and empirically grounded. Efforts cascading and implementing a corruption prevention program can be successful if government agencies can analyze corruption utilizing appropriate theories, learn from best practices, develop strategies and faithfully implement the anti-corruption measures according to peculiarities of the subject office.

2. Is the Practice of Corruption Prevention Already Mainstreamed in the Philippine Governance System?

The time after the Marcos Regime had passed and the democratic institutions were again installed by former President Corazon C. Aquino, she released Administrative Order (AO) 278. According to the AO, responsibilities encompass the examination and evaluation of the adequacy and effectiveness of internal control and the quality of performance.

Subsequent issuances were released by the Executive Branch to face lift the work and services in the government. Executive Order No. 605, was issued by then President Gloria Macapagal-Arroyo and it talks about promotion and enhancement of public sector performance through the adoption of ISO 9001:2000 Quality Management Systems in all agencies of government; development of an institutional infrastructure that shall provide certification with international accreditation; establishment of the citizens' charter of key government offices that shall be provided to the transacting public as government's manifestation of service guarantee; and recognition of citizen-driven government organizations that have attained ISO 9001:2000 certification for other government agencies to emulate.

The Integrity Development Action Plan (IDAP) of the defunct Presidential Anti-graft

Commission (PAGC), on the other hand, anchored on Chapter 21 of the government's Medium Term Philippine Development Plan, which embodies the multi-pronged strategy involving 22 specific and doable measures under four major areas of implementation – graft prevention, education, deterrence and strategic partnership. This has been adopted as the national anticorruption framework of the executive branch under Her Excellency President Gloria Macapagal-Arroyo in line with her program of countering corruption through integrity development and good governance. Section 2(g) of Executive Order No. 531.

Under the mandate of the Office of the Ombudsman (OMB) is the function Corruption Prevention, the Public Assistance and Corruption Prevention Office is the implementing office of such. The creation of reports regarding agency analysis framework, systems study, corruption vulnerable assessments, integrity development review and the integrity management program was done by the Bureau of Resident Ombudsman (BRO), headed by a Director and a group of graft prevention and control officers, who are trained in different kinds of corruption prevention tools. The trainings and exposure of these corruption prevention officers to corruption prevention tools implementation are culled from the OMB's General Appropriations Act budget or from foreign development aid funders like the European Union, World Bank, Asian Development Bank, etc. To date, the OMB is under organizational restructuring program, to strengthen the function of corruption prevention the Research and Special Studies Bureau and the Bureau of Resident Ombudsman shall in the future be named Corruption Prevention Bureaus A and B.

President Benigno Simeon Aquino issued Executive order No. 171 series of 2014 organizing and ensuring the successful implementation of the UNCAC and demonstrates the Philippines' strong commitment to the observance of international normative standards, as it is necessary to establish an appropriate multi-stakeholder mechanism or body to carry out the effective implementation, monitoring and review of all the initiatives to achieve the noble goals of the UNCAC according to its "whereas" clause. Executive Order no. 176, series of 2015, on the other hand, implements the harmonized version of the OMB's Integrity Development Review

(OMB-IDR) and the defunct PAGC's Integrity Development Action Plan (PAGC-IDAP) which is now called the Integrity Management Program (IMP).

OMB-IDR, is a project funded by the United States Aide for International Development (US-AID), to roll out an anti-corruption plan spearheaded by the Office of the Ombudsman to a participating agency. The OMB-IDR has two phases which includes the Integrity Development Assessment or IDA with ten dimensions; the second phase, on the other hand, is the Corruption Vulnerability Assessment (CVA), where the IDR Assessors chooses at least three critical agency operations processes and conducts a process mapping of the each chosen transaction in such agency.

IMP now is the new corruption prevention tool of the National Government and continues to develop through its implementation and pilot testing of its component phases in different participating government agencies (Included and Voluntary).

3. Is Corruption Prevention Culture Already Internalized in Philippine Governance System?

Internalization of corruption prevention in the governance culture and system is already evident, but not continuing. Whether there is force or mandate from superiors, an implementation of the national anti-corruption tools and initiatives, is already success - dependent to the Head of Office/Agency and even the Presidential Call. This humble view needs an in-depth, qualitative research to really make a credible conclusion on such hypothesis.

In some government agencies, the sustainability became more dependent of the implementers who are most of the time Senior Officers of a Government Agency; knowledge and expertise are not well documented; best practices were not yet made into a book or publication; and the scientific/technical way of writing these are not yet in place.

Internalization of the culture of corruption prevention must be given great weight because since time immemorial, our society and government processes *are only reactive*. We can no longer afford losing large sums of hard earned tax money from the people who should be dedicated to housing, education, livelihood and decent living of Filipinos.

4. Is Corruption Prevention Practice in the Philippines Governance System A Waste of Time and Government Resources?

These endeavors are not a waste of time and government resources, since there are tangible policies issued out of the recommendations done by assessors of different corruption prevention roll out/implementation. Most of the resources came from development partners due to their heart to help the Philippines curb corruption.

The thing is that implementation of the policy/ies and internal controls - already in place - has no continuing effect due to the discretion or selective implementation of whoever heads a government agency; continuous monitoring of the implementation, monitoring the applicability and adaptation of the existing internal controls to different demands of the time, like social and information technology advancements.

5. Will Corruption Prevention Initiatives Be Sustainable Throughout Any Administration That Shall Pass?

A conduct of thorough and inter-disciplinary research as to effectiveness of the corruption prevention tools already rolled out by different oversight and anti-corruption agencies in different participating government agencies should be reached through a collaboration of the corruption prevention officers with the Academic Community and come up with a more credible and reliable source of information to be submitted to Legislators for policy direction.

A partnership of the experts and practitioners in the field of corruption prevention and the scientific/technical know-how-of-Research by the Academic Community can sway and easily influence Legislators or even to the worst scenario if not supported through legislative sponsorship is via a People's Initiative since there has been an organic law on creation and pushing of a law by a group of Taxpayers/Concerned Citizens through Republic Act 6735 otherwise known as the "The Initiative and Referendum Act".

6. Is There Really a Need For the Institutionalization of Corruption Prevention in the Philippine Governance System?

A lot of high end corruption had already passed Philippine History. It evolves and changes in accordance to the call of the times, technologically and socially. The old school of principles in the fight of corruption is now tainted with self-interest and even used in defeating the purpose of the anti-corruption legislation. The writer reiterates, that, this is no longer the time, to be complacent with the new ideas and schemes of corruption, and we act on it after culprits already stole from the national coffers hard earned tax payers' money and this/these culprit/s will now employ the best lawyers to fight for him/them using the corrupt legal system.

The sustainability of corruption prevention practice in the Philippine Governance system needs an organic law for the compilation as well as centralized and systematized actions of all actors in this infant field. Internal controls in the government should be in place (implementation and monitoring); corruption risks should be identified, measured and remedied; giving importance to the organizational value of building integrity culture and integrity systems; removing political factors, as much as possible, in governance and administration; career/professional development and collaboration in the area of corruption prevention be established in the private, public and the private-public partnership; findings and implementation of recommendations by experts in the field of corruption prevention should not be taken for granted and a corresponding administrative and criminal liability should be imposed to those who shall fail to adapt a corruption prevention measure or internal control in a high corruption vulnerable procedure and processes in a government agency.

7. The Connection of Corruption Prevention Practice to Sustainable Development Goals, Conclusion and Recommendations?

7.1 Corruption Prevention in the Philippine Governance System needs to be institutionalized.

A corruption prevention law must be passed by Congress to shift the old mindset of “running after a culprit after the culprit stole something” instead “we think like culprits to prevent culprits from stealing”, but organizational values should be instilled so that those who think of integrity systems will also not, in the end, be tempted to act as future culprits. A Corruption Prevention Coordinating Office in each government office, LGU, government instrumentalities, state colleges and universities, that shall endeavor the work of implementing corruption prevention tools such as internal audit, corruption vulnerability assessments, systems studies, red tape assessment, process audit and mapping, etc need to come up with recommendations how to address the loopholes of existing rules and regulations and safeguard the procedures and processes in place.

7.2 Participatory Development to Corruption Prevention and Globalization connected concepts.

The involvement of the people within an organization, especially in the bottom or grass roots level or another term the implementers of policies from top management, should not be set aside. Development applies not only to the economics aspect but also to the social aspect of a group of people. A government office is a small republic, where there are norms, culture and values. Since “quest for a good life” is development, a good life in a good organizational atmosphere is tantamount to a better service-delivery of transactions and even goods to the general public by a government office. The involvement of the people at the bottom/grassroots will have a sense of ownership in the implementation of a policy, and obedience shall not be a burden to them, unlike in the old days of the traditional leadership of “slave-driven” culture.

Corruption shall also be addressed because if bottom/grassroots level shall be involved in policy making they will be on guard of its implementation and abuse of discretion of an official shall be evident, and the employees will always have a mechanism of reporting any of the irregularities without the fear of being isolated or treated badly and personal by a concerned culprit official. A corrupt-free government office will always maintain an image over its people and even to the rest of the world, a moral leadership and governance that will encourage foreign investments, promote quality of life for the people, and project to those foreign entities (either business, governments or family of States), that the Philippines rejects illegal activities in its territories.

7.3 Corruption Prevention can be related to Sustainable Development Goals Principle No. 16.

This SDG principle can be divided into three stages:

First Stage: Build effective, accountable and inclusive institutions at all levels

Second Stage: Access to justice for all

Third Stage: Promote peaceful and inclusive societies for sustainable development

Attaining the First Stage of SDG 16 will result in an implied effective and efficient justice system (Second Stage of SDG 16), if the Judiciary and all other branches of the government will enthrall the idea of institutionalizing Corruption Prevention by building a culture of integrity through organizational integrity and periodic review of all legal procedures in tune with the evolving cycles of the society. The product of Corruption Prevention practice which are integrity systems and procedures will give people easy access to the judicial processes, which in return shall answer to the legal concerns, in a simplified manner. The primary goal of corruption prevention practice towards good governance, is the simplification of government processes and addressing the concerns of the transacting public in a government office/agency frontline or even organizational support operations.

The achievement of the Second Stage, shall produce and promote a peaceful and inclusive society for sustainable development (Third Stage of SDG16). An effective and efficient judicial system would create a public image of fair legal process that in time will promote an inclusive society. The integration of internal controls as a result of the institution of corruption prevention tools through research/ corruption vulnerability assessments, systems study methodologies, etc. will foster a culture of integrity in government institutions and further create an impression of forging partnerships with the other member organizations (private and civil society organizations) of the society to be accountable and inclusive institutions.

Finally the third stage is “promote peaceful and inclusive societies for sustainable development” which shall provide access to justice for all and build effective accountable and inclusive institutions at all levels.”The need for accountable and inclusive government institutions, should first be achieved to attain SDGs 1-15 and that is through the pro-active and pre-emptive approach in fighting corruption – the introduction and promotion of the corruption prevention culture in the Philippine Governance system.

In the final note and full emphasis, the promotion of the long standing principle in the medical field “prevention is better than cure” applied to public administration is that we practice Corruption Prevention by building strong integrity government systems so that possible culprits will be discouraged to commit any infraction/omission of law and spare millions of hard-earned people’s taxes from wastage due to corruption.



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