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COLLECTIVE ACTION

Afghanistan's Independent Anti-Corruption Monitoring and Evaluation Committee (MEC)

Evidence of Impact; Evidence for a Collective Action Effect

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Abstract

The severe corruption challenges that Afghanistan faces are well known, exemplified by the country's position at the bottom of Transparency International's Corruption Perception Index. One of the constructive responses to the challenge has been from a joint effort of the international community and the Afghan government, who decided in 2010 jointly to establish a committee that would analyse and report on the progress of the government on anti-corruption reforms. The Committee, termed the 'Independent Joint Anti-Corruption Monitoring and Evaluation Committee' (MEC) - is supported by a substantive Secretariat in Kabul.

The Committee is an unusual and innovative concept. It does not have any formal powers, and thus relies for its impact on collaborative working with ministries, agencies and citizens. Its mandate, established by Presidential decree, covers both domestic corruption and international corruption in Afghanistan. The Committee is comprised of an equal number of both national and international members: three national Committee members appointed by the President and three international representatives, selected for their expertise on anti-corruption and chosen by the donor community.

The purpose of this paper is to examine the evidence for what the MEC has achieved so far; and the extent to which this reflects a collective action effect. MEC's effectiveness is boosted by support from officials – at all levels – who are suffering from the corruption in public service deliveries or are themselves caught in the corruption chain - so they are supportive for making changes.

Areas for increased effort, based on this analysis, are: Greater direct focus on supporting committed individuals; more focus on change management of large Ministries; more focus on leveraging sub-national variations in integrity across different Ministries; broadening the government leadership groups; and more aggressive peer review and oversight.

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1 Introduction

There is a harsh reality in Afghanistan; of weak government, a never-ending war, and endemic corruption. The severe corruption challenges that Afghanistan faces are well known, with multiple corruption cases and impunity situations in education, health, defence, public services, the electoral commission and most other sectors. Afghanistan continues to be rated at the bottom of the Corruption Perception Index (Transparency International, 2016) as well as in other global corruption indices and the Government has not yet made significant progress in reforms to tackle corruption. Past shortcomings in political will, the existence of weak institutions to fight corruption, and the heavy flow of international funds have together given rise to more corruption and the public has grown highly sceptical that it will ever be tackled.

Numerous surveys are available that identify the nature of the corruption, its scale, its impact on citizens, the lack of any positive trajectory and any number of other related factors (e.g. Asia Foundation, 2015; Integrity Watch Afghanistan, 2014). Similar analyses are available that examine the extent to which the international community, who have collectively spent well over USD 100 billion in the country, have contributed to the corruption, however unintentionally (Pyman, 2015; SIGAR, 2015).

1.1 A new idea - MEC

One of the more constructive responses to the challenge has come from a joint effort of the international community and the Afghan government. In 2010, at the 'London Conference ' and its follow up in Kabul a few months later (UNODC, 2010), they put forward the idea of a Committee, comprising both national and international Commissioners, that would analyse and report on the progress of the government's anti-corruption reforms.[1] It was necessary to create it because the official anti-corruption body, the 'High Office for Oversight and Anti-Corruption', was seen to have been captured by special interests.

The committee, termed the 'Independent Joint Anti-Corruption Monitoring and Evaluation Committee' (MEC), was established by Presidential decree in November 2010. It thus has legal status, but it is not a statutory body. Its mandate is as follows:

The Committee is obligated a) to assist in defining effective developmental benchmarks for institutions; b) to monitor and evaluate activities to fight corruption at national level and in respect of foreign aid

[1] The concept of MEC was the result of a collaboration between a top Afghan public figure (Dr Ashraf Ghani, now the President of Afghanistan), the US Embassy anti-corruption adviser at the time (Jim Wasserstrom), and the UK Embassy governance adviser at the time (Mette Nielsen).

from governments and international organisations; c) to report to the President, the National Assembly, public and society, and the international community, every six months.[2]

[2] Presidential Decree 61, Article 8; 2010 – Translation by MEC April 2016 is this available somewhere can you reference it further?

The Committee comprises six Commissioners, all appointed by the President: three being nationally well respected persons, and three being internationals recognised for their anti-corruption expertise.[3] The Commissioners are supported by a substantive Secretariat in Kabul, comprising some 25 technical officers, plus support staff and security staff, totaling 44 staff. The annual budget of USD 2.7million is funded by international donors, currently Denmark, Norway, UK and USA, plus in-kind support from Germany.

The Committee is an innovative concept in several respects. First, its mandate covers both domestic corruption and international corruption in Afghanistan. Second, the Committee is comprised of an equal number of both national and international members: the purpose being to enable this body to have the confidence of both the national and international communities. Third, and most relevant to this paper, the Committee does not have any formal powers, but relies for its impact on collaborative working with ministries, agencies and citizens. This collaborative working is an interesting and unusual form of collective action against corruption, but is, we think, one of the core reasons for its success so far.

1.2 Collective action

Despite the problems of endemic corruption, MEC's experience is that a good proportion of the people who provide them with their primary source material – interview evidence – and who follow up its recommendations, are nonetheless ready to be actively cooperative and helpful. The extent of this support is such that it resembles a 'consensus collective action' approach (Morris and Mueller, 1992).[4]

With one of the lowest literacy rates in the world, the long civil war and the lack of attention to the education sector, Afghanistan has a low capacity of workforce in the government institutions. A small percentage of Afghans are well educated, residing in Kabul, the capital, and in the other major cities. Better financial incentives provided by international community, which has huge presence in the country, have also attracted a second well-educated group of Afghans, often with international tertiary education. At the higher levels of government, those in senior positions range from the committed and reasonably honest through to those who are an integral part of the endemic corruption, often having had to pay large sums for the benefit of holding a position that can be used to extract income (see, for example, Chayes, 2105).

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[3] The first national Commissioners were Professor Yasin Osmani, His Excellency Minister Dr Mohammad Azam Dadfar, and Dr. Sidiqullah. The international experts were initially Drago Kos of Slovenia (now the Chair of the OECD Anti-Bribery Working Group), Mr. Erry Riyana Hardjapamekas of Indonesia and Mr. Nuhu Ribadu of Nigeria. The international members were in due course replaced by Dr. Shaukat Hassan of Canada, Mme Eva Joly of Norway, then Dr. Mark Pyman of the UK and Dr. Slagjana Taseva of Macedonia.

[4] 'Collective action' is defined as 'a collaborative and sustained process of cooperation amongst stakeholders. It increases the impact and credibility of individual action, brings vulnerable individual players into an alliance of like-minded organizations and levels the playing field between competitors. Collective Action can complement or temporarily substitute for and strengthen weak local laws and anti-corruption practices' (World Bank, 2008).

In this case, in the readiness of Ministers, civil servants and others to support anti-corruption efforts of MEC, their readiness to do so is a mix of several reasons:

- Almost all Afghans hate corruption – it is forbidden in Islam - however much they may have to go along with it for day-to-day survival. They naturally give their cooperation to people who are actively seeking to do something about it and who are not corrupted themselves

- Many of those Afghans who are directly involved in corruption nonetheless also do not like the system. They will have had to pay for their position, often unwillingly, and this payment then means that they are at the mercy of other powerful corrupt people. They too will often cooperate in a positive cause.

- Civil servants view MEC positively and are ready to cooperate with MEC. The fact that MEC is not a statutory body is, paradoxically, an advantage, because all the existing statutory bodies, such as the Anti-Corruption Agency and the Attorney General's Office, are well known to have been targeted and compromised by corrupt groups. MEC's semi-independent status and the respect accorded to its Commissioners means that it is seen to be objective.

Recently, the international donor community has also started to be more vocal about corruption. They are more explicit that they will continue to support a particular ministry or agency within the Afghan Government only if there are signs of seriously fighting corruption within that particular entity. A Ministry, for instance, is therefore more likely to cooperate with MEC in the fight against corruption because then it would improve its chances of receiving aid from the international community.

2 Evidence of MEC's impact

The evidence that MEC has had an impact in its five years of existence to date comes from four sources:

i. **Effecting change in Ministries and oversight institutions.** MEC has carried out a detailed review of the impact of each one of its recommendations

ii. **Effecting change from interventions in corruption situations.** Despite having no statutory powers, MEC has intervened in a considerable number of situations where the state has been either unable or unwilling to intervene

iii. **Effecting change through the law.** MEC has drafted two laws and has worked with Parliamentarians on several others

iv. **Opinions of stakeholders.** MEC has recently conducted a formal review of the opinions of stakeholders.

v. **Analysing areas that are not covered by the newspapers.**

The section below reviews this evidence. The authors then consider the collective action aspect - who in Government supported MEC's work, why; the lessons learned, the dynamics of how this support comes about, and reflections on how this 'collective action' mentality can be used to shape the future work of the Committee for increased effectiveness.

2.1 Effecting change in Ministries and oversight institutions

MEC's normal approach to Ministry reform is to perform a 'Vulnerability to Corruption Assessment' or 'VCA'. Such analyses were developed a decade or more ago by the World Bank and others (World Bank, 2009; USAID, 2009). They are, in essence analyses of the processes of government in the required scope area, concentrating on governance, integrity and corruption weaknesses, using interviews as the primary source of material. The analysis team typically comprises 2-3 people, the duration of the study is about 3 months, and 50-100 interviews with civil servants and other stakeholders are conducted.

To date, MEC has done 14 detailed analyses, making 450 recommendations. MEC follows up all its recommendations rigorously every six months, and, to date, 201 (47 percent) are fully implemented, and 156 (36 percent) are partially implemented. Most of these analyses have had appreciable impact, for example:

Ministry of Labor, Social Affairs, Martyrs and Disabled – Continuing benefit payments to people who had died

- MEC enabled temporary reform to the corrupted process whereby benefits that had been being paid to people who had died continued to be falsely received by corrupt persons. A lot of the forms were overwritten and the number and/age of inheritors were changed afterwards. The Ministry has saved several million dollars, and has taken disciplinary measures against provincial directors and other employees for not implementing the reform and not sharing the necessary information on due time.

Ministry of Refugees and Repatriates– Distribution of land to repatriated persons

- A new Procedure for Land Distribution – a key area for corruption - has been developed, and MOUs have been signed with 13 institutions to manage the distribution of land for repatriated persons. As a result of the implementation of MEC's recommendations, high-ranking officials of the Ministry who were involved in corruption were identified and their cases were referred to the Attorney General's Office (AGO).

Ministry of Haj and Religious Affairs (MOHRA)– Usurpation of religious land

- A huge part of land endowed for religious and public purposes (waqfi land) has been usurped by powerful people, municipalities and other government institutions, due to the lack of proper documentation. MEC therefore issued 3 recommendations asking MOHRA to identify the endowed land all over Afghanistan in close cooperation with the relevant authorities, register the land with proper documentation and take measures to identify and retrieve the usurped land. The Endowment Directorate of MOHRA instructed its provincial departments to identify the documented and undocumented waqfi land in their respective provinces. As a result, 39989 jerib (approx. 8000 hectare) of waqfi land has been identified and registered in 20 provinces. However, since a large part of the endowed land has been donated without the required deeds, there remain a lot of disputes over the ownership of the property.

Ministry of Higher Education – New procedure for diploma distribution

- The procedure for diploma distribution has been simplified; a one-stop shop for providing services has been established based on MEC's recommendations, which considerably improved the provision of services. Academic and administrative positions have been separated and vacant positions have been filled. The new Higher Education Law has been enacted through Presidential Decree, which entails most of the provisions recommended by MEC (e.g., hiring conditions for university lecturers, academic accountability of the lecturers, etc.)

Ministry of Finance – Development of Provincial Budgeting Policy

- MEC asked MOF to develop a Provincial Budgeting Policy and strengthen capacity of provincial development committees so that they can actively participate in the budgeting process. On the basis of the recommendation, MOF in close cooperation with Ministry of Economy and Independent Directorate of Local Governance, developed the Provincial Budgeting Policy and conducted capacity building trainings in public financial management for all 34 provincial entities.

Afghan Customs Department - New Procedure for Customs Brokers

- Based on MEC's recommendations, the **Afghan Customs Department** developed and implemented a new Procedure for Customs Brokers, which includes addressing violation of Laws and Regulations. Moreover, a procedure for obtaining a broker license and legal documents for tax exemption has been developed with the recommended provisions. A monitoring unit is established to monitor and control broker activities and systematically update the blacklist of brokers.

A full report of the impacts of MEC in different Ministries and Agencies is available for download from MEC's website.[5]

[5] http://www.mec.af

2.2 Effecting change from interventions in corruption situations

Because the rule of law is weak in Afghanistan, there are many situations where the official agencies are unable or unwilling to look in detail at corruption situations: even before any question of prosecution is reached.

MEC has found that its voice can have a significant impact in such situations – Sometimes the desire from the public and from officials for a proper understanding of what happened is strong enough for MEC to be able to follow up and do a proper analysis or follow-up, even though it does not have any formal powers of coercion. Sometimes it is able to shame the individuals concerned into better behaviour, based on the respected nature of the Afghan Commissioners or from building public pressure. Three examples are given below:

Non-Payment of electricity bills by elites

- MEC publically put pressure on Government Institutions and "powerful people" who have not paid their electricity bills for years. According to Da Afghanistan Breshna Sherkat, DABS, that pressure led to massive political support for DABS and as a result DABS was able to recover ca. 500 Million Afs (approx. USD 7.3 million)

Kabul Bank Collapse

- Kabul Bank was the largest banking service provider in Afghanistan with an extensive network of branches and services that included the distribution of a substantial majority of salaries on behalf of the Afghan Government. Its failure and subsequent bail-out represents approximately five to six percent of Afghanistan's gross domestic product, making Kabul Bank one of the largest banking failures in the world.

It was MEC that did the definitive report on the failure, its 'Special Report on the Public Inquiry into the Kabul Bank crisis' being released in November 2012. The Report had 48 recommendations, which were directed to a number of government institutions and the international community and these were targeted at resolving outstanding Kabul Bank issues, and correcting structural governance and justice sector deficiencies in Afghanistan. To date, 45 (93 percent) of the 48 recommendations have been implemented through relevant institutions. A total of USD 254 million has been collected from debtors by the Kabul Bank Receivership and transferred to Afghan Government.

Land Usurpation

- The usurpation of state and private land has been a significant problem for the government and people of Afghanistan over the past ten years. A report provided by the responsible Directorate in the Ministry of Interior indicated that, in total, 1,247,981 jeribs (approx. 25000 hectare) of government and private land have been usurped by 15,831 usurpers in 30 provinces. Impunity and the lack of rule of law contribute greatly to the land usurpation issue. MEC's findings reveal that most private and government land was usurped by those who have, or have had, a

significant presence in the government, and law enforcement agencies had been ineffective in investigating and prosecuting land usurpation. MEC's continuing follow-up of the 18 recommendations indicates that approximately 50,000 jeribs (approx. 10000 hectare) of occupied land in Herat, Nangarhar, and Logar Provinces have been restored by law enforcement institutions and returned to the rightful owners.

Support for MEC with such work comes from the personal and moral dislike of corruption: "The people are tired of corruption and sometimes they cooperate with MEC to be part of this fight for the sake of God".[6]

2.3 Effecting changes through the law

MEC has drafted a number of anticorruption related laws. Enactment of these legal reforms, the policies and mechanisms will make fight against corruption more effective. For example:

- **Civil Servants Law:** Amendments to this Law reduced the possibility of corruption in recruitment procedures and the civil service appointment process was reformed fundamentally.
- **National Procurement Law:** This Law has been amended and many of the provisions recommended by MEC were included, including: conditions for subcontracting are restricted, publication of contracts and subcontracts are required and the establishment of a new review and appeal committee is currently in process.
- **Land Management Law:** MEC issued recommendations to the Afghanistan Independent Land Authority (Arazi). Consequently, Arazi initiated an action plan and developed a five-year strategic plan.

These actions are evidence of impact. In respect of collective action, much of the work has been done in collaboration with a Parliamentary reform group called the Parliamentary Anti-Corruption Caucus (PACC). So far this has been of limited success, due to the high levels of corruption among Members of Parliament and the relatively small size of PACC.

2.4 Stakeholder opinions on MEC's impact

MEC is in touch with officials and citizens on a daily basis, doing its analyses, following up the recommendations, doing enquiries, etc. As a result, MEC is quite conscious of public opinion. In addition, as part of the preliminary work for its recent strategy update, MEC carried out a formal analysis of stakeholders' views in February 2016; with 35 one-to-one structured interviews and a further 20 less formal interviews.

[6] Personal quote from MEC staff member interviewing government officials, 2016

The stakeholders give many of the now-familiar views: how corruption in Afghanistan is rampant, systemic, institutionalized and destructive for the country. *"Corruption has become the culture in this country"; "The existence of mafia in governmental organizations is one of the biggest challenges in front of MEC"*. Some of the interviewees, especially non-governmental stakeholders refer to the culture of impunity that prevails in Afghanistan. A senior journalist in the leading Afghan TV outlet states: *"I think in many cases the corrupted persons were recognized and arrested by the government, but were not put on trial or punished by the judicial bodies."*

How far corruption has turned into a culture, and how normal and expected corrupt behavior is in Afghanistan, becomes more obvious when we look at the responses received from the end-users of public services. For the Vulnerability to Corruption Assessment in the Afghan Health Sector, MEC conducted hundreds of interviews with, inter alia, patients and their families in several public hospitals and clinics across the country. Interviewees were asked whether workers from the Public Health system asked for (or demanded) bribes from them or their family. The responses included: *"They will not ask you to give them bribe; however they will ask you to give them a gift." "For treatment, surgery, and medicines we are not paying to the hospital or government, but giving to the doctors, nurses, and pharmacy – outside of the Clinic." "At the Obstetrics and Gynecology Wards staff is asking for money"*.

MEC then asked about the role people and communities can play to tackle corruption. The interviewees were asked: **What can people do when they become frustrated by their experience in health facilities?** The almost uniform responses are characteristic for the Afghan Society, including: *"Not much", "Nothing.", "We cannot argue with healthcare providers otherwise they will not check our patients in the health facility"*. These responses show the short-term high cost of being honest. *"When you are at an overcrowded public hospital in Afghanistan, your first aim is to get the appropriate treatment in the shortest possible time. You know that doctors can have you wait for several hours, not see you at all or refer you to another hospital. In other words, you are at the mercy of the doctors. Knowing that they accept bribes is actually a relief for a lot of patients and their families."*

On the other hand, bureaucrats working in these offices have a similar decision to make. As one of the authors explains it: "Getting a job in these offices goes usually through paying a huge amount to a high-ranking official. This "investment" does not pay off when the return is solely the official salary that you receive at the end of each month. Apart from that, you are always at risk of being transferred to a less lucrative position, once the high-ranking official you bribed for getting the job loses his position. In other words, your superior is corrupt, your colleagues are corrupt, your customers expect you to be corrupt and your friends and relatives who know you have such a lucrative position expect you to have a nice house a nice car and a certain lifestyle. Therefore, you are forced to take as much bribes as you can without any risk of being caught or losing your reputation in the society. "

Taking the high level of corruption and the existence of culture of impunity into consideration, MEC recognizes the need for a collaborative approach to tackling corruption in the country. The responses received from the stakeholders on how MEC could play a role in the anti-corruption arena support this view. As the Chair of the newly established National Procurement Authority points out: *"MEC can work*

as an active catalyst to form a "Coalition for Transparency" from amongst different government and non-government national and international stakeholders to facilitate pro-active, dynamic and harmonized lines of action against corruption". Other stakeholders made similar statements, e.g. *"MEC should dare to raise the voice and the anger of Afghans on corruption cases."*

2.5 vAnalysing areas not covered by the newspapers

The MEC has served an important role in examining corruption in ministries and areas that usually do not get much attention. The MEC has filled an important role as a trusted agent of information in areas like land reform, public health, fuel importation and so on. This is separate from communicating about reforms from an expert practitioner level (as described above in stakeholder views). But the other is the MEC's role as a trusted source of knowledge and agenda setter.

3 Why do officials contribute to MEC's impact?

In the preceding sections, we presented evidence that MEC is achieving some positive results against corruption and corruption vulnerability. We have also examined why the government officials seem to overwhelmingly support MEC's work.

The senior MEC officers who lead the teams doing the analyses and the team monitoring the implementation of the recommendations have a good appreciation of which officials cooperate with MEC in its work and why. This support is from individuals – singly – but the uniformity of the support across many Ministries and different ages/seniorities/ ethnicities means that it is effective as if it were collective support.

3.1 Support from officials when doing the analyses

The MEC staff member leading the MEC analyses of corruption vulnerabilities in Ministries had the following observations on the level of support from the civil servants:

- On average, about 70-80% of those interviewed were keen to help the analysis. There was no difference whether the officials were junior or senior.
- The main reason why the low level officials are supportive is that most officials are themselves suffering from the corruption in public service deliveries, so they are supportive of making changes to the processes through the MEC report. In addition, most low level employees are

also suffering discrimination and misbehavior by their senior management, and they want to see changes within their offices through the report.

- The reason why the senior officials are supporting the MEC interviewers is more varied. About a third of them really want to bring positive changes and reduce corruption within their offices. Another third want to see their views reflected in advance of future political decisions coming from the MEC report, often because there are clashes between factions within Ministries. And another third are supporting the MEC work simply to show their commitment in fight corruption.

- Generally, younger officials and better educated officials are the more cooperative. Ethnicity makes no difference.

3.2 Support when implementing the recommendations

The MEC staff members leading the analyses and the monitoring/follow up of all MEC's recommendations had a subtly different set of observations on the nature of the support from the civil servants:

The principal factor determining whether or not the civil servants were supportive was the opinion of the President. More than 2 years ago, when Hamid Karzai was President, MEC received limited support from senior civil servants. When the government changed two years ago, to the 'National Unity Government' of President Ghani and CEO Dr. Abdullah, there was much more support. The impact of this political support was very visible in the rate of implementation of the recommendations from MEC reports, which increased from 13% implemented as at mid 2014 to 46% implemented as at June 30, 2016.

Besides Presidential support, there were two other material factors:

- The personal relationships between MEC members and civil servants. Afghanistan is a very connected society, whether by family, tribe or ethnicity, and these connections naturally lead to a desire to assist MEC personnel to do their work. In a similar way, the presence of well-respected Afghan elders on the MEC Committee was a material factor in the decision of civil servants to cooperate with MEC.

- A personal desire to see the work of MEC succeed.

4 Reflections – politics, committed individuals, bureaucracies, leadership and oversight

MEC and the authors have reflected at length on how to magnify this collective action effect, so as to broaden and deepen the impact against corruption that MEC can facilitate or implement.

The lessons MEC has drawn point to the following six ways in which MEC can have a stronger impact:

1. Measures that illustrate the political economy of the relevant Ministry
2. Measures that support and reinforce supportive individuals, especially those in leadership positions
3. Measures that exploit the dynamics of the bureaucracies, and facilitate the build up of 'trust networks'
4. Disclosing the sub-national variations in bureaucracies and integrity, showing how the system is not uniformly poor, but how some parts of the Afghan bureaucracy are doing much better than others
5. More attention to developing broader leadership commitment within a particular ministry, into something more akin to a collective action endeavour
6. Making follow-up more active and high-level, akin to peer review.

4.1 Politics and elites

There is now a substantial literature about the need to address the political power aspects of anti-corruption reform measures, not just the technical measures. This body of work, by authors such as North et all (North, Wallis and Weingast, 2009), Mungiu-Pippidi (2015, 2016) and others, also points to the need to recognise that in 'particularistic' cultures, of which Afghanistan is certainly one, small changes are unlikely to cumulate into significant change, but instead are likely to be in vain, subverted by the dominant culture. This has negative implications for most attempts at anti-corruption reform. These writers point to solutions such as the way that countries like Sweden, Denmark and the USA transformed themselves from highly corrupt societies over a 20-year period in the nineteenth century (see, for example, Rothstein, 2011). These writers emphasise the need to work not only at the technical level but also at the broader level of changing the political culture.

For example, it is said that leaders such as President Kagame of Rwanda spearheaded the taming of corruption "because corruption is understood by the regime to be a highly salient obstacle to the country's broader developmental goals and fighting corruption is key for avoiding a return to genocide" (Kelsall, 2011; Chene, 2011; quoted in Peiffer and Marquette, 2015). Other authors (e.g. Johnston, 2015) point to the value of key benchmarks of government performance that illustrate a political misuse of power. Perhaps the most famous such case is that of the funding of primary school education in Uganda (Reinikke and Svensson, 2008), where the graph of how much money reached the schools, compared with how much they were supposed to receive, was a stunning visual illustration of the corruption that was taking place, and which led to rapid improvement.

MEC is in a position to research and publish such benchmarks across the Afghan government, which can highlight both the flaws and the progress in the way that power is exercised. For example, MEC may look at the extent of patronage appointments, as opposed to merit appointments, of the senior positions in Ministries and in the provinces; or the extent of abuse of power by individual MPs.

4.2 Committed individuals

MEC's findings about the importance of supportive and/or committed people align well with recent research on what leads to a country's success against corruption. The ANTICORPP programme (Mungiu-Pippidi, 2015, 2016) is a five-year EU funded, research programme that is looking at countries worldwide that have made progress against corruption, and examining in comparative detail the contexts, circumstances and factors that they may have in common. It is now coming to a close, with the findings being published. It identifies seven factors in the success of countries against corruption, with each country showing three or four of the seven factors. The seven factors, as extracted by MEC from the research, are:

1. Informed citizen pressure
2. Bottom-up citizen initiatives
3. Modernisation of government processes
4. Investigations, prosecutions and sanctions
5. Human agency (committed individuals)
6. External international support
7. Political determination.

Of most significance in this context is 'human agency'. The researchers found that in all of the more successful countries, much of the change had come about because of groups of committed people who are working to change the system. As the researchers put it: "Without educated and autonomous

professional groups fighting for good governance because it is in their best interest, sustainable progress in fighting corruption will not occur".[7] Such a finding is important for MEC, because it is easy to decry personal effort as being of marginal importance in a highly corrupt environment.

The personal motivation of individuals in Afghanistan will often have a religious bias, as corruption is well known to be condemned in Islam. Individuals will often invoke God as one of the reasons why they are cooperating with MEC. Such motivation is, however, more individual than collective. The religious authorities have not been very evident in collective action on corruption, or may be hostile to the government and government efforts. This is in line with other analyses of the limited impact of religion on corruption (Marquette, 2012).

4.3 The dynamics of bureaucracies

Whilst the path to corruption reform of Afghanistan probably lies through pressing simultaneously on several of the seven drivers of change, the major effort is most likely to be through improving the quality of the institutions.

Probably the single biggest 'lesson learned' by MEC in this review was that MEC's analyses and follow-up are only effective because the bureaucrats inside the Ministries – who form the bulk of the people being interviewed – are ready to engage with MEC staff: to help with the analysis, to help to expose the issues, and to assist in implementation of the remedies proposed. They know corruption hurts their Ministry and the people who are supposed to be benefiting from their services. This collective action – Ministry staff collaborating with MEC to enable a good outcome to be achieved – is increasingly forming the basis of the theory of change that underlies MEC's modus operandi.

This leads to the thought that MEC could play a significant role in building-up such cooperation into something stronger, whereby the members of a network of officials are so determined to make the enterprise operate in an honest way that they are ready to commit themselves wholeheartedly to this aim. Such a high level of commitment is sometimes called a 'trust network'. A small proportion of all networks, they are a particular form of collective action where the individuals are bound to each other not only by their shared endeavour, but also by putting their success at risk to the malfeasance, mistakes or failures of others (Tilly, 2005). Such networks do not function without organisation and structure, which MEC is perhaps in a position to provide.

4.4 Sub-national variations in bureaucracies and integrity

Other recent research (Charron et al, 2016) shows how the quality of government also varies hugely within a country, often much more so than between countries. They quote the example of Spain, where some regions have been highly corrupt, whilst others much less so. The difference is attributed to the relative levels of political connections among the bureaucracy leadership.

[7] Ibid, p105.

Doing comparative analyses between different sub-national bureaucracies is one good way to bring out the 'embarrassment' aspect of collective action, without taking a hostile approach. Even in countries with very high corruption like Afghanistan, it is still the case that there are big differences in politicisation between different sectors and between different regions, which can be exploited in implementing corruption-reducing measures.

Such differentiation between Ministries can help stakeholders identify the stronger ministries, provincial governments that are doing a better job versus those that are not. It allows the international community to better tailor aid and support. It also gives Afghan citizens some evidence on which to decide whether local and ministerial leaders deserve more of their support (i.e. during elections) or not.

Differentiation like this will also help break the "everyone in Afghanistan is corrupt" idea by providing evidence-based, authoritative knowledge of the types and magnitude of variation. The "they're all corrupt anyway" attitude is one of the biggest challenges Afghanistan faces in working with the international community.

As a practical example of such an approach, MEC is currently comparing certain indicators of integrity performance between different provinces, such as the percentage of the top 100 positions in the province that are based on merit, compared with politics and patronage.

4.5 Working with a broader leadership group

Where MEC has had an impact is in Ministries where either the Minister, or the senior leadership, or both, are ready to do work to fully implement the findings. This is a frequent failing in Afghanistan, and no doubt in many other countries, where a well received report does not then get the follow up that it needs by way of implementation. This is a more specific need than the general goodwill of the ministry staff, because the Minister and key stakeholders have to take considerable internal opposition to the implementation measures proposed, will encounter media flak, and will be targeted by corrupt individuals, often major players in the political elite, such as MPs, who will lose from the reforms or those who for other reasons may use the corruption study as an opportunity to force the removal of the Minister.

This need has led MEC to change the way it prioritises which sectors to analyse. Its lead criterion is now the commitment of the Minister to reform.

Because Afghanistan is hugely dependent on donors, and in many Ministries they provide the bulk of the budget, so the international community need to be a key part of this leadership group. The international community has its own bias, they have practices that may be the direct cause of the corruption, and they can be sensitive and defensive if they feel that their own practices are being called into question. Engaging them so that they are supportive of change is important. Doing the analyses with a prior commitment from the agencies concerned that they will seek to fund reforms, where appropriate, is a better approach still.

Focusing on the dynamics of such key leadership groups is an area where more research is needed, as most comparative research studies of corruption focus on the selection and incentives of policymakers. With few exceptions, actors who are in charge of implementing policies have been neglected (Charron et al, 2011). This has also been found to be the case in specific sectors, for example corruption in defence and security (Pyman, 2016). Building up the mutual collaboration between those in charge of implementing the policies, with facilitation from MEC, is a key way of having greater impact, converting such 'collective action' into impact.

4.6 Oversight and Peer Review

Ministers and their senior officials are usually sensitive to external opinions on their performance, and such oversight is acknowledged by all anti-corruption practitioners to be one of the important elements in tackling corruption, whatever the theory of change against corruption might be. In a collective action formulation, peer review is one of the ways that potential 'free riders;' are likely to be exposed. For example, both the Financial Action task Force (FATF) and the OECD-Working Group on Bribery both use peer review aggressively (Pieth, 2012).

In Afghanistan, however, there are few such mechanisms.[8] Apart from MEC, the International Community (IC) is probably the closest that the country has. However, in past years, the IC has been more concerned with continuing to provide support rather than criticizing.

MEC's tenaciousness in following up its recommendations with the ministries and action parties every few months over a protracted time frame, often over several years, has certainly had an impact, as described above. But there is no doubt that MEC can ratchet up this activity substantially, in ways that may align better with the collective will of large numbers of civil servant. Accordingly, MEC is changing the way that it does follow up on its recommendations, to an approach that is much more akin to these more aggressive forms of peer review: using experts in the relevant field (e.g. educationalists, doctors), high level reviews with the Minister and his team, and field visits to substantiate change on the ground.

5 Conclusions

MEC is having a positive impact on governance in Afghanistan, and perhaps on reducing corruption more directly, despite operating in such a difficult environment. This paper has been asking the 'next' question – how can MEC have a dramatically greater impact? MEC's unusual design, with its joint national/international scope and relative freedom of operation, give it opportunities for collaboration that are not available to organisations that are more institutionally embedded. This paper explores how to achieve greater impact from a collective action mindset, and how different forms of collaboration and

[8] There is the UNCAC review process, but this has not been effective or much regarded.

of contention can be established. This mindset, and the related research that accompanies it, seems to be a productive way forward: many of the considerations in this paper are now being implemented in MEC's new strategy[9].

[9] Available at www.mec.af

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