Theory and Practice of Understanding Corruption in Pakistan

Case Study of National Accountability Bureau, KPK

By

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بِسْمِ اللهِ الرَّحْمٰنِ الرَّحِيْمِ

مَحَمَّدٌ سَيِّدُ الْكَوْنَيْنِ وَالثَّقَلَيْنِ

وَالْفَرِيْقَيْنِ مِنْ عَرَبٍ وَّمِنْ عَجَمِ

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DEDICATION

This work is dedicated

To

My Parents
My Wife
&
My Sweet Kids

All I have accomplish is only possible due to their love and support

ACKNOWLEDGEMENT

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Abstract

The factors of governance and good governance are pivotal for social and economic development. However, these factors seem dilapidated in Pakistan, as the image of Pakistan is bad in the comity of nations. Corruption is generally the plausible output of such conditions. For being rampant in the country, acceptability toward corruption has increased over time. This thesis focuses on the theory and practice of understanding corruption in the country with specific reference to anti-corruption agency in the country.

The central research question this study deals with is: How corruption is perceived in Pakistan and which types of corruption are prevalent and how these are prosecuted in Pakistan?

In order to answer this central research question, data were collected through semi-structured interviews with National Accountability Bureau and studying policy documents. With respect to understanding of corruption among officers, it was revealed that many officers lack proper understanding of the phenomenon, and their knowledge was also limited regarding understanding of corruption within their department. In addition to that many officers explained the phenomenon in term of recovering the public money that was looted by corrupt people. Furthermore, the officer were indifferent on definitions of integrity violations and corruption, as sometimes the definition of corruption was described too broad, and other times too narrowly.

With respect to most and least frequent types of corruption, it was revealed that since the mandate of organization is to recover the looted money of the public, therefore illegal monetary benefits and illegal use of authority are considered among the major forms of corruption. With specific reference to NAB-KP, most of the cases involve land revenue, departmental complaints related to construction of roads, fraud in mudariba based on cheating public at large. With respect to least recurring types of corruption in NAB-KP, the issuance of Statutory Regulatory Ordinance (SRO) is considered as least occurring. The research shows different reasons behind the prevalence and mechanisms for its curtailment. At the end this research suggests some policy recommendations and further directions for future research in the field.

Chapter 1

Introduction: Corruption and Anti-Corruption Agencies

1.1.   Background

The spread of corruption in Pakistan has many political and social facets and can be gauged from following two statements in public discourse on Pakistan: 'Corruption is our right' ('corruption hamara haq hai')[1,] and 'credit some easy load to Baba'[2] ('Baba tha easy load oka'). The problem of corruption is not a new phenomenon in Pakistan; rather, it has its roots in the country since its inception in 1947. This problem was highlighted by the founder in his first historic speech delivered to first Constituent Assembly of Pakistan on 11th August 1947 whereby he said that, "One of the biggest curses from which India is suffering, I do not say that other countries are free from it, but, I think our condition is much worse, is bribery and corruption. That really is a poison; we must put it down with an iron hand" (National Anti-Corruption Strategy, 2002: 12).

In Pakistan, corruption is perceived as endemic because among many developing countries Pakistan is always featured as the highest in the rankings that are produced by international organizations (Kaufman *et al* 2005, Transparency International 2004). This is also evident from a recent perception survey of Transparency International (2012) which

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[1] Recently, a minister from country's formar ruling party (Pakistan People's Party) appeared on a television talk show panel, and in reply to a hard set of questions put forward by the moderator on the subject of corruption, made the unbelievable claim: 'Corruption is our right' ('*corruption hamara haq hai'*). For details see also http://www.dawnnews.tv/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/18-the-psychology-of-corruption-am-02 see also http://www.youtube.com/watch?v=zjIfV8mTiTs&feature=related

[2] The formar Chief Minister of Khyber Pakhthoonkhwa-Province of Pakistan was notoriously known for his Father (Baba) residing in his paternal village but managing and manouvering any transfer/posting, acquittal, issuance of license for transacting business, appointments, etc on behalf of his son and also in return for an amount of money specified under any given head of activity. Therefore, it has become a joke now and any one asking favour for solving his/her (so called) problem, would be humourously and ironically responded 'Baba ta easy load oka' and the former will go to the latter, grease his palm/scratch his back and all worries will be gone.

ranked Pakistan as 139th in the comity of nations on the scale of corruption-free-governance. No doubt, the perception presented by Transparency International can be contested but within Pakistan, the same has gained momentum amplifying the notion that public administration of Pakistan is plagued with corruption. Even though hard evidence of corruption's incidence is difficult to obtain, but different surveys, news reports, historical accounts and case studies indicate that corruption is pervasive in Pakistan at all levels (Pellegrini, 2007). Corruption has become a way of life in Pakistan (Islam, 2004), which consequently made institutes in Pakistan extremely inefficient (Abbasi, 2011). This has led to a general impression that practice of corruption has increased in volume over time and there is less evidence that people feel guilty about it (Javaid, 2010). The prevalence of corruption on such a wide scale can be stated through Ehtisham's (2009) apt expression: "From policemen on the beat to highest ranks, from legal clerks to judges, from minor revenue officials to senior administrators, from storekeepers to high-ranking engineers, all government and private agencies are involved in corruption." Thus an average Pakistani national witnesses corruption every time he encounters bureaucracy – from paying bills, registering births, reporting a crime, getting an electricity connection, trying to get children admitted to a school, to recording the sale of a house; the embracing of corruption at such large scale speaks of severe implications for public at large.

1.2. Corruption control agencies

When societies are confronted with the problem of corruption a general response to this problem is the establishment of anti-corruption agencies. Meagher (2005) explains that different countries adopt different approaches toward this end. These include multiple-agency approaches, and single agency paradigm. He explains that in multiple-agency approaches, most countries combine traditional state institutions with one or more specialized anti-corruption agencies. Whereas, in single agency paradigm the core functions of anti-corruption includes investigation, prevention and enforcement. The most cited examples are Independent Commission against Corruption (ICAC) in Hong Kong, and Corrupt Practices Investigation Bureau (CPIB) in Singapore. However, more than 30 countries have established their own anti-corruption agencies, mandated with different procedures- prevention, detection or punishment- to be adopted for the control for corruption.

Since the focus of this research is on anti-corruption agency in Pakistan, i.e., National Accountability Bureau, the procedures adopted in NAB are similar with Hong Kong. NAB is considered as an apex institution against corruption in Pakistan and which amalgamate all powers of previous anti-corruption agencies in the country since independence. In addition to that, NAB has the authority to take investigation of corruption in its ambit, even if it is under investigation with any other agency. A complete picture of the organization and its operations are described in chapter 5.

Undeniably, corruption is considered as detrimental for the society as whole (Klitgaard, 1988). However, it becomes more severe when general public attitudes start changing and accepting this menace. In Pakistan the general perception is that acceptability is increasing

toward corruption (Javaid, 2010). In Pakistan anti-corruption agency are not often researched in this context. The case study of NAB has been selected with the intention to inquire from organization and its officers whether the increase in acceptability of corruption among general public is also reflected/translated in their organization or not. In addition to that to explore what do they consider as corruption and how do they prosecute them.

1.3.   Problem statement

The available literature evinces that defining corruption is complex. To get a complete grasp on corruption, it is important to distinguish between definitions which are conventional – contextual - and those which are functional-universal applicable. However, it is ideal to take both perspectives into account when defining the phenomenon. Corruption is generally considered as abuse the public office for private gain. Different researchers and academicians presented different definitions of corruption. It is often defined as "behavior on the part of officials in the public sector- politicians, civil servants, police officers- who improperly and unlawfully enrich themselves, or those associated with them, by misusing of the public power entrusted to them" (Lasthuizen, Huberts, Kaptein, 2002: 6). The definition adopted by National Accountability Bureau, an apex anti-corruption agency in Pakistan, is very similar to this definition. Therefore, in this research, this definition is adopted for corruption.

From the literature it is learnt that the concept of integrity violation is broader than the concept of corruption, means it incorporate more types of violations or wrongs behaviors that are considered as unlawful and immoral. The term integrity can be defined as

"commitment in action to morally justifiable set of principles and values, where the criteria for moral justification is reality- not merely acceptance of values by an individual, group or society" (Becker, 1998: 157). In other words it means the quality of being upright and honest. It is pertinent to note that the concept of integrity is attached to both individuals and organizations. For this research, organizational integrity is taken into account as the quality of employees' behaviors which is in accordance with accepted norms, values and rules of the organization and external environment. Hence integrity violations are deviations from these norms, values, rules and obligations. The next chapter explains all these concepts in details.

1.4.   Research questions

The central research question this study started with is: *How corruption is perceived, prevalent and prosecuted in Pakistan?*

The individual components of this central research question are the understanding about corruption, the perception about different types of corruption, and how these types of corruption are prosecuted in Pakistan. In order to answer this central research question, a detailed discussion is required on different theoretical and empirical questions. To cater for this, on the basis of prevailing theory and literature, the discussion answers the following questions:

1.   How corruption is defined in the literature, and what are the types of corruption?

2.   What are the strategies for the control of corruption in developing and developed world?: Anti-corruption agencies

3.   What are the nature and types of corruption that prosecuted by National

        Accountability Bureau of Pakistan?

The empirical sub-questions that are explored in this case study of National Accountability

Bureau (NAB), KPK are:

1.   How corruption is defined by NAB officers in Pakistan?

2.   What types of corruption are more prevalent in Pakistan?

3.   What are the causes of corruption in Pakistan as perceived by NAB officers?

4.   How corruption is prosecuted in National Accountability Bureau (NAB)?

In order to answer these research questions, this study undertaken the case study of

National Accountability Bureau, an apex organization mandated for controlling corruption.

In this case study different types of corruption are scrutinized. These types are explored in

context of prevalence and different causes attached to more prevalence. To understand

how corruption is prosecuted in the organization, a complete process is described along

with some challenges the organization faces during the prosecution process. Before

proceeding to the detail analysis, let us first define the term corruption and its related

concepts.

1.5.   Relevance of the Study

This research discusses the theory and practice of corruption in national and international

perspectives. After that it analyses the findings from interviews with the officers of the

Pakistan anti-corruption agency to explore the most prevalent types of corrupt behaviours,

how it is prosecuted and what changes can be brought about to eradicate the corruption

and its causes.These questions are explored in relation with how the term corruption is

defined in Pakistan. This research is an explorative and descriptive study and focus on analysing data from the national accountability bureau, the country national and apex anti-corruption agency. In this research the qualitative triangulation (such as interviews, focus group discussions, informal discussions) approach are utilized to answer the research questions. This research falls within the domain of development studies (focus on governance improvement) in PIDE, and has policy implications for anti-corruption agency (NAB) as well as help in understanding the issue at lower levels in Pakistan.

1.6.   Structure and outline of the thesis

This thesis is divided into three parts, the first part (I) comprises of introduction to the research problem, research question and case selection. The Part II consists of three chapters which makes the theoretical and methodological framework. Chapter 2 sheds light on available literature on theory of corruption in general. Chapter 3 provides an overview on Pakistan to elucidate the context and embedded causes of corruption in the country. The research outline is presented in Chapter 4, describing the different tools employed in the research. The Part III is composed of two chapters. Chapter 5 describe and analyse the findings on National Accountability Bureau, and Chapter 6 concludes the findings of the thesis, and makes suggestions for further research in the field.

Chapter 2

Theory on Corruption

2.1. Introduction

Widespread corruption is considered as severe problem, causing harm not only to politics and public administration but also affecting the business sector (Transparency International, 2005). This consciousness has initiated numerous interdisciplinary researches investigating corruption from different perspectives. Political science, economics, public administration, and criminology have contributed much to the understanding of the phenomenon (Amundsen, 1999). Yet there is no concrete agreement exists on the concept what activities to include and to exclude for complete comprehension. In addition, for its different facets, corruption occurs in different forms in different organizations and in different countries. This make the anti-corruption drive more complex and difficult, and one-size-fit all formula cannot be suggested.

This chapter briefly reviews the relevant literature on corruption. This begins with clarifying the concept and as used in this study (sees section 2.2). Section 2.3 describes the different typologies of corruption as mentioned in literature. In section 2.4, a brief description is presented on the concepts of corruption and integrity violations and their inter-connectedness. Later section 2.5 elucidates the typologies of integrity violations. The final section 2.6 focuses on controlling corruption that what factors and conditions matters for the control of this menace. In addition, it describes briefly the functioning of few selected anti-corruption agencies and their pursuance of control of corruption. The country specific literature and information are presented in chapter 3.

2.2. Corruption: The concept

The concept of corruption is considered as complex, complicated and difficult to grasp (Huberts 2010). The reason is there are different ideas of what constitute corruption. However without deeper understanding of the phenomena it is difficult for the policy makers and researchers to suggest concrete measures for its control. One scholar uses an interesting analogy to describe the phenomena. According to him the concept of corruption is "like an elephant, even though it may be difficult to describe, it is generally not difficult to recognize when observed" (Tanzi 1998: 08). There are some agreements regarding some behaviour that connote corruption, but no one has ever presented a one line definition of corruption (Johnston 1996).

From wide range of different understandings the following perspectives of corruption can be derived:

1) Corruption is an exchange of mutual benefits and reward that occurs voluntarily and takes place by mutual agreement (Park, 2003 cited in Rabl and Kuhlmann, 2008).

2) Corruption is violation of norms. In other words, it is immoral behaviour (Van Duyne, 2001) which includes deviation from legal norms (Khan, 1996) or moral values (Huberts, Jurkiewicz and Maesschalch, 2008).

3) Corruption is abuse of power, in which actors utilize the authority, position for personal benefits and interests (Tanzi, 1995; Khan, 1996,).

4) Corrupt actors form an intimate, close, and hidden community in which they secretly agree on the illegal aims and advantages of their exchange relationship (Ru¨gemer, 1996).

For its many different aspects and dimensions, defining corruption is complex. To get a complete grasp on corruption, it is important to distinguish between definitions which are conventional and those which are functional. Conventional definitions are used in particular context while functional definitions have universal application. Ideally, one should define corruption in both conventional and functional sense (Simpson, 1977). For instance, McMullan (1996) define corruption as "a public official is corrupt if he accept money or money's worth for doing something that he is under duty to do anyway, that he is under duty not to do, or to exercise a legitimate discretion for improper reasons" (McMullan, 1996). A bit broader definition is forwarded by Lasthuizen, Huberts, and Kaptein (2002). According to them corruption involves a "behaviour on the part of officials in the public sector - politicians, civil servants, police officers - who improperly and unlawfully enrich themselves, or those associated with them, by misusing of the public power entrusted to them." A brief definition is the abuse of public office for private gain. This project is going to employ the working definition of corruption presented by anti-corruption agency in Pakistan, "corruption involves behaviour on the part of office holders in the public and private sectors, in which they improperly and unlawfully enrich themselves and/or those close to them, or induce those to do so, by misusing the position in which they are placed". Putting it simply, corruption is the misuse of entrusted power for private benefits (NACS, 2002).

2.3.   Typologies of corruption

Since corruption takes many forms and there is a lack of consensus on adopting a universal definition of corruption, this has also made it difficult for researcher and scholars

that which behaviours to include or exclude in the concepts of corruption to get a clear understanding of them. From the literature different classification are elaboration by different researchers. For instance, Weber (1964) developed a typology of corruption on the basis of subjective intentions that have or expect the individuals such as gaining power and influence, economic and business success, self-enrichment, social motives, opportunism, etc. Corruption can be active or passive taking into consideration who is the person that has the power of decision making or to whom is requested. A basic categorization considers political corruption, economic corruption and public administration corruption.

Corruption takes many forms, and some of the examples are: Klitgaard (1998) identified bribery, extortion, fraud, trafficking, embezzlement, pilferage, kickbacks, speed-money, nepotism, favouritism and cronyism as different forms of corruption. While William Pierce (1981) categorized corruption as theft of materials, misuse of time on the job, bribery, misuse of officer, conflicts of interest. Vargas-Hernandez (2013) elaborated the following forms/types of corruption: bribery, collusion, embezzlement of public funds and theft, fraud, extortion, abuse of discretion, favouritism, clientelism, nepotism, the sale of government by public officials, patronage. The empirical typology developed by Barker and Roebuck (1974) comprised of corruption of authority, kickbacks, shakedowns, the fix, protection of illegal activities, opportunistic theft, internal pay-offs etc., are most often used in the literature.

In this research I do not intend to concentrate only upon the more serious forms of unethical behaviour, but also less serious forms of behaviour will also be included, such as misuse of authority and resources (Office Vehicles, Perks and Privileges etc.)

2.4.   From corruption to integrity violations

From the above typology of corruption it can be inferred that the concept of corruption offers important but limited view on unethical conduct especially within an organization. It is worthwhile to know about specific types of corruption such as bribery and extortion but it is also important to discover other type of violation such as discrimination and misuse of public resources etc. therefore we need to use an extended concept of corruption that is integrity violation. As Huberts and Lasthuizen (2014 :12) appropriately that "umbrella concepts limit the possibilities for expending our knowledge about unethical behavior (content, causes, effects, solutions)." Therefore in this research our focus is on integrity violation which is a broader concept of corruption. In other words it encompasses more types of unethical behavior than corruption.

It is also pertinent to note that integrity can be attached with individuals (Klockars, 1997) as well as with organization (Kaptein & Wempe 2002). However, like corruption the concept of integrity is also debatable (For instance see Huberts, 2007; Lasthuizen, 2008). Nevertheless, integrity can be defined as characteristic or quality that refers to accordance with the relevant moral values and norms (see Huberts, Kaptein and Lasthuizen; 2007). Whereas, 'value' is a belief that contribute to judgments about what is good, right, beautiful or admirable. The 'Norms' show whether something is good or bad, right or wrong, beautiful or ugly. In other words 'value' and 'Norm' show that "what is the right thing to do" (see Huberts et al., 2007). This infers that it is advantageous to use integrity violation rather than few types of corruption for identifying unethical/misconducts/immoral behaviors in an organization. In succeeding section the different types of integrity violations are discussed.

2.5. Typology of integrity violations

In many researches integrity violations are distinguished by different types and in different organizations. For instance, in many organizational researches the employees' wrong behaviors are covered by wide range of actions. These include withholding of efforts to disobeying orders to drug abuse in work place. However, a demarcation can be drawn that whether misbehaviors are directed toward organizations or toward other employees (see Wilks, 2011). In many researches wrong behavior labeled with nomenclatures. For instance, 'deviant behavior' (Robinson and Bennett, 1995); 'non-complaint behavior' (Puffer, 1987) and 'immoral behavior' (Jones, 1991).

Different researchers (such as Heidenheimer et al, 1989, Anechiarico and Jacob, 1996, Caiden, 1998) developed different typologies of corruption. However, a more specific studies on Police organization presents different typologies of integrity violation. Based on these studies a new typology of integrity violation was developed by Huberts (1998), primarily focuses on police organizations. According to that typology nine different types of behaviors are identified. These are:

- Corruption

- Fraud and theft

- Dubious promises and gifts

- Questionable sideline activities and jobs

- Misuse of information

- Discrimination

- Misuse of power

- Waste and abuse of resources

- Crime (in private time)

This typology was later validated by Lasthuizen (2008) for standardized survey in the field of ethics and integrity, and the typology of Huberts et al., (2007) was further improved to be used for police organizations. The different types and dimension of these typologies can be seen in table (2.1) below. Since this typology has been validated in few researches, therefore in this study this typology was used to further explore misconduct and deviant behaviors in the context of Pakistan.

Table 2.1   Typology of integrity violations and its dimension

No.	Type	Dimensions
1	Corruption: bribery	Misuse of public power for private gain, asking, offering, or accepting bribes
2	Corruption: favouritism (nepotism, cronyism, patronage)	Misuse of public authority to favour friends (cronyism), family (nepotism), or party (patronage)
3	Fraud and theft of resources	Improper private gain acquired from the organisation (with no involvement of an external actor)
4	Conflict of (private and public) interest through gifts	The interference (or potential interference) of personal interest with the public/organisational interest because of gifts, services, assets taken or promised
5	Conflict of (private and public) interest through sideline activities	The interference (or potential interference) of personal interest with the public/organisational interest because of the jobs or activities practiced outside the organisation
6	Improper use of authority (for noble causes)	Use of illegal or improper methods to achieve organisational goals (e.g., illegal methods of investigation

		or disproportionate violence by police)
7	Misuse and manipulation of information	The intended or unintended abuse of (access to) information, such as cheating, violation of secrecy rules, breaching confidentiality of information,
8	Discrimination and sexual harassment	Misbehaviour toward colleagues or citizens and clients
9	Waste and abuse of resources	Failure to comply with organisational standards, improper performance, incorrect or dysfunctional internal behaviour
10	Private time misconduct	Conduct in an employee's private time that harms the public's trust in administration or government

Source: de Graaf (2010: 768)

2.6. Controlling corruption: Introduction

This section reflects on the important question of what causes, condition and factors lead to corruption. In addition it elucidate on different anti-corruption agencies in the pursuance of corruption control. The understanding on the causes, factors and conditions leading to corruption has significance, as it reveals the reasons of existence in a society. This understanding also helps in providing insight for combating corruption, as by removing those causes, factors and conditions this menace can be controlled (Noor, 2002). In other words, understanding helps that *how* and *where* to intervene. In below section these causes, factors and conditions are discussed along with some reflection on anti-corruption agencies.

2.6.1.   Controlling Corruption: Factors and Conditions

This section summarises number of studies on the causes of corruption, concentrating on different theoretical perspectives and levels of analysis such as macro, meso and micro level studies. From theoretical perspectives, de Graaf (2007) initially identifies six kind of causes of corruption from the available literature. These theoretical perspectives are: public choice, bad apple, organisational culture, clashing moral values, public administration ethos and correlation theories. Later, together with Von Mravic and Wagenaar (2010), he delineated eight different general theoretical perspectives on the causes of corruption. Combining these two sets of theoretical approaches generates the nine models and perspectives on causes of corruption, as summarised in table 2.2 below (cf. Huberts and de Graaf, 2013). The table also elucidate the level of corruption in a society or country.

Table 2.2 Theoretical approaches

No.	Theory	Causal chain	Level of causal analysis
1	Theories on personality and character ("bad apple" theories)	Bad character leads to corrupt acts	Micro
2	Public choice theory/institutional economics	(Bounded) rational decision-making by an official (cost-benefits, risks) leads to corruption	Micro and Macro
3	Criminological theory	Corruption is crime caused by motive, opportunity and lack of control	Micro and Meso

4	(Neo)institutional theories of politics and bureaucracy	Characteristics of politics and bureaucracy lead to corruption (traditional neo-patrimonialism, failure in political system)	Meso and Macro
5	Organizational culture	Culture of organization/group leads to mental state(s), which lead to corrupt behaviour	Meso
6	Ethos of public administration theories	Pressure to perform and lack of attention to integrity lead to an official's focus on effectiveness, making him or her corrupt	Meso and Macro
7	Theories on moral values (construction and clashes)	Values and norms of society influence individual values and norms, which make official (seem) corrupt	Meso and Macro
8	Functionalist theory on society and state	Dysfunctionality of the state stimulates corruption to enable social functions, and/or intermingling of social spheres leads to corruption	Macro
9	Ecological/multi-approach	A diversity of factors cause corruption (characteristics of the individual, work organisation, and context); eclectic model	All levels

Source: Huberts and de Graaf (2013)

The first perspective deals at individual level in analyzing causes of corruption. These studies seek the causes of corruption in low moral values and faulty character in individuals, usually known as 'bad apples' or 'rotten apples'. There is less evidence found on this study empirically however, in recent times, Maurice Punch does support this theory but he extended that 'rotten barrels' and 'rotten orchards' (2009). The influential factors identified by this theoretical perspective are financial remuneration, training, and control mechanism (Newham, 2002; Newburn, 1999).

In the second perspective of rational choice theory, an individual tries to weigh the possibility or probability of being caught and punished. This perspective is being supported by Rose-Ackerman (1978) and Klitgaard (1988), who argue that an individual/public official is corrupt, when he sees that potential benefits exceed the probable costs (of being caught or punished). The important factors this perspective focus are accountability, discretion and opportunities exist in an organization.

The criminological theory perspective assumes the relationship among motivation, opportunities and control mechanisms at individual, organizational and environmental levels. This inter-relationship has a down-spiraling effects and ultimately results in corrupt actions. The theorist belonging to this perspective also assume that corruption is a causal factor as well as side-effect of crime, such as organized crime, corporate crime and state crime (see Nieuwenboer and Kaptein, 2008).

The neo-institutional perspective focuses at meso and macro level for the causes of corruption. These theorists assume that corruption is derived from tradition, charismatic and legal-rational types of domination. In traditional type, power is inherited and distributed among some members of the clan and the selected members use the power as

per pre-determined tradition and every member of the clan know what to expect from power holder. In charismatic types of domination power is held by one person, and charismatic societies rely on him for his personal attributes. But this type of reliance on one person makes the rule more fragile. And lastly the (bureaucratic) power in legal-rational rule is exerted on the basis of clear rules, in which ends justify the means of execution (Rubinstein and Von Maravic, 2010). In this perspective, cronyism, nepotism and patronage surface as causes of corruption.

From the organizational theorists' perspective, causes of corruption are seen in organizational culture and structure settings where the agent is working (de Graaf, 2007). The theorists assume that organizational culture causes corruption. This culture leads to make a certain mental condition that lead to corruption (de Graaf, 2007). As Punch (2000: 304) aptly notes with specific context of police organizations that "if we scan these activities then it is plain that we are no longer dealing with individuals seeking solely personal gain but with group behaviour rooted in established arrangements and or extreme practices that have to be located within the structures and culture of police work and the police organization." The influential factors these theorists emphasise are: changing organisational leadership (Schein, 2010), selection criteria (Chan, 1996), provision of ethic lessons during training (Chan, 1996), supervision and control (Alvesson and Sveningsson, 2007) etc.

The ethos of public administration theories resemble with organizational culture theories, however, the influences in these theories come from macro levels. Nevertheless, the empirical researches by these theories barely exist. From theoretical perspective, the

emphasis is put on the importance of effectiveness, efficiency and lack of attention to integrity (Doig and Wilson, 1997; de Graaf, 2007).

The clashing moral values theories assume that certain values and norms of society directly influence the values and norms of individuals, and make them corrupt (Rose-Ackerman, 1999; de Graaf, 2007). The factors emphasised by these theorists are: the role of codes of conduct and their enforcement, along with 'ethical training' (Kaptein and Wemp, 2002), rather than rules, threats, surveillance or coercion (see de Graaf, 2007).

The functionalist theorists assume that corruption is a natural corollary of the transition from tradition to modern (Huntington, 1968), and this occur during the maturity cycle of every nation. These theorists assume that corrupt practices are used as a means to cut red tape and improve administrative efficiency, reduce political friction, lubricate the rusty wheels of the economy (Noor, 2009).

The final perspective of ecological or 'multi-approach' is least coherent from a theoretical perspective, and does not start from an implicit or explicit theoretical explanation model. This framework of multi-approach seeks to incorporate the findings of empirical researches that plausibly identify which individual, work, organisation and context characteristics are important in explaining causes of corruption. Huberts (2010) derived all such causes and factors in his framework.

- Individual and personal factors - personal experience, feeling of insecurity, personal identity, moral ambivalence
- Informal group factors within the organisation - group or clique propensity to corrupt, informal group leadership, relationships with colleagues

- Formal organisation - unclear tasks and responsibilities, lack of central authority, semi-public, demoralising working conditions

- Society as a whole - social inequality, norms and values, apathy and ignorance, distrust

- Economy - poverty and inequality, inflation, sudden influx of external resources, state monopolies, etc.

- Politics - increasing (party) political influence and de-bureaucratisation, lack of democracy, lack of openness and public debate (also via media)

All these theoretical approaches on the causes, factors and conditions of corruption are applicable to many disciplines, organisations and to different levels (i.e. micro-meso-macro), but since this study focuses anti-corruption agency in Pakistan, the multiple approach seem more relevant. In the next section a brief description is presented on anti-corruption agencies, that how different agencies operates in the pursuance of corruption control.

2.6.2. Controlling corruption: Anti-corruption Strategies and agencies

Experiences in different countries have demonstrated that there is no single model that could determine the ways to minimize the risks of corruption across the globe. Rather, a wide range of diverse models are available from contemporary practices and historical experiences that show different methods of minimizing the menace of corruption. Nevertheless, all the tools of controlling corruption are country specific.

The available literature on anti-corruption strategies can be analysed from two perspectives. The first perspective is, what different institutions/researchers suggest for

fighting corruption, and the second is, learning from the experience of others that how did they combat corruption and have become model and ideal for the rest of the world. These two perspectives are as follows.

a) Institutions or researchers' perspectives:

Before starting describing the suggestions by different international institutions and research, it is pertinent note that there exist at least three schools of thought on corruption prevention and reduction. These schools of thought are eloquently explained by McCusker (2006). First is *Interventionism,* in which the relevant authorities wait for corrupt act to occur and then intervene to capture and punish the offender. Second is *Managerialism* which advocates the reduction or elimination of opportunities for corrupt actions by establishing appropriate systems, procedures and protocols. Finally *organisational integrity* argues that targeting individuals in the anti-corruption efforts is less likely to be successful than targeting the organisational context in which individuals operate. They involve the integration of an organisation's operational systems, corruption control strategies and ethical standards so that a norm of ethical behaviour is created. In the view of Kpundeh**,** a Senior Public Sector Specialist of the World Bank, the cure of corruption lies in good governance (World Bank Report 2008). Another World Bank study by Shah and Huther (2000) suggests that anti-corruption programs can influence corruption through four mechanisms- reducing the number of transaction involving public officials, reducing the scope for gains from each transaction, increasing the probability of paying a penalty or increasing the penalty from corrupt behaviour. Later Huberts (1998) has also distinguished six strategies for controlling corruption. These are *Economic* − which

emphasises, inter alia on paying higher civil service salaries. *Educational* – that aims at altering the attitudes and values of the populace and civil servants alike via training and education campaigns and engagement of the media. *Cultural* – it must be ensured that the behaviour and attitudes of those in power are subject to stringent codes of conduct and their behaviour filters down to civil servants. *Organisational* or *Bureaucratic* – one must strengthen the internal control systems such as auditing to detect corrupt activity, and staff rotation to reduce the propensity for individuals to establish themselves in entrenched corruption. *Political* – increasing in transparency in terms of the monitoring of party finances and more broadly, a clearer and more definite separation of powers in terms of the judiciary and the state. *Judicial* or *repressive* measures – that advocates harsher penalties for corrupt practices but also the creation of independent anti-corruption agencies.

A multi-layered and holistic approach for combating corruption was proposed by Transparency International which is named as pillars of National Integrity System (NIS), which operates from "the conviction that all of the issues of contemporary concern in the area of governance…needs to be addressed in a holistic fashion" (Pope, 2000). The multi-layered approach of the Transparency International comprises of a) an Elected Legislature b) the Role of Executive c) an Independent Judicial System d) the Auditor-General e) the Ombudsman f) independent Anti-Corruption agencies g) Public Service to Serve the Public h) Local Government I) an Independent and Free Media j) Civil Society k) Private Corporate Sector l) International Actors and Mechanisms. The NIS is not a passive tool, neither it is necessarily dependent on existing pillars or on specific combination of pillars; the pillar identified above must be integrated as far as possible (McCusker, 2006).

b) Learning from other countries' experience

The experiences of different countries evince that controlling corruption requires full understanding of the issue and formulation of own policies at home. Since corruption has many facets and it occurs in different guises in different societies, therefore, any policy that is imported from other country for corruption control is bound to fail. However, learning from other countries experiences for reducing the level of corruption to negligible level are always helpful. Corruption seems to be rampant in Asian economies/countries. This is evident from the report by Transparency International (Corruption Perception Index, 2003) which says that only 5 out of 16 economies scored above 5 points on a 10 points scale. Some of the explanations of these countries are as under.

Jon S T Quah (2003) article explains six best practices that were adopted by those four-Singapore, Hong Kong, China and Republic of Korea- countries that are ranked best in Asia. These practices are 1), do not rely on the police to curb corruption, i.e., never let the police to handle the task of controlling corruption. This would be like give candy to a child, expecting that it would not be eaten. Instead, a separate agency dedicated solely to the task of fighting corruption should be established to deal effectively with corruption in all government departments, including police. Singapore and Hong Kong took 15 and 26 years respectively, to learn this importance lesson. 2) Implement comprehensive Anti-Corruption Legislation; the legislation should specify clearly the powers of the Director and officials of the Anti-Corruption Agency responsible for implementation and these legislations should be reviewed periodically to remove loopholes or to deal with unanticipated problems by introducing amendments or if necessary, new legislation. In Singapore the Prevention of Corruption Act (POCA) specified the powers of directors and

official fighting corruption. For amending the legislation, the good example is of Republic of Korea, which included an innovative chapter on the protection of whistle-blower. 3) provide Anti-Corruption with adequate staff and funding; all these four countries have allocated a huge amount for Anti-Corruption agency, because they are targeting corruption with three pronged strategy i.e. *investigation*, *education* and *prevention*, which requires more funds and manpower. 4) Cut red tape to minimise opportunities for corruption; in Republic of Korea, many government regulations have created opportunities for corruption, but the Regulatory Reform Committee (RRC) in 1998 was established to make the Republic of Korea more business friendly by eliminating unnecessary or irrational economic and social regulation that hindered business activities. 5) Reduce opportunities for corruption in 'wet' public agencies; vulnerable or 'wet' government agencies must review their procedures periodically to reduce opportunities for corruption. 6) punish the guilty to make corruption a high risk, low-reward activity; it means that to perceive corruption as a high risk, low reward activity, the government must publicized the corrupt practices of civil servants, politicians to the media and also inform the masses about the corresponding punishment. The good example for this practice can be found in Hong Kong, where detection and punishment are 35 times more likely than Philippines and that is why corruption is less serious problem in Hong Kong than Philippines.

Besides that there are some individual state efforts and experiences, for instance, Malaysia, Singapore and Hong Kong. It must be kept in mind that it took decades in implementing the right policies there. It is not only the government efforts that led that happened but in fact the role of opposition in parliament, for instance in case of Malaysia, always played a critical role in moulding and amending the legislations to make the Anti-Corruption

agency more independent/autonomous, effective and powerful. Mansoor Marican (1979) explains few factors in favour of Malaysia, because of which they succeeded in reducing the instances of corruption. First is comparatively 'good civil service pay', second is, the difference in the nature of the transition from colonial rule to independence. Thirdly, Malaysia had a bureaucratic tradition that is closer to the Weberian model; fourth factor is the presence of a relatively well-informed, large, professional, educated class; relatively independent judiciary; and relatively free press. The fifth factor is that Malaysia has always had a political opposition, whereas in political repression in many Southeast Asian countries have prevented the opposition from articulation publicly the issue of corruption.

In recent years, Australian government has undertaken a series of reforms to combat corruption through Commonwealth, State and Territory Legislation, Operational Agencies and through Independent Bodies such as Australian Securities and Investment Commission (ASIC) and NGOs. The Australian anti-corruption strategy composed of three pillars, these pillars are:

a) Developing effective and transparent system for public service; this pillar incorporates integrity in public service, which means that there are certain Australian Public Service (APS) values and Code of Conduct which has been established by Public Service Act 1999. If there is any breach of Code of Conduct, sanction are imposed which include termination from employment, re-assignment of duties, reduction in salary etc, and also the Public Service Act also protects the whistle blowers.

b) Strengthening Anti-Bribery Actions and Promoting Integrity in Business Operations: this pillar incorporates a wide range of anti-bribery and money laundering initiatives, which are actively investigating and enforcing.

c) Supporting Active Public Involvement in Anti-Corruption Efforts: public and Non-governmental organizations (NGOs) are highly supported by the Australian government in anti-corruption efforts. The NGOs are taking parts in parliamentary inquiries and committees in Australia (Fenner et al, 2003).

Anti-Corruption Agencies

Since 1990s, more than 30 countries have established some form of anti-corruption agency (ACA) or commission as key tactic in their efforts to fight corruption (USAID, 2006). All these anti-corruption agencies are mandated to adopt procedures that engage in prevention, detection or punishment of corruption. The need for establishing anti-corruption emanates from Article 6 of the United Nations Convention against Corruption that requires that each signatory country establish a body (department) dedicated to the prevention of corruption. Theoretically the impetus for establishing anti-corruption agency should arise from the government; however, there are certain other motives that also need to be considered. For instance, pressure from international community for establishing such agencies. The lack of commitment (from political government) makes the agencies less effective. Because of this commitment element some agencies are performing well in pursuance of corruption while others are less effective and successful.

While reviewing the literature it becomes evident that some of the successful anti-corruption agencies has brought dramatic improvements in pursuing corruption. However, some analyst portrayed anti-corruption agencies as "more failures than successes" (Pope, 2000). This is also evident from the fact that among the African states, almost every country has an anti-corruption agency but only four out of thirty six countries were rated by Transparency International for reducing corruption (Transparency International, 2007).

Another researcher, Kuria (2012) noted that the most of the corrupt countries, as per Transparency International's Corruption Perception Index (CPI), are having centralised anti-corruption agencies. In addition, the researcher observes that none among the 10 "Least Corrupt" countries follow such a strategy.

From the available literature, it is revealed that there are five success stories on anti-corruption agencies. These include, Rwanda (see Ankomah, Hanson, 2009), Singapore (Quah, 1989), Hong Kong (Lethbridge, 1985), Botswana (Doig and Riley, 1998) and Bulgaria (Heilbrum, 2004). It is pertinent to note that one should think wise before recommending and adopting the anticorruption agency model as an anticorruption strategy. The effectiveness of anticorruption agencies can vary remarkably from one case to another, as it depends on the contextual factors of the country (Trinh, 2014). Among these five countries, the examples of Hong Kong and Singapore are widely quoted in the literature. The Hong Kong established Independent Commission Against Corruption (ICAC) in 1974, whereas, Singapore established Corrupt Practices Investigation Bureau (CPIB) much earlier in 1952 to implement the Prevention of Corruption Ordinance (POCO). The successes of ICAC and CPIB in curbing corruption in Hong Kong and Singapore respectively have been analysed in many researches (Quah, 2003; 2006; 2008). John S.T Quah (2008) eloquently describes the histories and different elements of these anti-corruption agencies.

The USAID (2006) summarizes some of the successful factors for anti-corruption agencies (including ICAC and CPIB). These are: *cross-agency coordination-* which focuses on cooperation from sister organizations; *focus-* on prevention and monitoring government implementation of anti-corruption policy; *accountability-* to keep standard,

judicial review, public complaints and oversight; *independence-* that include independent appointment and removal procedures for top officials; *powers-* comprise on strong research and prevention capabilities, can access documents and witnesses, can freeze assets etc.; *staff-* should be well trained, sufficient in number with highly specialized skills etc.; *enabling environment-* economic stability of the country, and corruption is not fully entrenched in the system, i.e., some sectors in the country are clean; *complimentary institutions-* with adequate laws and procedures, free and active media and rule of law.

The above description presents different perspectives on corruption. It has been learned that this phenomena of corruption and its causes varying from country to country. However one needs to identify the key factors and conditions of the phenomena in its own specific context that are based on in-depth national studies (Khan et al., 2012). Since this research is on Anti-Corruption Agencies in Pakistan, therefore, in the next chapter specific causes related to corruption and anti-corruption agencies in the country are analysed.

Chapter 3

Corruption and Accountability in Pakistan

3.1   Introduction

Pakistan officially known as Islamic Republic of Pakistan emerged as an independent state on the world map on August 14, 1947, comprising of two wings East Pakistan (now Bangladesh) and West Pakistan. Pakistan has five [3] provinces namely Khyber Pakhtunkhwa, Punjab, Gilgit Baltistan, Baluchistan and Sind. Pakistan has four neighbors, Afghanistan in the North-West, China in the North, India in the East and Iran in the West. In the brief history of 68 years, Pakistan has been characterized by continuous military interventions in democratic governance process and has fought four wars with neighboring India.

In few authors opinions Pakistan is a failed state (see, Sastry, 2007), however in others opinion it is a hard country (Lodhi, 2011). In more recent times Anatol Lieven observes that "Pakistani is divided, disorganized, economically backward, corrupt, violent, unjust and often savagely oppressive towards the poor and women, and home to extremely dangerous forms of extremism and terrorism" (2011: 2). This infers that Pakistan is engulfed with many complexities and problems. In addition to that Pakistan faces the problems of corrupt practices and maladministration. Since the subject matter of this thesis are related to the problem of corruption in Pakistan, therefore this chapter warrants a brief description of Pakistan that how it is structured and governed. In this chapter section 3.2 presents a brief history and demographic information of Pakistan. Section 3.3 presents

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[3] The fifth Province Gilgit Baltistan was established in December 2009

some of the causes of corruption in Pakistan. Later in section 3.4 the anti-corruption initiatives undertaken by Pakistan are elaborated along with the anti-corruption agencies established since independence.

3.2   Pakistan: Country, Population and History

The British colonial period ended over the sub-continent (British India) with the proclamation of two independent states- Pakistan and India- in 1947. Pakistan constituted from several provinces (see map below) of the Sub-Continent, with majority of population as Muslims. This decision was taken in the backdrop of plebiscite in each province. As a result Paksitan territory was not contagious because the provinces of N.W.F.P (Now Khyber Pakhtunkhwa) Punjab, Sind and Baluchistan formed the west wing of the country where as East Pakistan was 1000 miles away from the West Pakistan.

Currently the population of Pakistan is around 180 Million and around 7 million are living outside the country (Abbasi, 2010). Majority (95-97%) of the population are Muslims, while the rest (3-5%) consists of Hindu, Christians, Sikhs, and others. There are different ethnic groups in the country as can be seen in table (3.1) below, and around 72 different languages are spoken in the country. However, the human development index is not very encouraging in Pakistan, and William Easterly (2011) aptly notes that Pakistan is characterized a paradox of 'growth without development'. Kabeer, Mumtaz and Sayeed (2010:3) notes the human development indicators from the study of Easterly (2001) that " Pakistan has 11% more babies born with lower birth weight; 27% more infant deaths; 19% more child deaths; 66% higher death rates among girls than boys in 1-4 age group;

24% more illiterates; 20% lower gross enrolment ratios… and 21% lower contraceptive prevalence.

Map of Pakistan

Table 3.1 Pakistan population and demographic information

	Population (millions)	Male	Female
	176.2	**90.0 (51%)**	**86.2 (49%)**
Ethnicity			
Punjabi	78.7 (45%)		
Pashtun	27.2 (15%)		
Sindhi	24.8 (14%)		
Sariaki	14.8 (8.4%)		
Muhajirs	13.3 (7.6%)		
Baloch	6.3 (3.5%)		
Others	11.1 (6.3%)		
Age Structure			
0-14 Years	65.6 (37%)	33.7	31.9
15-64 Years	103.2 (59%)	52.8	50.4
64+ Years	7.4 (4%)	3.5	3.9
Median Age	20.8 Years	20.6 Years	21.0 Year

Source: Ian. S. L and Michael O' H (2011)[4]

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[4] For details see (http://www.brookings.edu/about/programs/foreign-policy/pakistan-index).

3.3 Causes of Corruption in Pakistan

From different studies it can be learned that the level of corruption in a society ultimately depends on the values and morals of that society (Javaid, 2010; Chene, 2008; Vittal and Mahalingam, 2004). In Pakistan the causes of corruption are generally seen in the legacy of colonial rule. As Maqbool (2000) notes that traditionally the south Asian countries have been pluralist societies, however these bonds were fragmented by buying the loyalties through corruption and bribery by the colonial masters. That is why corruption and nepotism continue to exist. This culture of nepotism was further promoted by the colonial rulers in the form of awarding lands, titles and jobs to the supporting parties to meet the colonial objectives. Shah and Schacter (2004) identifies some of the contributing factors towards corruption, these includes policies, programs and activities that are poorly conceived and managed, lack of accountability and transparency of public servants, lack of public service mentality. After analyzing these factors in Pakistan, Khan, Khan, Ahmed and Mehmood (2012), notes that corruption emerged in the country after the nationalization of Banks and Industries in 1970s, the influx of foreign aids and black money. Taghavi et al., (2011) are also of the view that important factors/causes of corruption includes over interference of government in economy, inappropriate administrative system, excessive bureaucracy and complexity, governmental and private monopolies, interference of high ranking politicians and government authorities, lack of accountability of government. These factors can also be seen as contributing towards micro level corruption (Administrative corruption) and macro level corruption (political corruption). Similarly, Qadir (2003) identifies some the main reasons of corruption in Pakistan since independence, these are land awards; Bloated Public Sectors

(Nationalization Program 1970); Private Sector Cooperatives (Misappropriation of Public funds in Private sector Cooperatives, Housing and finance Corporations); Drug Money; Foreign Aid and Investment (reckless schemes that scare away investments) ; Institutional Erosion (Lack of checks and balance in legislative, executive and Judiciary institutions) and informal structure of national economy (undocumented Economy).

In Pakistan there are two types of corruption that are generally reported with respect to magnitude i.e., petty and grand corruptions, however common man is more interested in the petty and middle level of corruption as he encounters in his daily dealings and government offices (Javaid, 2010). Nevertheless this section warrants all forms of corruption and at all levels in the country.

3.4   Anti-corruption initiatives in Pakistan and Anti-corruption agencies

Since independence, there have a continuous struggle against the menace of corruption, and a large number of institutions have been involved in passing new laws and legislation in Pakistan to combat corruption. Masood khan *et al.,* (2004) has sketched the history of anti-corruption measures in Pakistan. According to them, corruption was treated as a normal crime before independence 1947 falling within the general definitions of dishonest behaviour, misappropriation, forgery, breach of trust, and cheating. In 1947 a new law of 'Prevention of Corruption Act' was promulgated, which made the issue a special crime. The Public Representatives (Disqualification) Act (1949), Elected Bodies (Disqualification) Ordinance (1959), and the Anti-Corruption Establishment Act (1961), are some of other initiatives/Acts that promulgated in fight against corruption. It created

its own investigating and prosecuting agency[5] and designated its own special judges over the years. In the beginning its application was limited to government civil servants and was extended to public servants employed by state corporations in 1977 through an amendment[6]. The law declared criminal misconduct as an offence punishable with seven years rigorous imprisonment and the offense was defined as "obtaining of any gratification as a motive or reward for doing or forbearing to do any official Act"[7].

A permanent department/agency is considered to be a pivotal force in the fight against corruption in any country. In Pakistan there have been a large number of agencies established with different prosecution powers. Pakistan Anti-Corruption Establishment was founded in 1961 and later on, Federal Investigation Agency (FIA) which replaced the Pakistan Special Police Establishment (1946) in 1975 and was empowered with more authority and more responsibilities covering immigration matters, economic crime, anti-terrorism and corruption. The so called *Ehtesab* (Accountability) Bureau was established in 1996 to deal solely with the issue of corruption, and later on in 1999 a new ordinance was passed and a new anti-corruption department was established with the name of National Accountability Bureau (NAB), which amalgamated the powers the *Ehtesab* bureau and Federal Investigation Agency (FIA). This latest and apex anti-corruption agency (National Accountability Bureau) is further explained in chapter 5.

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[5] (Pakistan Special Police Establishment Ordinance, 1948)

[6] (Act XIII of 1977)

[7] As defined in section 161 Pakistan Penal Code, 1860

Chapter 4

Research Outline

4.1. Introduction

This chapter outlines the research design adopted in the study, beginning with an overview of the basic research elements (section 4.2). Section 4.3 briefly describes the research population that is total employees of NAB in KP. Section 4.4 give details of the tools used for data collection, the total number of interviews conducted for the study. Section 4.5 gives rationale for selecting interview tools and method of analysis. Lastly section 4.6 sheds light on validity and reliability of the research results.

4.2. Research outline

This research study has three purposes-exploring the understanding about corruption among the anti-corruption apex organization employees, and which types of corruption are considered as more sever while other as less harmful. In addition the research try to explore which types of corruption are find more in the context of Pakistan in general and in KPK in particular, and how corruption is prosecuted by the department.

As explained in the Introduction, the central research question is as follows:

How corruption is perceived in Pakistan? Which types of corruption are prevalent and how these are prosecuted in Pakistan?

The main elements of this central research question are understanding and definition of corruption and integrity violations, the typologies, and measures adopted for controlling

that. All these elements are thoroughly discussed in chapter 2, by answering the following theoretical questions in detail:

1. How corruption is defined in the literature, and what are the types of corruption?

2. What are the strategies for the control of corruption in developing and developed world?

For the empirical part of this study, the below questions are addressed in chapter 3 and 5.

1. How corruption is defined by NAB officers in Pakistan?

2. What types of corruption are more prevalent in Pakistan?

3. What are the causes of corruption in Pakistan?

4. How corruption is prosecuted in National Accountability Bureau (NAB)?

5. What are the nature and types of corruption that prosecuted by NAB?

The starting point for this research has been the selection and adoption of a typology of corruption and integrity violation to be used as yardstick in the study. The literature distinguishes many types of corruption and integrity violations (see Huberts et al., 1999; Lasthuizen et al., 2011). However, the aim was to explore the perception of the employees on corruption and integrity violations. Information has been collected about these perceptions from officers working in NAB, on perceiving these concepts in their own understanding as well the perception developed in NAB (organization).

4.3 Research population: NAB in KPK

The total number of employees working in NAB KP rank wise can be seen in table 4.1 below.

Table 4.1

Rank/Grade wise Summary of Officers/Supporting Staff BPS-16 to 21			
Nomenclature of Posts	**Authorize Posts**	**Total Held**	**Total Vacant**
Director General (BS-21)	1	1	-
Director (BS-20)	4	2	2
Additional Director (BS-19)	15	7	8
Deputy Director (BS-18)	28	21	7
Assistant Director (BS-17)	39	29	10
Junior Investigation Officers (BS-16)	28	21	7
Sub Total (A)	**115**	**81**	**34**
Personal Secretary (BS-17)	1	1	-
Superintendent (BS-16)	6	6	-
Personal Assistant (BS-16)	1	-	1
Accountant (BS-16)	2	2	-
Assistant Personal Secretary (BS-16)	11	11	-
Data Control Supervisor (BS-16)	1	-	1
Sub Total (B)	**22**	**20**	**2**
Grand Total (A+B)	**137**	**101**	**36**

Table 4.2 Number of ministerial/clerical staff in NAB-KP

Staff (BPS-01 to 15)					
Nomenclature of Post	**Authorize**	**Held**		**Total**	**Vacant**
		Regular	**Deputation**	**Held**	
DCAsstt (BS-15)	2	-	1	1	1
Asstt (BS-14)	17	3	-	3	14
Steno (BS-14)	19	14	1	15	4
DEO (BS-12)	3	3	-	3	-
Cashier (BS-11)	1	1	-	1	-
UDC (BS-09)	12	12	-	12	-
LDC (BS-07)	14	13	1	14	-
DMO (BS-05)	1	1	-	1	-
DR (BS-5)	1	1	-	1	-
Driver (BS-4)	18	17	-	17	1
Daftri (BS-3)	1	-	-	-	1
Cash Messenger (BS-1)	1	1	-	1	-
Naib Qasid (BS-1)	66	65	-	65	1
Sen.Worker (BS-1)	3	3	-	3	-
Orderly (BS-1)	1	1	-	1	-
Grand Total	**160**	**135**	**3**	**138**	**22**

4.4   Procedure and response

The central aim of this research study is to find the perceptions on corruption, integrity violation, typologies and how these are prosecuted by the agency for the control of

corruption and integrity violation. It was determined that the best responses on these concepts and issues can be attained from qualitative tools (Interviews).

Therefore in this research I conducted interviews with different rank officers and officials. Prior to starting interviews I approached the Director General, Head of the department (NAB) with authorization letter from PIDE requesting for accessing information related to policy documents and interviews with the staff of NAB KP. The letter explained purpose of the study and guaranteed anonymity and confidentiality of information, because of the sensitivity of the subject matter. This was also demanded by the respondents to not disclose their identities. The respondents/ Interviewee were assured that no one will have access to the confidential information they shared with me. However, some of the interviewees were even reluctant to allow voice recording, therefore, for their comfort all the points were recorded in writing. It was taken care that every rank officer be provided opportunity to share his/her experiences and to reflect openly to the posted questions. The interviews and document collection helped me in collecting background information about the department and concepts under investigation/study. All the fieldwork was conducted in December 2014-January 2015. This empirical research was conducted in NAB Khyber Pakhtunkhwa.

4.5   In-depth interviews and document analysis

Many researchers are convinced that corruption, integrity violations and issues related to these concepts cannot be measured with information received from official documents (see Olken, 2005; Huberts, 2007; Punch, 2009). The reason is that these activities are clandestine in nature, and therefore a clear and accurate picture cannot be attained from an

organization. In many social science researches these issues are met with instruments of survey research. Advantage of this instrument is that one can easily attain additional information on respondents' beliefs, attitudes, and values (Datzer, Muratbegovic, Maljevic and Budimlic, 2006). However, this instrument of survey is supportive when a wide range of information is required from general public, but when an in-depth analysis is required the survey instruments/researches are less likely to be supportive. Therefore, in this research I employed the qualitative tools (of semi-structure interviews, focus group discussions, and informal discussions) for gathering information.

4.6   Validity and Reliability of the Research

In social researches and in sensitive topics like corruption and integrity violation, a question may arise about the validity and reliability of the information shared by respondents/Interviewees. It is generally perceived that respondents some time shared their responses and display a positive image of their organization. In other words the possibility of social desirability biases may arise in their responses. To minimize such biases the respondents were assured of anonymity and it was taken care that the information received from respondents must be accurate, and for that end the respondents were assured of confidentiality. By giving this surety a more comfortable environment was created, so that respondents express themselves openly and frankly. To keep the anonymity intact, the respondents' names and designations were not mentioned in subsequent interviews. In order to have accurate information, the information was subsequently verified in other interviews.

Chapter 5

National Accountability Bureau

5.1. Introduction

This chapter describes a descriptive analysis of interviews results from National Accountability Bureau (NAB). The interviews focused on recording the perceptions of officers with respect to corruption and integrity violations. The second section 5.2 describes the intention of case selection, followed by brief description of the case study (see section 5.3). This section further elaborates on vision, mission and core objectives, and also describes the characteristics of respondents. The following section 5.4 discusses the perceptions on corruption and integrity violations in the organization. The section 5.5 elaborates on the perceptions on typologies of corruption and integrity violations. The following section 5.6 describes the anti-corruption mechanisms adopted in the organization. Finally section 5.7 describes the nature and types of corruption prosecuted in NAB.

5.2. Case selection

The selection of this case study has been both intentional and pragmatic. Pragmatic reasons for selection were having informal contacts with the officers and officials of the organization and their willingness of cooperation in this research study. Intentional reason was that NAB is the chief anti-corruption agency in the province. In recent time a new Ehtisab Commission Act has been passed by the provincial assembly to establish

Ehtisab Commission Khyber Pakhtunkhwa. However this commission is not functional yet.

In this research data was collected through semi-structured interviews, focussed group discussions, informal discussions with officers and reviewing official documents. Prior to conducting interviews with officers, I first approached the Additional Director, with a letter of authorization from PIDE, which describes the intention of the study and guaranteed the anonymity and confidentiality of information. The letter was forwarded to the NAB Headquarter for seeking permission for conducting research. It was taken care that each rank of officer should be included in the interviews. However, the selection had to be pragmatic as well and was based on convenience and the willingness of the officers because for such sensitive issue it is hard to record true opinions. Some of the officers were sceptical and did not allow the audio recordings. For approaching other officers a convenient sampling technique was adopted.

5.3. National Accountability Bureau: a brief history[8]

The National Accountability Bureau (NAB) is Pakistan's apex anti-corruption organization. The organization is mandated with responsibility of elimination of corruption from the country through a holistic approach of awareness, prevention and enforcement. It operates under the National Accountability Ordinance-1999 which is extended to all of Pakistan, including FATA and Gilgit Baltistan. NAB has its Headquarter at Islamabad while it has seven regional Bureaus located at Karachi, Lahore, Peshawar, Quetta, Sukkur, Multan and Rawalpindi.

For the initial three years, the focus of its functions was directed only at detection, investigation and prosecution of white-collar crime. Those prosecuted include politicians,

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[8] This information has been extracted from http://nab.gov.pk/home/introduction.asp on dated Feb 23, 2015.

public service officials and other citizens who were either guilty of gross abuse of powers, or through corruption had deprived the national exchequer of millions or resorted to other corrupt practices. In February 2002, NAB launched the National Anticorruption Strategy (NACS) project. The NACS team conducted broad based surveys, studied external models of international anti-corruption agencies and involved local stakeholder. All pillars of National Integrity System were studied in detail. After identifying the causes of corruption in each pillar, a comprehensive strategy and a detail action plan was recommended. Breaking away from traditional enforcement based routines NACS has recommended a comprehensive process. Relevant amendments have been made in NAO and now NAB is empowered to undertake prevention and awareness in addition to its enforcement functions.

During the last one year from Jan 2013 to Dec 2014, NAB KP has recovered 4 billion rupees, received 19,816 complaints, authorized 767 inquiries, 276 cases were converted into investigations and 152 references were filed in the Accountability Court. The figures of complaints, inquiries and investigations are almost double as compared to the same period of October 2012 to September 2013 with 10,414 complaints, 276 inquiries, 84 investigations and 138 references respectively.[9]

While comparing the figures at national level, National Accountability Bureau (NAB) has recovered Rs 262 billion from 1999 to date since its inception and deposited in national exchequer. NAB received 270, 675 complaints, authorized 5872 inquiries, 2908 cases were converted into investigations and 2159 references were filed in different Accountability Courts throughout the country.

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[9] http://nab.gov.pk/press/new.asp?907 dated Feb 24, 2015.

5.3.1. National Accountability Bureau: Vision and Mission Statements, and Objectives

To better understand the core objectives of National Accountability Bureau, it is pertinent to study and cognize the vision, mission, and core objectives. These vision, mission and objectives delineate the scope of the organization. Below are vision, mission and core objectives of National Accountability Bureau, as displayed on the official website[10].

Vision: The National Accountability Bureau is to be a credible, effective, efficient and dynamic anti-corruption organization creating an enabling environment for a corrupt free society.

*Mission***:** The National Accountability Bureau is to work to eliminate corruption through a comprehensive approach encompassing prevention, awareness, monitoring and combating.

*Objectives***:** The National Accountability Bureau derives its objectives from its approved project document titled 'National Anti-Corruption Strategy' or NACS and defines them as follows:

The short term setting is the systemic improvements that will strengthen the national integrity system and the people against corruption.

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[10] For details see www.nab.gov.pk

The long term objectives are the elimination of corruption by engaging all the stakeholders in the fight against corruption, through a program, which is holistic, comprehensive and progressive.

Figure 5.1 Organogram of NAB Khyber Pakhtunkhwa
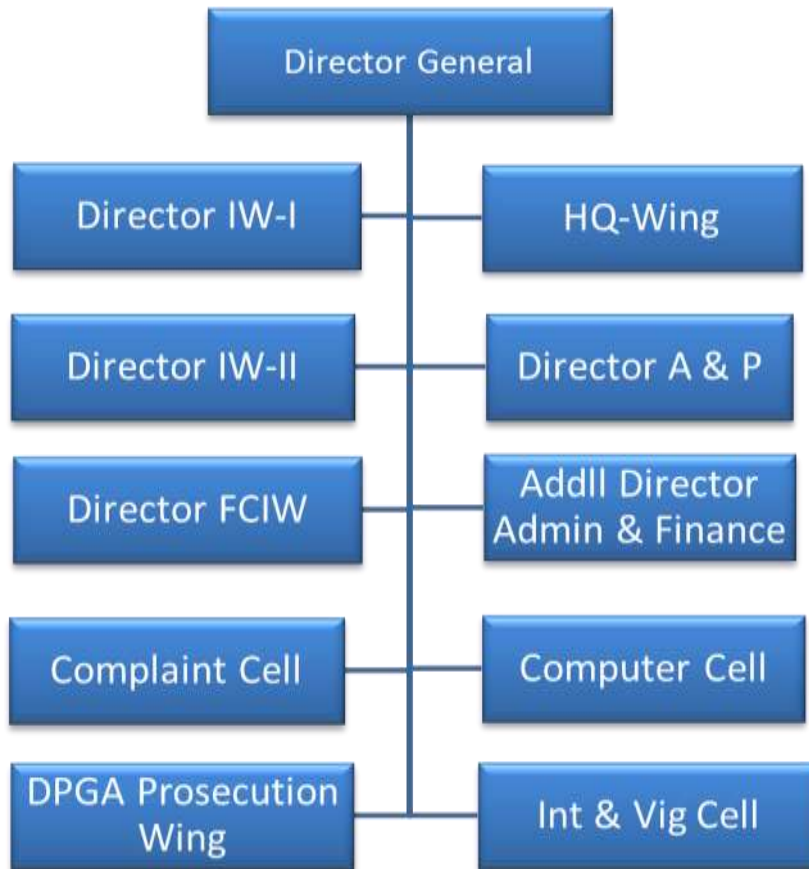
Source: National Accountability Bureau, KP official document.

5.3.2. Characteristics of the respondents of NAB

In this research of National Accountability Bureau, a total of 15 officers' interviews are included. Majority of the officers were in the rank of Assistant Directors, followed by Deputy Directors. It was taken care that both the experienced and newly recruited officers be included in the interviews.

For the selection of the officer, a convenient sampling technique was adopted, based on willingness of the officers. This technique helped in identification of more experienced officers in NAB. Since this technique is non-probability sampling therefore, the results of these findings cannot be generalized to the whole NAB-KP or overall the department in the country. Nevertheless, the findings from this explorative study can be used as base for other future researches.

5.4. Understanding of corruption and integrity violations

In this research the information are gathered on corruption and integrity violations from the officers belonging to the apex anti-corruption agency in the country. This information is gathered through formal and informal interviews with officers. The focus was to record their understanding, that how do they understand, define corruption and integrity violations, also how they comprehend the NAB's definition of corruption. In other words, the intention was to see whether NAB officers have also leniency toward corruption as the general public have in Pakistan (see Javaid, 2010). Since the word corruption is more comprehensible therefore, corruption word was use more frequently as compared to integrity violations during the interviews. It is also pertinent to note that officers were inquired about definition of corruption, in their own understanding as well as comprehension in NAB. Hence, two different types of definitions were recorded. The findings on corruption and integrity violations are as follows.

Since the aim of the establishment of National Accountability Bureau (as mentioned in preamble of the NAO 1999) was to recover the looted money from corrupt officers and individuals, mostly the officers defined corruption in terms of looted money. As one interviewee defined corruption as, "*looting of public money, adopting various modus operandi to that end. Money is between the state and state property, anybody engaged in looting that through illegal procedures including misuse of authority*." Another interviewee mentioned that "*general perception about corruption is looting of money.*" However, few interviewees contended

this definition and approach, rather extended it and connected it with injustice. For instance, one interviewee mentioned that "*corruption is perceived as looting money, but that is not a sound approach… injustice, in my opinion, is actual corruption…*" Similarly, one interviewee extended the definition to destruction, as he mentioned that "*corruption is actually fasaad fil arz, meaning thereby any activity which brings disaster to those living on earth…the definition of corruption that comes to my mind is that of fasaad, destruction…*"

The understandings about corruption seem to be limited among officers in National Accountability Bureau (NAB) and mostly the officers defined it in terms of few types rather than describing the behaviours. For instance, one interviewee mentioned that "*Corruption may include simple embezzlement…and appointment of employees on nepotism is another example of corruption*". Another interviewee mentioned that "*corruption in NAB's law encompasses illegal gratification, misuse of authority, building assets on income generated from illegal sources, issuance of SROs which gives illegal tax benefit, cheating people at large…*"

When the prevailing definition of NAB was explored from the officers, their focus was more personal benefits of government officers. For instance, one interviewee mentioned that "*I think that any act executed by a serving government officer to his own end and anybody assisting in that encompasses the very definition of corruption…*" Similarly another interviewee mentioned that "*the duty of a government officer is to serve the public, and while disrupting the very basis of routine work and twisting that in the direction of his own benefits generate the very idea of corruption...*"

The interviews with few officers reveal that they are confusing the concepts of corruption and integrity violations. For instance, in their opinion, not fulfilling the duty or not doing it

appropriately, and even staying silent is corruption in their perception. For instance, it was mentioned that "*if a responsibility is entrusted to you by the government and you do not carry that out as an appropriate action, it will be counted under corruption. If allocated funds are used for a purpose other than the specified one, it also comes under umbrella term of corruption...*" Another interviewee elaborated that "*corruption is not limited to give and take of money to administer something wrong, but even trying to stay silent on it is again corruption.*" However, this is also conflicting with earlier responses on definitions in which the focus was on looted money as corruption.

The most comprehensive definition was recorded in a focus group discussion with newly recruited officers. According to them, "*corruption is misuse of authority to gain monetary benefits as well as it entails use of influence… any act taken place against set law and procedures, either done to gain monetary benefits or not shall be treated as corruption.*"

In another focus group discussion it was learnt that NAB's focus in terms of corruption is there on the government officer or a private person who has looted or embezzled public funds. Recovery of the looted amount is what constitutes NAB's definition of corruption. Most of corruption deals with looted funds of Government treasury. However, there are two cases where funds other than government treasury are also considered; these are willful default of banks, and cheating people at large.

Similarly, appointments made without considering merit may not damage public funds at that time but its consequences will be visible after sometime as he may be inefficient and may not be doing his work properly.

From the above definitions it can be inferred that officers sometime extend the meaning corruption and at times define it too narrowly. Since the mandate of the organization is recovering looting money, therefore, those behaviours are considered as corruption where monetary transactions

occurred, whereas, many other types of behaviours that do not involved money are not taken as serious. What this mean is that there is a difference in the official definition of corruption and the one offered by NAB officers. Even within the NAB officers, different people define and understand corruption in different way. When there is a difference/disagreement of definition or lack of understanding about the definition it may have serious implication for investigation and prosecution.

5.5.   Understanding of typologies of corruption and integrity violations

This section describes briefly the opinions of officers on typologies of corruption and integrity violations. The intention was to see which types of behaviour are considered as corruption and which are not.

In most of the interviews the interviewees mentioned to refer to section 9[11] of the National Accountability Ordinance, 1999, rather than elaborating the types of corruption. Nevertheless, in many interviews the terms illegal gratification, embezzlement, misappropriation, and cheating public at large were the frequently mentioned types of corruption. All these types of corruption are discussed in afore mentioned section 9. For instance, one interview mentioned that "*other than misuse of authority, illegal gratification is also one major type of corruption…*"

An important point that mentioned during the interviews was that one type of corrupt behaviour can be related to other types of corruption. For instance one interviewee stated that "*kickbacks are also included under the head of misuse of authority which could either emanate from nepotism or favoritism*". A question may arise that whether imposing too many types of corruption on a case increase the punishment for the offence? The answer is simply 'no'. The reason is that as per NAB law, all types of corruption are considered as same and thereby same punishment is awarded. An important point that needs to be added is that all 12 offences that describe in section 9 of NAO are the different types of corruption do not

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[11] See Appendix A for details.

deal with types of corruption only, as the last one includes assistance or abetment in practicing corruption as well thereby otherwise meaning to facilitate corruption.

Since the organization is dealing in recovering the looted money of the public, therefore, illegal monetary benefits are considered among the major forms of corruption beside other non-monetary ones. In a focus group discussion, the respondents mentioned that "*monetary benefit and illegal use of authority are two major forms of corruption. Corruption could be intellectual in nature as well, mostly prevailing in academia and breach of trust is yet another form of corruption to be addressed, be that in public or private capacity.*" Similarly in another group discussion, it was stated that there are different angles to corruption and misuse of authority is the main root cause of corruption. In their opinion, "*it is also corruption if such laws are not introduced which can bring a good change to the society as there are hidden motives behind such indifference, inaction and lethargy.*"

5.6.   Understanding on anti-corruption mechanisms

This section elucidates the responses recorded from different interviewees with respect to anti-corruption mechanisms and problems associated in the process. It was revealed that NAB is not working under any ministry, therefore autonomous in nature. The anti-corruption mechanism of NAB is usually divide into three portions; firstly complaint verification; secondly inquiry and lastly investigation where we have the power to arrest. With respect to sources of information regarding corruption, section 18[12] of NAO (1999) identifies three sources; complaint, on record like sue motto and emanating from the department itself.

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[12] See Appendix A for details.

Based on that, complaints can be directly lodged at NAB. When a complaint is reported, a small brief is prepared in that direction which includes name of the complainant and that of the department or an individual against whom the complaint has been reported so far. The brief is then put up by Deputy Director to Additional Director and ample reasons are given by Deputy Director to explain as to why the complaint may be processed further. The brief then is put up to Regional Board of Directors where collective decision is taken. The final decision taken is actually the result of brainstorming of 5 or 6 individuals eventually filtered through a number of questions asked and answers replied. Amount of funds involved is an aspect that we cannot ignore while taking mutual decision. However, the amount may be subjected to change while looking at different regions. To add further, it is not important for NAB to categorize cases under specific types as mentioned in section 9, for its internal proceedings. However, as a matter of observation, at least every case will pertain to 4 or 5 types, simultaneously. The penalty imposed at the end of the day does not differ from type to type, but section 10^{13} categorically says that punishment will be given or penalty will be imposed when charge against any type of corruption is established.

During the interviews with officers it was learnt that though enforcement is an important aspect of anti-corruption mechanism; however there are two other sides to it, that's awareness and prevention. More recently NAB got approved a proposal for inducting a chapter on anti-corruption in syllabus of students enrolled in educational institutions. The interviewees added that "*one cannot stop others from doing wrong if they does not even follow religion in letter and spirit, however the idea that one shall not tell others to stop*

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[13] For details see Appendix A.

doing wrong because others will not pay a heed to it is altogether a pessimistic view and hence awareness about corruption must be created among different sections of the society."

The NAB operations can be divided into three portions; firstly complaint verification (CV); secondly inquiry and lastly investigation where NAB has the power to arrest. At times the evidence available at CV stage is ample enough to interrogate the accused. During enquiry, record and bio data of the accused is sought from different related departments. All cases are properly discussed with Director General on weekly basis. Before third stage, there are two options available to the accused: voluntary return (VR) and plea-bargain (PB). The VR can also take place by applying to the DG if the accused accepts his crime and he shows willingness to return the looted public money to the Government Exchequer. Whereas, the plea-bargain takes effect after the accused is under arrest. Here, plea-bargain differs from VR because after PB has been availed, service of the convict is no more there, and however, he is not imprisoned anymore and therefore is declared free. After availing VR, there is no punishment imposed, but worth mentioning here that VR is given as an option by the officer to the accused, but in case of a serving government officer, VR is avoided so that he may be punished through plea-bargain and to create deterrence in mind of the accused/convict to avoid looting public money in future. Ideas like that of VR ad PB have been taken from anti-corruption laws of developed countries of the world.

In many interviews, the rationale behind the VR was revealed, and interviewees objected the prevailing perceptions (see Javaid, 2010) about these VR and PB policies of the organization. For instance, one interviewee stated that "*the basic philosophy behind the*

use of Voluntary Return is that it takes place at preliminary stage during inquiry, and if recovery takes place through it, then three purposes are fulfilled.

I.   *Firstly, the essential objective of recovery is achieved;*

II.   *Secondly, speedy recovery takes place without going through prolonged stages of investigation, and*

III.   *Lastly department's officers are relieved off a lengthy and tedious task of investigation, and by the time case reaches the court and the time period which it takes while in trial is also saved."*

In addition to that many interviewees were of the view that "*punishment will not return public money back to the government treasury, therefore NAB exercises voluntary return through which the accused returns the looted amount on his own but his job, perks and privileges are protected.*" In response to question on selection of cases for VR and PB, many officers were of the view that "it is NAB policy that serving government officers are not served with VR but cases with type of corruption under cheating public at large is facilitated with VR so that public money may reach its due owner. We do not serve VR in case of serving government officer but serve him with plea bargain, so that he is punished and money is returned." However, there are some exceptions to this policy owing to embedded social and political setup in the country.

From the above discussion and information it can be inferred that the mechanism for anti-corruption adopted by NAB is praiseworthy in the view of the officers. Particularity, the offer of VR was supported by most of the NAB officers on ground of saving time and money sources while achieving the essential objective of recovery. These anti-corruption

mechanisms are lauded by many other developing countries (including China). The officers in NAB defended their procedures of VR and plea-bargain, that it helps in recovering the looted public money with least efforts. The next section describes the types of corruption cases prosecuted by NAB.

5.7. Most Prevalent Types of corruption cases prosecuted in NAB

This section elucidates and analyses the findings from interviews with respect to most prevalent types of corruption in NAB KP. This section also reveals the possible reasons and causes of the corruption.

The primary objective of the organization as mentioned in the preamble to the law is to recover the looted amount of public, and its enforcement is then secondary to that primary objective. Therefore, most the types of corruption this organization deals with is monetary in nature and that to recovery it in the national exchequer.

With specific reference to KP, many officers in NAB mentioned that *most of the cases involve land revenue, departmental complaints related to construction of roads, and fraud in mudariba[14] based on cheating people at large.* For instance, an interviewee stated that "*cases under assets accumulation are frequently dealt with, and then cases pertaining to misuse of authority take a second slot…Misuse of authority can either take place in domains of procurement or appointments….Cases under cheating people at large are also frequently marked to NAB, for example mudariba case, and such cases take place due to embezzlement and misappropriation.*" The reasons for receiving such kind of complaints under cheating people at large are that rules and regulations that have been framed so far but its implementation in letter and spirit is shaky in nature, and coupled with officers in

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[14] Mudariba is an Islamic mode of financing, where one party has funds and other has services, whereas profits are shared by mutual understanding.

hierarchical structure who pursue team work to get desired results is simply the rhyme and reason for preponderance of such cases. Furthermore, greed and status consciousness are also responsible in this regard. The gap between salaries and the authority given is wide and it needs to be set in the light of position of the officer. Coupled with that is the copy syndrome effect which any intelligent man is sharp enough to perceive, absorb and use it.

Interviewees mentioned that it is really hard to prove the illegal gratification even when caught red-handed, coupled with the existing judicial system in the country. It was explained during the interviews that "*cases of illegal gratification do not stand because when raided and caught red handed, the one who is about to receive the amount suddenly takes a U-turn and he says that he wants to throw the money back but other one does not accept it. To tackle this, a magistrate is also accompanied to the court so that NAB remains vigilant on technical knowhow of the judiciary system.*"

Some complaints were recorded against the judicial system in the country that rendered the efforts made by NAB fruitless, as one interviewee stated that "*the core issue here is that if our courts punish and impose a penalty on the convict, High court or Supreme Court acquits the convict, thereby rendering all our efforts useless and fruitless. Arrest on our part is a very strong privilege; at least it brings damage to reputation of the accused thereby creating deterrence.*"

With respect to least recurring types of corruption in the context of NAB-KP, is the issuance of Statutory Regulatory Ordinance (SRO). Statutory Regulatory Orders are issued to benefit one individual or a party, once it is benefitted by the targeted; it is then rescinded the other day. It clearly beckons at legalizing something which is illegal in essence, and therefore the officer issuing that particular SRO is to be held responsible for it. These sorts of corruption cases are more frequent in Sindh.

Chapter 6
Conclusion and Discussion

6.1. Introduction

The main purpose of this research study was to increase the understanding about corruption in Pakistan, with more specific focus on anti-corruption agency in the country. In addition to that the study aims to find out which types of corruption are prevalent in Pakistan and how they are prosecuted in the country.

In order to answer these research questions this study started with literature review on types and causes of corruption and anti-corruption mechanisms. The empirical research was consisted of case study of an apex anti-corruption agency (National Accountability Bureau, KP). The information was gathered through interviews, informal discussion with officers and studying policy documents.

This final chapter presents and discusses the overall conclusion. It begins with revisiting the research questions, concepts and methods. Section 6.3 summarizes the findings on views of corruption and integrity violations. The following section 6.4 analyzes the types of corruption prevailing in the country and the way of prosecution Pakistan. Section 6.5 elaborates the lessons learned and finally section 6.6 discusses future direction.

6.2. Research question, concepts and methods

The study started looking at the understanding of corruption in Pakistan, because it is generally perceived that acceptability of corruption is increasing among the people in Pakistan. This study started looking at the anti-corruption agency with the focus of:

How corruption is perceived in Pakistan? Which types of corruption are prevalent and how these are prosecuted in Pakistan?

Corruption in Pakistan is considered to be rampant and in recent perceptional survey by Transparency International (2013) ranked the country as 139th. Corruption has become a way of life, and has consequently made many institution extremely inefficient (Abbasi, 2011).

Regarding the concepts and definition used for corruption was "behavior on the part of officials in the public sector- politicians, civil servants, police officers- who improperly and unlawfully enrich themselves, or those associated with them, by misusing of the public power entrusted to them" (Lasthuizen, Huberts, Kaptein, 2002: 6). This definition resembles with the definition of corruption in Pakistan. However, the aim of this explorative study was to explore the perceptions of officers in the anti-corruption agency, because their job is to deal with corruption control, if they would have better understanding then it will help in curtailing the menace in the country.

With respect to methodology, a snow-ball technique of non-probability was adopted, to explore the understanding of officers.

6.3.   Summary of results: Views on corruption and integrity violations

From the interviews with officers in NAB, it was revealed that the primary objective of the formation of NAB was recovery of looted money in retrospective of 1999 military coup, and economic sanction being imposed on Pakistan in the wake of 1998 nuclear detonations. Two different questions were posited to the interviewees first, their understanding of corruption; and second in their perception what the organization (NAB) see as corruption. It was revealed that corruption is the looting of public money by adopting different mechanisms. Very few

interviewees related that to the misuse of public office for private gains. Since it is mentioned in their preamble to recover the looted money from corrupt people, therefore the defining corruption in these lines make some sense. In addition to that few interviewees related this concept with injustice and *fasaad* (disaster/destruction) and considered these as actual corruption. Those interviewees, who could not define it properly, mentioned few types of corruption while defining it. For instance, the types of corruption are embezzlement, nepotism, illegal gratification and cheating public etc.

The lack of understanding among the majority of interviewees is visible from the fact that sometime the term was defined too broadly while at times too narrowly. In addition to that the interviewees confused the concept of integrity violations and corruption. For instance, not fulfilling the duty or not doing it appropriately is corruption.

6.4.   Summary of results: Types of corruption cases prosecuted in NAB and its Causes

This research was started with the intention to bifurcate the types of corruption cases prosecuted in National Accountability Bureau. However, it was hard to categorize that because every type of corruption can be related to 4 to 5 types of corruption as described in section 9 of NAO. Such data from the department was not readily available. The section 9 of the NAB ordinance identifies twelve different types of violations that NAB can deal with. Therefore, the focus was laid more in identifying the most and least frequent types of corruption.

Since the organization is dealing in recovering the looted money of the public, therefore illegal monetary benefits and illegal use of authority are considered among the major forms of corruption. With specific reference to NAB-KP, most of the cases involve land revenue, departmental complaints related to construction of roads, fraud in mudariba based on cheating public at large. However, few interviewees added that they received large number of complaints against officers and individuals who have accumulated huge assets beyond their known sources. The misuse of authority, as type of corruption is mostly occurring in the domain of procurements and

appointments. The reasons for receiving such kind of complaints under cheating people at large are that rules and regulations that have been framed so far but its implementation in letter and spirit is shaky in nature, and coupled with officers in hierarchical structure who pursue team work to get desired results is simply the rhyme and reason for preponderance of such cases. Furthermore, greed and status consciousness are also responsible in this regard. The gap between salaries and the authority given is wide and it needs to be set in the light of position of the officer.

With respect to least recurring types of corruption in NAB-KP, the issuance of Statutory Regulatory Ordinance (SRO) is considered as least occurring. Statutory Regulatory Orders are usually issued to benefit one individual or a party, once it is benefitted by the targeted; it is then rescinded the other day. It clearly beckons at legalizing something which is illegal in essence, and therefore the officer issuing that particular SRO is to be held responsible for it. These sorts of corruption cases are more frequent in Sindh on the account of having large industrial base, whereas in KP, the industrial setup is in moribund condition.

6.5.   Lessons for Future Research

From this explorative study, it was learned that though national accountability bureau is a public organization, however, it is really hard to extract information from the officers, for understandable reasons. In order to get into the organization with the intention of conducting research, a long procedure needs to be adopted.

6.6. Contribution to theory

This explorative study on understanding corruption and integrity violations in National Accountability Bureau, KP, Pakistan, in the field of development studies, yields a number of theoretical insights to take into account in future research.

This study connected the literature on corruption and integrity violation to anti-corruption agency in the country. This results in a number of new insights.

In previous studies of Muhammad (2010) and Javaid (2010) there are some reservations on the methodology and procedures adopted by NAB in recovering the looted money and even the establishment of the organization. However, the rationale behind such intentions never explored from the organization (empirically). This research clarifies such intentions and describes the views of the officers in defending the voluntary return and plea bargain options available to the accused of corruption.

In the best knowledge of this researcher, corruption and its typology never been explored before in this organization in Pakistan. The findings evinces that officers know their jobs and duties well which is a routine activity, however, they lack comprehension about the concepts, which if improved will aid in making the organization more effective in controlling corruption.

Coupled with the findings on understanding corruption, it is evinced that officers need to be updated regularly on these concepts and the new methodologies adopted in investigation and prosecution of such cases. These can be acquired by providing new and regular trainings within Pakistan and outside Pakistan, coupled with collaboration with renowned anti-corruption agencies. The earlier studies on Pakistan reveal that with the passage of time, acceptability of corruption is increasing in Pakistan. This was also partially acknowledged by officers in anti-corruption agency. All those cases where the amount of money is less, then it is not been pursued by the organization, and secondly, misusing of public perks and privileges are also seen as acceptable, and the reason forwarded was that everybody doing it so we cannot do anything.

6.7.   Future research directions

This study focused only understanding corruption and integrity violations among the officers in anti-corruption agency in the country. The results are clear that officers understanding need to be improved, for improving the performance of the organization. This study was not conducted among all employees of the organization rather among few selected officers. In order to make the finding generalize, other studies also need to be conducted. In addition to that, other organization with the same mandate of controlling corruption such as Anti-Corruption Establishment, newly established Ehtisaab Commission and Federal Investigation Agency, should be also be explored.

Since this study was qualitative in nature, in order to make the result more robust, some quantitative studies are also suggested.

An important finding in this study was the role of judicial system in combating corruption in collaboration with anti-corruption agency. It is suggested that both of these organization should be explored simultaneously, to seek expectations of these organizations from each other, to make the anti-corruption drive more effective in the country.

It would be a very interesting to explore the case studies of corrupt officers for finding the reason why they did corruption.

Appendix A

Section 9 (a). Corruption and Corrupt Practices

(i)   Illegal Gratification

(ii)   Prevention of Corruption - Obtaining gift or any valuable

(iii)   Dishonestly or fraudulently takes benefit

(iv)   Dishonestly or fraudulently takes benefit for dependents etc.,

(v)   Benamidars or dependents own any properly

(vi)   Misuse of authority 44

Important Sections

Section 9 (a). Corruption and Corrupt Practices

(vii)   Issuance of undue SRO

(viii)   (viii) Willful default

(ix)   Cheating public at large

(x)   Criminal breach of trust

(xi)   As a banker commits breach of trust

(xii)   Abetment or aids or assist

Section 10. Punishment

* Rigorous punishment and

* Fine and

* Forfeiture of property

* No alternative punishment for non-payment of fine but punishment on delayed payment

of fine

* No remission

Section 18(b). Cognizance

* Reference from Government

* Complaint

* Own accord

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