

**FROM UNDERDOGS TO WATCHDOGS:
HOW ANTI-CORRUPTION AGENCIES CAN HOLD OFF
POTENT ADVERSARIES**



**INNOVATIONS FOR
SUCCESSFUL SOCIETIES**

Building Institutions, Escaping Development Traps

Gabriel Kuris authored this paper based on Innovations for Successful Societies case studies of eight anti-corruption agencies.

Innovations for Successful Societies supports public servants, policymakers, and scholars who seek to improve government capacity to carry out core tasks in challenging settings. Our case studies, interviews, and analyses explore how reformers achieve meaningful progress within specific economic, cultural and historical constraints. By illuminating this qualitative dimension, our research bolsters understanding of implementation, institution building, and institutional change.

INTRODUCTION

Many governments have responded to the abuse of public power for private benefit by establishing specialized, multifunctional anti-corruption agencies (ACAs) that combine investigative—and sometimes prosecutory—powers with preventive and educational activities. Pioneered by Hong Kong and Singapore in the mid-twentieth century, ACAs took root in dozens of countries during the 1990s and early 2000s. Although the debate over ACA effectiveness is unsettled, the 2005 United Nations Convention Against Corruption helped enshrine ACAs as a primary instrument in the global fight against corruption.

However, ACAs often face resistance from powerful beneficiaries of domestic corruption networks, who perceive the new institutions as adverse to their interests. These antagonists often seek to neutralize the agencies by weakening the agencies' credibility, legal powers, or operations. Consequently, many ACA leaders confront a strategic dilemma: Either they persevere with high-level investigations and bold reforms—risking crippling pushback or potential dissolution—or they lower their sights and pursue unobtrusive efforts that might appear timid or biased. Either outcome imperils the political support and public trust ACAs need to sustain effective operations.

This paper explores strategies that ACA leaders can use to escape that “spoiler trap,” based on lessons drawn from Innovations for Successful Societies (ISS) case studies of anti-corruption agencies in eight emerging democracies: Botswana, Croatia, Ghana, Indonesia, Latvia, Lithuania, Mauritius, and Slovenia.

Four key lessons stand out:

- Strong internal controls and accountability mechanisms play important roles in preserving integrity and protecting ACAs from being subverted or discredited.
- ACAs often can outflank their antagonists by building alliances with citizens, state institutions, media, civil society, and international actors.
- Preventive efforts that disrupt corruption networks, together with educational efforts that reshape public norms and expectations, can enable an ACA to make long-term gains without triggering overwhelming pushback.
- Under certain conditions, ACAs pursuing high-level corruption can overcome retaliation by carefully managing timing, resources, and external support.

THE STUDY

This analysis is based primarily on ISS case studies of ACAs in eight different emerging democracies available for free on the ISS Web site (See Bibliography.) The case studies rest on interviews with local practitioners, scholars, activists, and others with close knowledge of the cases, as well as on archival research. All quotations in this study derive from interviews conducted by ISS.

Those case studies were designed to investigate the kinds of pressures ACA leaders encounter and the ways that context, mandate, and organizational structure shape feasible sets of responses and outcomes.

The eight ACAs that ISS studied had each operated for at least a decade and were still in existence at the conclusion of the study (for an overview of the agencies, see Figure 1: Anti-Corruption Agencies Studied by ISS). Most, but not all, earned high levels of polled public trust, increased the intake of public corruption complaints, conducted high-visibility investigations, attained high conviction rates in investigated cases, enjoyed favorable coverage in independent media, and were considered by experts to perform well relative to peer agencies.

At the same time, all eight agencies encountered pushback from antagonists who felt threatened by anti-corruption activities. The antagonists' responses ranged from whisper campaigns and behind-the-scenes lobbying to dramatic legal and legislative battles. Several ACA leaders faced threats to their jobs, reputations, or personal security. Indonesia's anti-corruption commissioners were imprisoned on criminal charges, although most charges were dropped after public outcry.

Although the eight ACAs had varied powers that reflected their different national contexts, the agencies typically crafted similar strategies to preserve their institutional autonomy and their capacity to function. However, they differed in the balance they struck. Agencies in Croatia, Indonesia, Latvia, and Slovenia were able to galvanize sufficient political will to beat back their antagonists in high-visibility legal and political battles. Agencies in Botswana, Ghana, Lithuania, and Mauritius used lower-visibility approaches to avoid provoking pushback while building internal capacity and the momentum for long-term progress against corruption.

Although the limited availability of tightly matched cases inhibits a definitive analysis of the interplay between agency context, strategy, and outcome, the cases point to conditions that shape effectiveness and suggest possible workarounds or alternative approaches in adverse circumstances.

BUILDING INTERNAL CONTROLS AND ACCOUNTABILITY

Like other state institutions, anti-corruption agencies are vulnerable to manipulation and corruption. Staff members often have access to sensitive information and discretion over consequential decisions. Internal abuses of office, such as tampering with evidence or leaking information to persons under investigation, can degrade not only an ACA's capabilities but also its credibility. Opportunists can exploit the disarray and credibility gap that an ACA experiences in the wake of scandal, in order to cut back anti-corruption enforcement.

Internal abuses of office can degrade an ACA's credibility and capabilities

Latvia's Corruption Prevention and Combating Bureau (KNAB) encountered such a problem. After an accelerated launch, KNAB reached a full contingent of about 130 staffers in about a year but lacked formal hiring procedures, a staff code of

Within three years, the bureau had exposed high-profile graft and built solid public support, but its quick rise disguised risks created by inadequate measures for internal accountability. When the bureau discovered that two staffers had stolen seized assets valued at about US\$300,000, KNAB's credibility crumbled. Neglect of internal controls resulted in public scandal, a leadership shake-up, a distraction from core activities, and a blow to staff morale—all to the benefit of KNAB's antagonists.

By contrast, Indonesia's Corruption Eradication Commission (KPK) began its work by focusing on building capacity and as a result, did not announce its first case for nearly a year. The KPK's commissioners endured public impatience as they methodically recruited several hundred staffers through open competition, established meaningful and practical ethical codes, trained investigators, and developed comprehensive internal procedures. Years later, the media lauded the KPK for its professionalism and boldness, and few bemoaned the commission's late start.

Latvia's KNAB recovered from its early missteps, and its leadership eventually adopted a KPK-like approach by investing significantly to develop internal controls. Proper management of such issues as recruitment, staff integrity, and the security of personnel and information plays a crucial defensive role in staying ahead of spoilers.

Recruiting and training staff

The forestalling of internal abuses begins with recruiting the right people. The agencies ISS studied, especially those with relatively large staffs, generally relied on open and rigorous recruitment processes. Lithuania's Special Investigation Service (STT) converted

a closed, irregular process into an open and transparent recruitment system after encountering disciplinary issues. Indonesia's KPK implemented such hiring practices as public recruitment campaigns, psychological testing, and the use of independent private contractors to manage recruitment.

The hiring of investigators posed special challenges. ACAs in Botswana and Mauritius found that few local candidates had relevant experience. In Lithuania, Soviet-trained veteran investigators were unaccustomed to modern standards of policing. And Indonesia and Latvia initially struggled to identify candidates they trusted to meet high ethical standards.

Most of those ACAs responded to recruitment challenges by broadening their applicant pools. They each hired a core of veteran staffers to launch initial investigations and mentor new recruits. (Botswana made up for its shortfall of senior investigators by recruiting from abroad.) The ACAs also recruited recent university or police academy graduates with diverse skill sets, including information technology, criminology, forensic accounting, and social science. To provide an insider's perspective, Botswana and Croatia looked for recruits with relevant experience in corruption-prone fields, such as construction and finance. Croatia hired an early whistle-blower, who went on to become a leading prosecutor.

Relying on both foreign technical assistance and in-house experience, the ACAs developed training regimens for new hires, including induction and regular follow-up sessions covering both procedural and substantive topics. Some agencies encouraged their personnel to specialize, often through training abroad. Other ACAs set up specialized teams that focused on special functions or subjects. For example, Indonesia's KPK created an electronic surveillance team, and Latvia assembled campaign finance specialists.

However, Mauritius's Independent Commission Against Corruption (ICAC) preferred staffers to be generalists, because specialization was more resource intensive and encouraged deference to the judgment of specialized staffers regarding cases within their areas of expertise, which raised corruption risks and left investigations overly dependent on specific individuals.

Managing staff integrity and incentives

Controls and incentives for managing staff integrity are essential to ACAs, especially those with limited capacity to weed out untrustworthy staffers due to civil service regulations, obligations to absorb staffers from preexisting institutions, or limited recruitment pools. Because of the corruption risks inherent in sensitive ACA operations, ACAs need more-flexible human resources policies than typical government bodies do—

especially in the areas of hiring and firing, monitoring and discipline, and provision of performance incentives.

Indonesia's KPK tracked workers' performance by requiring staffers to report via an online system the time they spent on daily tasks, by using a performance management framework called a balanced-scorecard system, and by instituting performance bonuses. The commission also launched an online whistle-blower system to handle anonymous corruption complaints against its own staffers.

Staff accountability requires clear guidelines and expectations. In order to diffuse individual discretion and more easily detect questionable practices, directors in Indonesia and Mauritius created staff manuals and handbooks and trained staff to follow standard operating procedures.

Best practices for operational processes vary based on context and involve trade-offs between flexibility and predictability, redundancy and efficiency, confidentiality and transparency, simplicity and comprehensiveness, and autonomy and accountability.

Staff accountability requires clear guidelines and expectations

Indonesia's KPK had a relatively flat organizational structure and a culture of collaboration. For example, the commission held a series of consensus-based staff meetings facilitated by the commissioners to agree upon a staff ethics code. The inclusive process enabled staffers to understand each rule and its underlying rationale, raise any concerns, and feel invested in the result.

Mauritius's ICAC took a more regimented approach. Leaders developed a staff code of conduct—along with supplemental materials such as an investigative handbook—and conducted frequent training on the topic of integrity. Operational procedures were clearly articulated and were organized along hierarchical lines to facilitate control of confidential information.

Overemphasis on the control aspect of staff integrity management can create tensions between staffers and their superiors. The ACAs that ISS studied used many methods to keep morale high, from social gatherings to sports leagues. Many reported, ironically, that the pressures of serving in an ACA—such as meeting strict standards of integrity and confidentiality and coping with media scrutiny and the threat of outside interference—alienated staffers from people outside the organization but bonded them to one another. To raise incentives for integrity, some ACAs effectively used various kinds of positive reinforcement, including recognition in the form of awards and financial bonuses.

Indonesia's KPK implemented risk-sharing measures such as welfare and insurance funds that were based on the model of Hong Kong's Independent Commission Against Corruption, which had analyzed internal corruption cases and concluded that most stemmed from staffers motivated by urgent needs for money due to health issues, gambling debts, or family obligations.

Setting a good example at the top

In both Indonesia and Mauritius, ACA leaders committed themselves to ethical standards even stricter than staff codes. The KPK commissioners developed their own stern ethics code, which became a popular touchstone for the commission. The code helped endow them with the moral authority to denounce corruption in other state offices without appearing hypocritical.

The KPK's code also helped shield the agency's commissioners against spurious allegations of misconduct. For example, the code required the commissioners to keep a log of all social meetings. When KPK commissioners Chandra Hamzah and Bibit Rianto were arrested and charged with extortion, those records exposed the charges as groundless and inspired mass protests on the commissioners' behalf. By contrast, Chief Commissioner Antasari Azhar had a history of code violations; his failure to document outside meetings suggested he might be hiding secret dealings. When police arrested him for murder under lurid circumstances, observers were less motivated to advocate for his release.

Mending fractures that give spoilers a foothold

Internal fault lines can make an ACA appear weak and conflicted. Antagonists can play factions against one another, either in the media or behind the scenes. ACA leaders need channels to resolve internal disagreements in order to present a unified face to their staff, their partner agencies, and the public.

When Aleksejs Loskutovs took leadership of Latvia's KNAB, he was distrusted by his deputy and predecessor, Juta Strīķe, because of past personal conflicts and Strīķe's belief that Latvia's oligarchs had backed Loskutovs's appointment. The prime minister urged Loskutovs to fire Strīķe, but Loskutovs refused and told Strīķe about the incident, saying, "[We might have] different attitudes and personalities, but if we wish KNAB to survive, we have to stand back-to-back and fight in all directions." By standing by his deputy in the face of high-level pressure, Loskutovs turned a contentious relationship into a strong bond that helped KNAB make gains in the face of political adversity.

RALLYING BROAD-BASED SUPPORT

The antagonists who faced the ACAs that ISS studied drew upon varied sources of power and influence, including political parties, media, and co-opted state officials. To compete, the agencies needed auxiliary resources and levers of influence, provided by allies among the general public, the government, the media and civil society, and the international community. ACAs that invested time, attention, and resources into those partnerships found themselves with staunch support when they needed it most.

The defensive strategy of Indonesia's KPK shows how alliances help overcome backlash.

When lawmakers tried to curtail the commission's powers and police sought to arrest its commissioners, citizens held mass protests, foreign diplomats lobbied the government behind the scenes, and the courts sided with the KPK. Ultimately, the president supported the commission; police officials dropped charges and admitted their fabrication of evidence; and parliament backed off.

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Likewise, when Latvia's legislature attempted to interfere with KNAB investigations of political corruption, citizens and independent media sources rallied to KNAB's defense. The president dissolved parliament, and new elections brought a reformist coalition to power.

Enlisting the public

Among the ACAs that ISS studied, public support was an essential source of the political capital required to fend off high-level retaliation. Agencies that earned reputations for professionalism and independence gained popularity, which incentivized cooperation with their efforts and raised the political cost of opposition. In contrast, ACAs perceived as weak or biased were more vulnerable to subversion. Drago Kos of Slovenia's Commission for the Prevention of Corruption (CPC) put it bluntly: "If the general public does not support you, you're dead."

ACAs with high levels of public support, such as Indonesia's KPK and Latvia's KNAB, had reputations for boldness, impartiality, and competence. Investigative successes cemented those positive public perceptions, but close attention to communications and public relations also contributed. In contrast, Mauritius's ICAC and Lithuania's STT, both of which struggled with public relations, had middling levels of public trust despite accruing appreciable performance records.

Popular ACA leaders whom ISS studied engaged the public through speeches and media interviews to address citizens' concerns and win their support. Most employed public relations officers—some of whom were former journalists—who monitored media coverage and cultivated relationships with reporters. “Publicity for an anti-corruption agency is one of the bases for survival,” said Loskutovs of Latvia’s KNAB. “We had to be visible, very visible.”

Croatia’s Bureau for Combating Corruption and Organized Crime (USKOK) trained its prosecutors in media relations, including ways of using interviews to convey achievements and counter misperceptions while respecting rules of confidentiality. Kos of Slovenia’s CPC used his personal prestige to draw media attention to his commission’s findings. In Botswana, the founding commissioner of the Directorate on Corruption and Economic Crime (DCEC) toured the country and took to the airwaves to spread awareness of the directorate and to counter disinformation.

Media-savvy ACAs also recognized the importance of symbolism in building an image of patriotism and professionalism. Croatia’s USKOK consciously emulated early efforts of the US Federal Bureau of Investigation to convey a professional image through discipline, distinctive white-collar uniforms, and proactive media relations. The bureau’s acronym alluded to the Uskoks, medieval seafaring guerrillas who were national folk symbols of patriotic resistance. Many of the citizens who protested efforts to weaken ACAs in Indonesia, Latvia, and Slovenia framed their grievances in patriotic terms, suggesting that the ACAs had become national emblems.

Overcoming public skepticism

Many of the ACA leaders ISS interviewed said they faced credibility gaps—exacerbated by factors like co-opted media or public disenchantment with past anti-corruption efforts—that could not be bridged by communication alone. They needed to take concrete steps to build public confidence.

One way ACAs could mitigate distrust was by *voluntarily* instituting mechanisms for accountability and transparency. Hong Kong’s pioneering Independent Commission Against Corruption established multiple citizen advisory committees, composed of distinguished private citizens. For example, the investigative oversight committee reviewed closed cases to confirm they were closed for legitimate reasons. Citizens perceived such nongovernmental oversight as relatively impartial, thereby boosting the commission’s credibility.

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Transparency can also protect against false allegations and expose problems before they metastasize. For example, Botswana's DCEC made an early decision to record all witness interrogations, even though other enforcement agencies generally did not. Ghana's Commission on Human Rights and Administrative Justice (CHRAJ), which lacked police powers, made all of its hearings public. Many ACAs publish their annual reports and current case statistics online, even if not required to do so.

Handling corruption allegations promptly, fully, and with respect for the complainant also helps ACAs earn trust. Bertrand de Speville, former commissioner of Hong Kong's Independent Commission Against Corruption, said: "If a citizen has screwed up his courage to come and tell you something, if you treat him or his complaint as insignificant, he will never come to you again. You've lost him, and you've probably lost all his friends as well."

In addition, leaders of the successful ACAs built public confidence by protecting whistle-blower confidentiality even when the agencies lacked clear statutory obligations to do so. Slovenia's CPC refused to disclose the identities of complainants, even to its parliamentary overseers. When the parliament passed a law mandating such disclosure, the commission fought back in the media and successfully challenged the law in court.

Winning allies in civil society and media

Some ACAs that ISS studied built collaborative and mutually beneficial relationships with journalists and advocates of good governance, who provided investigative leads, helped monitor government performance, and rallied support when threats surfaced.

Indonesia's KPK developed a strong reputation with the media by opening itself up to press access. The commission welcomed journalists to its headquarters and provided them with regular updates as well as press rooms equipped with computers and Internet access. The commission's steps often filled with journalists hoping to glimpse subjects of investigation and learn about ongoing cases. "We allow the newsmakers to be close to the KPK," said KPK secretary-general Bambang Pratomosunu. "They feel at home."

In addition, the KPK collaborated with civil society groups on both public education projects and investigations, sharing information and coordinating efforts. The commission also cultivated the growth of anti-corruption activism. Wijayanto of the Paramadina Public Policy Institute in Jakarta said: "On one hand, civil society has provided strong backup for the KPK to survive the 'attack' from corruptors and political interests who want to weaken it. On the other, KPK has played a role as a central actor in and unifying factor of the anti-corruption movement in Indonesia."

In contrast, Mauritian journalists and civil society representatives complained of neglect from ICAC, which contributed to public distrust of the commission and misperceptions about its operations and achievements.

In Ghana, which lacked corruption-focused civil society groups, CHRAJ director Emile Short encouraged the formation of new organizations and personally organized a local chapter of Transparency International. Short explained, “By helping to build a stronger civil society base on corruption issues, I hoped that CHRAJ and these groups could all work together, as a broad coalition, to promote public sector evolution on tackling corruption.”

In countries lacking independent media, ACAs may be able to use social media to get their messages out, although some ACA leaders that ISS interviewed found that method to be resource intensive. Social media played a role in galvanizing anti-corruption movements in Indonesia, Latvia, and Slovenia by allowing supporters to rapidly disseminate information and organize protests. For example, when two commissioners of Indonesia’s KPK were arrested under dubious circumstances, a private citizen launched a Facebook protest that quickly attracted 1.2 million supporters. That action raised awareness and put pressure on elected leaders.

Forming partnerships in government

Some ACAs that ISS studied built useful partnerships with other government institutions despite encountering obstacles such as bureaucratic inertia, wariness of scrutiny, or reluctance to share scarce resources. Such ACAs offered substantive assistance to colleagues in partner agencies. For example, Indonesia’s KPK used its advanced telecommunications surveillance capabilities to track down suspects wanted by the attorney general’s office. And Mauritius’s ICAC secured cooperation in preventive efforts by emphasizing efficiency gains from the installation of systems and procedures to lessen corruption risks.

Second, ACAs negotiated agreements that clearly delineated responsibilities and created systems of accountability and transparency to keep partners honest. The KPK secured judicial permission to film its trials in order to monitor participants, including its own lawyers. Slovenia’s CPC collaborated with state partners to launch Supervizor, an online search engine for government expenditures, and fought to keep the program publicly accessible and to disclose any legal limitations on data availability.

ACAs also smoothed their political relations by addressing skeptics’ arguments. For instance, Indonesia’s KPK had trouble persuading parliament of the cost-effectiveness of its efforts. Thus, the second-term commissioners focused their investigations on

lucrative sectors, where substantial assets might be recovered, thereby showing the commission's enforcement work could "pay for itself" many times over.

Cultivating international support

Foreign pressure was a driving force behind the establishment of many of the ACAs that ISS studied, whether as a precondition for European Union membership, a condition of structural assistance from the International Monetary Fund, or a demand by foreign donors or investors. Foreign stakeholders provided ACAs with support ranging from financial aid and technical assistance to international media attention and political pressure. Attempts by Indonesia's parliament to curtail the KPK's powers drew objections from foreign governments, multilateral organizations, international advocacy groups, and foreign media.

Foreign aid, especially when sustained over time, can deter political interference with ACA operations by sending a clear signal of international support. In 2004, Lithuania's parliament pushed back against the assertive investigative strategy of STT director Valentinas Junokas by removing him from office. However, Junokas said an ongoing multimillion-dollar assistance program from the United States prompted legislators to retract initial threats to shutter the agency. State leaders were unwilling to risk alienating a key ally and source of foreign assistance.

Relevant foreign agencies can provide inspiration, intelligence, resources, and moral support. "[It was] important to communicate with similar anti-corruption agencies," said Striķe of Latvia's KNAB. "You feel lonely without the experience, support, and advice of international partners." When Striķe faced a death threat, her foreign peers helped shelter her abroad until the threat abated.

WINNING THE LONG GAME

In line with the multifunctional ACA model pioneered by Hong Kong, all of the ACAs ISS studied led preventive and educational efforts either by themselves or in concert with partner institutions. Most considered such efforts to be vital complements to investigations despite their lower visibility. Preventive reforms reduce risks of graft and foster public expectations for good governance and transparency. Anti-corruption education raises awareness, cultivates public support for reform, and challenges the societal norms and traditions that foster endemic graft. In the long term, those results can create a virtuous cycle that increases accountability and disempowers the beneficiaries of corruption.

Unlike high-profile investigations, preventive and educational reforms provoked little pushback in the cases ISS studied. Although some efforts elicited attempts to block or circumvent systemic changes, none provoked retribution against ACAs or their leaders. Clearly, the political cost of opposing such reforms and appearing pro-corruption outweighed the potential loss of profit or influence from systemic changes. In some cases, beneficiaries of corruption were willing to sacrifice future gains to avoid drawing attention to their past dealings. Latvian activist Inese Voika argued that the ringleaders of Latvia's corruption networks often *supported* preventive reforms they believed would squeeze out the petty graft that ate into their dividends.

Education raises awareness, cultivates public support for reform, and challenges societal norms

Many ACAs found high-profile investigations and low-profile educational and preventive measures to be mutually reinforcing. Latvia's KNAB used the political capital it gained from headline-grabbing arrests to push for stronger anti-corruption laws and systemic reforms of campaign finance and asset disclosure.

Analyzing corruption risks and motivating procedural change

All of the ACAs ISS studied except Ghana's CHRAJ and Croatia's USKOK stressed corruption prevention. (Even with its multifunctional mandate, USKOK made a strategic choice to focus on its core strengths of investigation and prosecution and defer to partner institutions in the justice ministry to coordinate prevention and education.) Common preventive activities included systemic reviews of public sector institutions, development of integrity plans to minimize future risks, and checks of draft legislation to reduce corruption risks.

Most of the ACAs undertook systemic reviews of government offices, beginning with problem-prone areas like construction and customs but ultimately reaching public bodies nationwide. Those ACAs often publicly ranked state offices against each other and publicized the results to build competitive pressure for progress. "No head of an organization would want their ministry to be labeled as the most corrupt ministry," said Rose Seretse, head of Botswana's DCEC.

Based on such risk assessments, many ACAs helped public institutions develop integrity plans. Experts at Mauritius's ICAC and Indonesia's KPK coached institutions through the development of such plans, based on best practices. Adopting a model from New South Wales, Australia, Slovenia's CPC obligated all public sector institutions to appoint their own integrity guardians responsible for risk assessment and integrity planning. The CPC barred guardians from outsourcing the task to contractors, arguing

that institutions are the most reliable arbiters of their own corruption risks and that integrity planning required active engagement.

Like other ACAs with investigative powers, the DCEC coordinated preventive and investigative efforts to maximize impact and avoid working at cross-purposes. The DCEC even established anti-corruption units that embedded investigators into government offices to both guide preventive reforms and detect malfeasance. However, other ACA leaders cautioned that blurring the line between preventive efforts and investigative efforts could deter public workers from seeking guidance and speaking candidly about practices that they considered problematic.

Reshaping public norms and expectations

“You need to strengthen the accountability of the political class,” said Goran Klemenčič, head of Slovenia’s CPC. “But you cannot do that through awareness as such; only people can change that—[in the] long run.”

The anti-corruption agencies of Botswana and Indonesia developed innovative educational efforts, from youth anti-corruption clubs to university courses that trained students to identify corruption around them and trace its impact. Lithuania’s STT developed anti-corruption curricula for all educational levels, as well as media campaigns, to gradually change the public mind-set. Botswana’s DCEC developed a popular mascot for its educational activities: a cape-wearing bovine superhero who taught schoolchildren about integrity by using local cultural symbols. Many ACAs also worked with partner institutions to research corruption issues through public surveys or sector-specific studies.

Some ACAs found creative ways to move from passive public education to engagement of citizens as active partners in combating corruption. Indonesia launched a Web-based mail system to let whistle-blowers submit corruption tips anonymously. Supervisor, developed by Slovenia’s CPC, enabled everyday citizens to review online all government expenditures and to flag potentially corrupt transactions.

WEIGHING THE PROS AND CONS OF HIGH-STAKES INVESTIGATIONS

Political realities and common sense force ACA leaders to walk a thin line in allocating scarce resources to investigation and enforcement. Appearing too aggressive or too timid can lead to charges of bias and abuse of power. “We had to strike a balance between holding public officials accountable and at the same time not being unduly intrusive by just summoning people on the slightest allegation,” said Short of Ghana’s CHRAJ.

Prudent management calls for a sober assessment of the likely costs and benefits of investigations

De Speville of Hong Kong counseled ACA leaders to navigate this minefield by pursuing every corruption complaint. But when an ACA with few resources and many potential targets undertakes resource-intensive high-level investigations, especially those requiring special

police tactics, trade-offs may be needed. Prudent management often calls for sober assessment of the likely costs and benefits of such investigations as well as contingency planning about potential retaliation. Anil Kumar Ujoodha of Mauritius's ICAC, said, "When a high-profile person is investigated or arrested, he's going to use every means to undermine the [investigative] organization."

The high-visibility strategy

The ACAs of Croatia, Indonesia, Latvia, and Slovenia made a strategic choice to pursue "big fish" cases and justice sector corruption early on. Although such cases can consume scarce resources and provoke controversy, prominent successes often build public support and signal commitment to ending high-level impunity. Latvia's KNAB found that exposing judicial corruption prompted fairer judgments in later corruption trials.

The relatively confrontational strategies of those four ACAs inflamed antagonism, yet the agencies managed to ride out the storm because of the thoroughness of their investigations, the strength of their organizations, and the support of their allies. In addition, the agencies benefited from the presence of relatively independent media, impartial courts, and reformist political factions.

In each case, agencies timed their actions judiciously to build momentum and take advantage of opportunities. ACA leaders "need to have the courage to identify when momentum emerges," said Amien Sunaryadi of Indonesia's KPK. Intentionally or not, the ACAs of Indonesia and Slovenia benefited from launching major investigations in the lead-up to elections, when political leaders were reluctant to criticize anti-corruption efforts. Similarly, the lengthy European Union accession process gave Croatia's USKOK political cover to lobby for more resources and conduct sweeping investigations without triggering overt pushback.

Crises, even if related to corruption only indirectly, also opened windows of opportunity for ACAs to galvanize anti-corruption momentum. When Latvia's government implemented austerity measures in the wake of the 2008 financial crisis, the public turned against the oligarchs who were KNAB's chief adversaries. Latvian anti-corruption expert Valts Kalniņš said: "For a key part of the citizenry, the economic crisis was a wake-up moment. The emperor had lost his clothes." The embattled KNAB assumed

public prominence and helped lead a wave of anti-corruption reform. A similar story played out in Slovenia, where the 2008 financial crisis raised public outcry over the CPC's findings of systemic corruption, prompting mass protests and political turnover.

Rising citizen expectations often challenge aggressive ACAs, which raise the bar for capturing the public imagination with each investigative success. Citizens easily lose patience with slow investigations and protracted legal battles, as well as capacity-building and preventive efforts. "The biggest challenge for us was the high expectations," said Erry Hardjapemekas of the KPK. "When we investigated big officials, the expectations just went even higher." Those expectations could be managed with candid and realistic communication about obstacles and achievements, but ultimately, ACAs that failed to uncover high-level corruption lost public attention.

High-visibility investigations also tend to draw extraordinary scrutiny. Kos of Slovenia's CPC said: "[There] was a time when the prosecutor general and the police were heavily against me, and if we had made one mistake, they would have blown me away. You have to adhere to the law strictly." Even minor infractions could provide an opening for retaliation.

The low-visibility strategy

However strong their investigative powers, ACAs have relatively non-confrontational options available to spotlight systemic corruption and its consequences. Four of the ACAs that ISS studied—in Botswana, Ghana, Lithuania, and Mauritius—focused on lower-visibility activities, especially in corruption prevention and education, rather than on big-fish investigations. That strategy provoked less pushback but also generated less public support and momentum for reform.

Tymon Katlholo of Botswana's DCEC argued that big fish were not worth the trouble: "The public perception was that you are not fighting corruption until and unless you have nipped . . . the so-called big fish. But even then, . . . some will say no, no, this was done for political reasons. So it's a no-win situation." Katlholo's directorate developed innovative preventive and educational programs, but critics claimed the directorate was unwilling to take on high-level corruption.

The strategic shift of Lithuania's STT illustrates when the choice of a low-visibility strategy may be prudent. In the run-up to Lithuania's 2004 elections, the STT investigated ministers and legislators and enraged many powerful politicians. Unlike its peers in Indonesia and Latvia, the STT had no strong media and civil society allies to spur public support. The STT's director resigned under pressure, and the agency's high-level cases bogged down in the courts, reaffirming public cynicism. Consequently, the STT pivoted toward a lower-visibility approach that emphasized prevention and

education. New director Povilas Malakauskas played down investigation as a costly strategy that yielded only fleeting results. In contrast, he said, “We should pay more attention to changing procedures, the rules of the game, to minimize the probability of being corrupt.” Rather than a capitulation, the STT’s change of focus can be seen as a strategic choice to plant the seeds of future reform.

Still, ACAs seeking to avoid retaliation need not jettison investigations altogether. In the cases that ISS studied, investigations that did not *personally* threaten antagonists, such as corruption reports about whole offices or systems, often resulted in important findings that did not provoke retaliation. Nonlegal reports that merely embarrassed their subjects, such as the opinions issued by Slovenia’s CPC and reports by Ghana’s CHRAJ, generally provoked more-modest pushback than legal sanctions did, mostly from high-level politicians and others who depended on their reputations. By contrast, enforcement actions that assigned individual culpability and carried the weight of legal sanction—even noncriminal legal actions, such as KNAB’s issuance of fines—provoked the fiercest retaliation.

CONCLUSION

The experiences of the diverse agencies ISS studied suggest an array of tactics that anti-corruption agencies can use to outmaneuver antagonists. Secure internal defenses, staunch allies, and low-visibility efforts geared toward long-term corruption reduction can help an ACA survive and prosper. In addition, ACA leaders must carefully gauge the risks and rewards of high-level investigations and lower-visibility approaches in strategic context.

In setting a strategy to anticipate and overcome—or avoid—retaliation, ACA leaders must consider the capacities and constraints that shape the opportunities available to both their agencies and foreseeable opponents. What types of antagonists are likely to emerge? What sources of power can those antagonists access? What actions are most likely to provoke antagonists’ resistance? What defenses can inhibit subversion? How independent and trustworthy are the courts, media channels, civil society, and other government institutions? Is it possible to galvanize public support for the agency or for the fight against corruption, or does the character of civic engagement limit the ability to forge partnerships with the public—at least in the short term? How sensitive to public pressure are political-power holders? Are there opportunities for applying international pressure to deter political interference? How can systemic corruption be corrected through preventive, educational, and investigative efforts in ways that minimize the risk of retaliation? Do conditions make it possible to challenge the most-powerful

beneficiaries of high-level corruption successfully, and if not, are there less-provocative courses of action that would weaken such spoilers in the long term?

Strategic planning also involves a number of broader considerations that are beyond the preservation of short-term capacity. Effective ACAs build upon public support and attain notable achievements to sustain momentum and shift the dynamics of the corruption environment. They promote societal norms against corruption and impunity. They foster political will for far-reaching reforms and form vital links in national anti-corruption systems.

Ultimately, however, the machinations of corruption's beneficiaries are only one of the strategic challenges facing those fighting to expose and uproot corruption. "We'll always have something to do," Dinko Cvitan said of Croatia's USKOK. "We're like undertakers: we'll never run out of work."

FIGURE 1: ANTI-CORRUPTION AGENCIES STUDIED BY ISS

Country	Agency	Acronym	Date founded	Mandate	Investigative powers	Rough staff count	WGI for “control of corruption” (country’s percentile rank) ¹
Botswana	Directorate on Corruption & Economic Crime	DCEC	1994	Investigation, prevention, education, prosecution (advisory)	Police powers	270	75 (1996) ² 79 (2012)
Croatia	Bureau for Combating Corruption & Organized Crime	USKOK (Ured za suzbijanje korupcije i organiziranog kriminaliteta)	2001	Investigation, prosecution, prevention, education ³	Supervise police, special prosecutory powers	57	53 (2000) 57 (2012)
Ghana	Commission on Human Rights & Administrative Justice	CHRAJ	1992	Investigation, human rights ombudsman	Subpoena powers, public hearings	⁴	49 (1996) 56 (2012)
Indonesia	Corruption Eradication Commission	KPK (Komisi Pemberantasan Korupsi)	2002	Investigation, prosecution, prevention, education	Police powers, including telecommunications surveillance	800	8 (2002) 29 (2012)
Latvia	Corruption Prevention & Combating Bureau	KNAB (Korupcijas novēršanas un apkarošanas birojs)	2002	Investigation, prevention, education, campaign finance oversight	Police powers	130	54 (2002) 63 (2012)
Lithuania	Special Investigation Service	STT (Specialiųjų tyrimų tarnyba)	1997	Investigation, prevention, education	Police powers	215	58 (1996) 66 (2012)
Mauritius	Independent Commission Against Corruption	ICAC	2002	Investigation, prevention, education, prosecution (advisory)	Police powers	100	73 (2002) 67 (2012)
Slovenia	Commission for the Prevention of Corruption	CPC	2003	Investigation, prevention, education.	Subpoena powers, civil suits	30	80 (2003) 75 (2012)

¹ Ranging from 0 (lowest rank) to 100 (highest rank). Worldwide Governance Indicators of the World Bank Group, <http://info.worldbank.org/governance/wgi/>.

² Earliest available

³ In practice, USKOK deferred to other Ministry of Justice institutions on preventive and educational activities.

⁴ CHRAJ had several hundred staffers but corruption cases constituted only 2% of their caseload.

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Online Resources

- Anti-Corruption Authorities Portal, World Bank Group, <http://www.aaauthorities.org/>.
- International Association of Anti-Corruption Authorities, <http://www.iaaca.org/>.
- National Integrity System Assessments, Transparency International, <http://www.transparency.org/whatwedo/nis>.
- U4 Anti-Corruption Resource Center, <http://www.u4.no/publications/>.

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