

Southeast Asia

Brunei, Cambodia, East Timor, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam

By Dini Djalal

Not so very long ago, most Southeast Asian countries were known as ‘Asian tigers’ for their double-digit economic growth rates. The Asian financial crisis of 1997–99 was varied in its impact, but the region as a whole was hit hard, with many countries experiencing a rapid withdrawal of foreign investment, high bankruptcy rates and falling currencies. The human costs of the crisis were enormous. More than 13 million people lost their jobs, real wages fell, and crime and violence rose sharply.¹ The upheaval that followed the crash brought a marked change in political rhetoric: politicians’ traditional rallying cry of ‘growth’ changed to calls for ‘reform’. Increased prominence is now given to corruption, though the rhetoric has not been matched by action.

Differing responses to the financial crisis reflect the array of political, economic and cultural systems found in the region. The shift in political rhetoric meant something very different in the democratic Philippines than it did in communist Vietnam. And the experience of the stable city-state of Singapore, which has one of the lowest levels of corruption in the world, was quite different to that of Indonesia, the most populous country in the region, which has seen economic turmoil and violent sectarian tensions in the last few years.

Dramatic political change took place after the 1997–99 financial crisis, from the overthrow of the long-time president of Indonesia to the election in Thailand of Thaksin Shinawatra of the Democratic Party – and across the region corruption has become a key political theme. Anti-corruption groups have multiplied, and their case has been strengthened by the campaigns of governments eager to prove their reformist credentials.

Good governance and structural reforms were among the conditions imposed by the IMF and other donors in exchange for the massive bailout packages required to salvage the economy in Thailand and elsewhere. Yet while donors may have stepped up the monitoring of aid, corruption remains rife in other areas, particularly in the political process. Many in the region fear that democratisation has not been accompanied by legislation or the creation of institutions strong enough to resist the influence of ‘money politics’. And political instability may divert attention from the tasks of legal reform and institution building.

Southeast Asian countries share an absence of strong institutions, independent of the state, which are essential to combat pervasive corruption. Activists are supported by those reform-minded politicians and business people who are working to set a new standard of good governance. Their determination is testimony to how much stronger civil society has become in a few short years, but their struggle is far from over in much of the region.

News review

The simultaneous investigation of three heads of government for alleged corruption – Indonesia’s President Abdurahman Wahid, Thailand’s Prime Minister Thaksin Shinawatra and former president Joseph Estrada of the Philippines – is a unique indication that the demand for political accountability has taken root.

As the *Global Corruption Report 2001* went to print, legislators were seeking the impeachment of President Wahid after a parliamentary investigating team suspected his involvement in two corruption cases. Wahid denied any wrongdoing. His supporters said the spotlight should rather fall on the family of former president Suharto, which has evaded prosecution despite alleged thefts from the state of funds that run into billions of dollars. Suharto’s youngest son Tommy has been Indonesia’s most famous fugitive from justice since he was convicted of corruption in November 2000. Among Suharto’s business associates, only the flam-

boyant timber tycoon, Mohamad ‘Bob’ Hassan, has been tried and imprisoned.²

Politicians in Thailand were in an equally difficult bind after the election of Thaksin Shinawatra as Prime Minister. The National Counter Corruption Commission alleged that Thaksin misrepresented his wealth while serving as deputy prime minister in 1997, having transferred his stake in a multi-million-dollar business empire to his family and household staff. The Prime Minister responded that the money was in the form of loans and that the incor-

rect disclosures arose from a ‘misunderstanding’.³ A recent scandal involving a deceased general may shed light on why Thais are sceptical of the Prime Minister’s protestations: though his monthly salary was little more than US \$1,000, the late General Sunthorn Kongsompong allegedly amassed a fortune worth millions of dollars. The matter is under investigation by a panel of senators.⁴

An August 2000 survey by the Civil Service Commission found that the majority of Thais believed that corruption is getting worse, especially among

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politicians.⁵ Elections in January 2001, considered by many to be some of the most fraudulent ever, did little to dispel these fears: new polls had to be called in 62 of the country's 400 constituencies.⁶

A similar tale of problematic ballots occurred in the Philippines during the Senate elections in May 2001. Incomplete voter lists were cited in several constituencies while, in other locations, armed men burned the ballot boxes.⁷ The election served to cement the administration of Gloria Macapagal Arroyo, installed as President following an uprising against Joseph Estrada, now on trial for corruption. Estrada stands accused of abusing his position to gain more than US \$80 million illegally. Although the charges sparked riots by his supporters, his detention was a landmark in the Philippines' long campaign against corruption.⁸

Another anti-corruption drive picked up steam in Malaysia where there is public concern about alleged corruption in the administration of Prime Minister Mahathir Mohamad, particularly in relation to a number of government-financed rescues of businesses.⁹ So strong was concern that the American-Malaysian Chamber of Commerce publicly warned about the 'high level of corruption in the Malaysian economy'.¹⁰ By way of response, the government suspended six members of the ruling United Malays National Organisation on corruption charges in May 2001.¹¹ One month later Finance Minister Daim Zainuddin, who was closely linked to the bailouts, resigned.¹²

The anti-corruption campaign in Vietnam began on a high note in November 1999 with the dismissal of then deputy prime minister Ngo Xuan Loc. His return to a key government post six months later was a blow to public enthusiasm, however, and rural villagers, angry at Ngo's apparent impunity, came out in force. The new leaders of the Communist Party promised more action, but political instability and the bottlenecks created by a corrupt bureaucracy in Vietnam continue to deter foreign investors.¹³

Corruption takes a heavy toll on the environment, particularly in communist Laos, where residents said it has increased in tandem with the growth in illegal logging.¹⁴ Most of the logging in Cambodia is also illegal,¹⁵ and military factions and other groups continue to plunder the forests at a rate five times the annual sustainable yield. The government has made efforts to shut down illegal logging operations, but growing encroachment on remote areas indicated that concession holders, and the illegal loggers who follow, may prevail.¹⁶

Laws and lawlessness: the battle for legal reform

A functioning legal system and vigorous enforcement are vital to cleaning up corruption. No country in Southeast Asia can make this claim better than Singa-

Illegal logging in Cambodia

A daily drama is played out in remote areas of Cambodia where villagers are struggling to protect their rights. Illegal deals between government officials and logging companies have led to companies using armed soldiers to terrorise local villagers into selling their trees.

Under the 1988 Forest Practice Rule, and subsidiary laws passed since, the government grants concessions for companies to log in specified areas. The law is supposed to protect so-called 'old' logs by requiring concessionaires to maintain sustainable forestry, and to defend the interests of villagers who depend on the forest for their livelihood.

But companies circumvent the law by bribing government officials, including the military. Illegal activities, such as felling protected species, avoiding royalty payments and the abuse of local villagers, are widespread.

A typical example is the plight of 270 villagers in Tbeng Meanchey District, some 200 km from the capital, Phnom Penh. For generations, they have eked out a livelihood from resin-tapping. Each family has customary tenure parcels of between 500 and 2,000 trees. The resin provides them with 500,000 to 1.5 million riels (US \$130 to \$390) in monthly income. Traditionally, villagers in forest areas farm rice for food and tap resin for cash.

In February 2001, the desperate villagers turned to a Cambodian NGO for help. They said that a Taiwanese-owned company was attempting to 'steal' their resin trees. It had hired soldiers to stop them collecting the resin in the forest and tried to force the villagers to sell their trees. Any resistance to selling, the villagers said, was met with retaliation, such as the imposition of roadblocks that prevented them accessing the market. Fourteen families had apparently lost their livelihood in this way.

In a village in north Kampong Thom, 70 families are under similar pressure to sell their trees for between 2,000 and 5,000 riels (US \$0.50 to \$1.30) each to a logging company.

The threat is likely to continue as long as the law is not enforced, according to an NGO source.

For Cambodia, the problem goes beyond those who make their living from forest products. The adverse ecological and socio-economic effects of excessive logging on the country's waterway system are well documented.¹

Collusion between officials in the Department of Forestry and Wildlife (DFW), the Ministry of Agriculture, Forestry and Fisheries and the legal concessionaires is the cause of the illegal activity, according to the NGO Global Witness. The military controls much of the illegal logging, either privately or on behalf of the concessionaires.

Illegal logging comes at a high cost to the government. Forest income is currently estimated at about US \$13.5 million annually.² Without the illegal logging, the figure could be up to US \$100 million higher.³

The only mechanism available for tracking the concessionaires' activities is the Forest Crime Monitoring Unit (FCMU). The FCMU is an independent enforcement unit, jointly run by Global Witness, DFW and the Ministry of Environment. While short on dramatic outcomes, the FCMU has made some inroads, with its findings leading to corrupt government officials being sacked and illegal loggers arrested. But its work was interrupted when the unit was temporarily suspended in February 2001.

Meanwhile villagers, such as those from Tbeng Meanchey District who eke a living from Cambodia's forests, continue to suffer.

Florence Chong

- 1 Kirk Talbot, *Logging in Cambodia: Politics and Plunder* (New York: Asia Society, 2000).
- 2 Fraser Thomas, 'Cambodian Forest Concession,' Asian Development Bank Review Report, 28 April 2000. The income comes from 'stumpage' – a fee for each log felled.
- 3 Keat Chhon, Minister of Economy and Finance, speaking at a conference of the Asian Free Trade Association, in Phnom Penh, 2000.

pore, whose 40-year-old anti-corruption campaign is often hailed as a model for the region. Once burdened with a corrupt police force and customs office, Singapore is now an efficient commercial hub envied by its neighbours.

Its secret? High civil servant salaries, often exceeding parallel wages in the private sector, according to some observers. But Singaporean officials argue that the introduction of tough anti-corruption legislation and its enforcement by a strong anti-corruption commission and an independent judiciary were more effective than high wages, which were introduced only gradually in the 1970s and 1980s. The new laws stated that suspects could be found guilty of corruption even if no payment had actually been received – intent was sufficient to secure conviction – and the penalty for corruption was five years' imprisonment or a substantial fine. Political will has also been a key factor. Singapore's anti-corruption commission is located in the office of the Prime Minister. Such an arrangement often runs the risk of limiting such a commission's independence and even facilitating corruption, but Singapore has avoided this in part through the personal commitment of its Prime Minister.¹⁷

A number of other Southeast Asian nations have introduced anti-corruption measures and watchdog institutions. Malaysia's 800-member Anti-Corruption Agency, for example, has arrested more than 5,000 people over the past two decades, and the Anti-Corruption Act of 1997 further strengthened its investigative powers.¹⁸ Unlike Singapore, the impact of such institutions is often limited by such factors as a lack of political will, imperfect legislation or low prosecution rates due to the judiciary's lack of independence.

In the Philippines, the Ombudsman has filed cases against dozens of high-ranking officials, but only 2 per cent result in conviction.¹⁹ The proportion of officials prosecuted for corruption is as low as 0.5 out of 10,000, compared to eight out of 10,000 in Hong Kong.²⁰ President Arroyo has revived a Presidential Commission Against Corruption, and proposed an independent body to investigate the wealth of senior government officials.²¹ But it remains to be seen whether these watchdog agencies, hampered by lack of resources and resentment from certain quarters, can claim successful prosecutions.

Concern over the extent of political will in Thailand is reflected in the difficulties faced by watchdog agencies there. The National Counter Corruption Commission (NCCC) is an offspring of Thailand's widely praised 1997 constitution, which was drafted with the participation of various sectors of society. The NCCC complains that its 300-member staff struggles to investigate the country's more than 6,000 municipalities.²² In the area of electoral fraud, Thailand's watchdog is the Election Commission but many saw this year's elections as an indication of its limitations. There were over 1,000 allegations of fraud, but only eight candidates

were disqualified. And old-guard officials seemed intent on weakening the body. In October 2000, the Council of State, a conservative government arm, was given the right to review the Commission's findings of electoral fraud, a move that threatened to erode its independence.²³ Some also claim that weaknesses in both the NCCC and the Election Commission are internal, with allegations of kick-backs and other forms of corruption.²⁴ While some of the allegations may have been deliberately intended to weaken the institutions, they have taken their toll – the integrity of the Election Commission and the NCCC are now doubted by some.²⁵

Gaps in legislation or procedural requirements can be key constraints on conviction rates. Campaigners in the Philippines point out that current legislation places the burden of proof on the prosecutor, making convictions difficult when the required documents – details of bank transfers, for example – are impossible to obtain. The amendment of bank secrecy laws would ease this obstacle.²⁶ The same legal hurdle exists in Indonesia, where the government is currently preparing legislation to transfer the burden of proof to the accused. The suspect will then have to prove that he or she obtained wealth without breaching the law. There have also been moves to strengthen protection of witnesses in corruption trials.

But the key to effective implementation of anti-corruption laws is often the strength, independence and integrity of judiciaries. In Malaysia, the independence of legal institutions is a cause for concern to many: a recent survey found that eight out of ten people were unhappy with the courts.²⁷ In the Philippines, 57 per cent of respondents to a 1999 World Bank survey said that most judges could be bribed.²⁸ Only 4 per cent bothered to report incidents of bribery, saying that reporting them would be futile. Activists lament that some cases are given attention, particularly where politicians have axes to grind against their opponents, while others are neglected. However, attempts are being made in both countries to address these concerns: in Malaysia the newly-appointed Chief Justice has been attempting to restore the image of the judiciary, and the Supreme Court of the Philippines has formulated an Action Programme on Judicial Reforms for the period 2001–06. The law's seeming discrimination must be addressed if public trust in the judiciary is to be restored.

The reputation of the courts in Thailand is no better. Few Thais know how the legal system works, avoiding it whenever possible.²⁹ According to a recent survey, one third of those who went to court said they were asked for bribes while there.³⁰ Laotians also have little knowledge of their legal system, and their one-party state is less than transparent about the workings of government.³¹

Indonesians complain about their weak judiciary, but there is some hope. In the last year, more than 150 cases of corruption were reported by state oil firm Per-

tamina and a dozen by the Forestry Ministry: few prosecutions ensued, however, due to 'insufficient evidence'.³² Exasperated, the government now plans to transfer anti-corruption duties to an Anti-Corruption Commission armed with powers both to investigate and prosecute, and it will create a special court for corruption cases.³³ Unfortunately, the death in July 2001 of the newly-appointed Attorney General, who had won a tough reputation as justice minister, raised concerns that the pace of prosecutions may slow down once again.³⁴

Difficulties in the implementation of legislation must be put in context: in some countries in the region, there is almost no law at all. When Myanmar's ruling junta suspended the constitution in 1988, the law automatically ceded to the whims of the military. The establishment in 1991 of the Law Scrutiny Central Board, which can amend laws deemed 'non-beneficial to the state and the people', further emasculated the legal system. By 1996, when this agency repealed 115 laws, few people in or outside the country had any idea what laws, if any, still functioned in Myanmar.³⁵

In Vietnam, the courts are subservient to the Communist Party. Until recently, dismissal of senior party officials required the approval of the Politburo's standing board. The lawlessness and lack of transparency is driving away investors. According to the police, only 79 out of the 14,200 cases of smuggling, trading in illegal goods and tax avoidance reported in 1999 were brought before the courts.³⁶ A 1998 decree that required officials to declare their assets produced few public results.³⁷ There have been some well-publicised executions, yet unless there are more convictions the public will remain unconvinced by the anti-corruption campaign.

In Cambodia, scores of judges and lawyers were killed during the Khmer Rouge regime, and as a result many of the current judiciary have little more legal education than the general public.³⁸ The institution of the Investigating Judge is also a hindrance to justice, since the office can obstruct police investigations even though its mandate is not endowed by the constitution. The NGO Centre for Social Development, is currently helping the government draft an anti-corruption law, but the legislation has awaited completion for several years now.

If Southeast Asian nations want to eradicate corruption, they must not only tighten legislation, but also ensure that both watchdog agencies and judiciaries have the capacity and independence to investigate comprehensively and, in turn, prosecute wherever appropriate. In particular, political will is required to install independent judges of high integrity. Without judicial support, watchdogs can bark, but not bite.



Sam Sarath, Cambodia

Politics and patronage: democratic ideals compromised

In its annual report this year, the anti-corruption NGO Indonesia Corruption Watch (ICW) claimed that political parties are now the vanguard of corruption, which has a hand in every public decision from the appointment of Supreme Court justices and provincial governors to the abrupt termination of investigations into a tycoon's suspect business dealings.³⁹

Vote buying and campaign financing

Vote buying, whether at the polls or in the legislature, is widespread across the region. With the possible exception of Thailand, officials in Southeast Asia still face weak sanctions for questionable campaigning methods or affiliations. There is little deterrence to offering and taking what are referred to as 'gifts'. This entrenched system of political patronage has an adverse impact on the quality of leadership and the democratisation process.

In Thailand, the lack of grassroots support for business people who run for office compels them to buy votes. While democracy in Thailand took a step forward in 2000 with the first democratic elections to the Senate, it required five rounds of voting over a period of five months before the Election Commission approved the results.⁴⁰ Changing methods of vote buying are a particular problem. While the Election Commission has achieved a considerable amount, allegations have surfaced that politicians are now attempting to pay off rural and local representatives of the Commission so that discrepancies go unnoticed.⁴¹

A 1999 World Bank report documented the high cost of elections in the Philippines: a presidential campaign can cost up to US \$8.5 million in a country where GNP per capita is US \$1,020.⁴² Corruption begins when politicians attempt to recoup the cost of standing for office. At work is a complicated web of patronage politics. The Philippines has a tradition of awarding governors with appointments in return for votes, and business people with contracts in return for funds.

Only in February, when President Arroyo transferred the authority of reviewing large government contracts from the Presidential Office to the National Economic Development Authority, did Filipinos begin to see some hope of a reduction in the buying of favours.⁴³ But observers say President Arroyo's promises of reform are compromised by the appointment of officials from the former administration. Filipinos are concerned that she is paying back these old-regime politicians for their support during her campaign against Joseph Estrada. In February, President Arroyo chose as her official 'gambling consultant' Governor Luis Singson, the whistle-blower who broke the Estrada corruption scandal, but a self-confessed corrupter. Arroyo picked for her Tourism Secretary an official with past

allegations of corruption against him, though the Senate quickly moved to block the appointment.⁴⁴

Elsewhere fickle allegiances are not out of the ordinary. Thai pundits say: 'Old politicians never die, they just switch parties.' Thaksin Shinawatra became Thailand's Prime Minister with the help of old-regime politicians, including discredited former prime minister Chavalit Yongchaiyudh. Key figures in Thaksin's Thai Rak Thai party were the interior minister in a previous regime and a former finance minister, forced to resign in 1996 for mishandling a banking scandal.⁴⁵

Such ironies could be avoided if political parties had access to independent sources of funding, if politicians were paid sufficient salaries, and if exemplary punishment awaited those violating election laws. But in the absence of transparent or viable fundraising alternatives, new political parties often have to join hands with politicians from old regimes, or their business affiliates, in order to survive. There is often no legal deterrence to this taking place.

The use of corruption accusations as a political tool

Corruption charges are increasingly used as a means to discredit rivals, rather than as an effort to clean up politics. Because of public reaction, corruption accusations are a sure means of shoring up political support and, for veteran politicians, retaining power.

Some Indonesians judged the campaign to impeach President Wahid as driven by short-term goals: a cabinet position or a directorship at a lucrative state-owned enterprise. But two can play this game and, to counter the allegations, Wahid's allies launched a corruption probe into the opposition legislators targeting the President. Opposition politicians then accused Wahid of seeking to deflect the spotlight from his impending impeachment and attempted to accelerate the impeachment process.⁴⁶

The tendency to use corruption charges to settle political scores is widespread. In Vietnam, observers dismissed the Communist Party's three-year-old 'self-criticism' campaign as an opportunity to 'lick official boots and kick their colleagues' – and a chance for conservatives to weed out reformers. The former deputy prime minister was sacked but eventually reinstated into government, yet a general widely regarded as a reformer was expelled from the party for criticising it too openly.⁴⁷

In Cambodia, Prime Minister Hun Sen seized on a campaign against illegal logging as an opportunity to discharge military officers he regarded as threatening his power.⁴⁸ Hun Sen was also accused of buying off members of the opposition to weaken it, particularly during the period leading up to the 1997 coup.

Former Malaysian deputy prime minister Anwar Ibrahim was charged with

corruption, among other things, but he and his allies refuted the charges.⁴⁹ Ibrahim, regarded as the popular successor to long-serving prime minister Mahathir Mohamad, was seen by observers as a scapegoat for politicians trying to protect their business interests.⁵⁰ Corruption charges yet again served as an effective way of silencing the opposition.

Democratisation processes and anti-corruption campaigns in Southeast Asia remained fragile during 2000–01. Their sustainability hinges on the ability of politicians to maintain independence. In the absence of strong legislation to regulate campaign financing and sources of funding that will not compromise a political party's subsequent decision-making power, 'money politics' will remain a reality for years to come. So too will accusations of corruption by politicians against their rivals, accusations that often serve political ends rather than the desire to eradicate corruption.

Public patience wanes

In a number of countries in the region, public exasperation with corruption is widespread. Protests demanding President Wahid's resignation echoed Indonesians' desire to seek greater accountability in their leaders. Similarly, the 'People Power II' movement on the streets of Manila may not be representative of the majority, but many Filipinos would welcome an end to the opaque deals and kick-backs that define the country's patronage politics.

Attitudes to corruption are complicated by the desire for economic progress. Millions of Filipinos voted for former president Joseph Estrada, who campaigned on a pro-poor platform.⁵¹ Indeed, it is argued that President Arroyo's popularity is less due to her attacks on corrupt practices than her pledge to deliver economic growth. Many are sceptical that Arroyo can break the habit of political patronage, but they do not doubt her credentials as an economist.

Similarly, many Thais voted for Thaksin not because they considered him clean, but because they admired his wealth and hoped he would run Thailand as a successful business concern. An increasing number of Thais say that their main worry is not corruption, but poverty.⁵²

In villages across Indonesia there is nostalgia for the so-called 'good old days' when putting food on the table was cheaper than today, whatever the brutalities of Suharto's dictatorship. A May 2001 newspaper poll showed that respondents viewed Suharto's 32-year rule more favourably than the administration of

A successful anti-corruption campaign requires not only a free press and strong civil society organisations, but also wide public support.

A citizens' revolt in the Philippines

Nowhere was corruption more central an issue this year than in the Philippines, where it determined the fate of Joseph Estrada's government.

At about 10 pm on 16 January 2001, a majority of senators presiding at the impeachment hearing of President Joseph Estrada voted against accepting evidence that would incriminate him on charges of receiving millions in pay-offs from businessmen. The Senate vote indicated that the establishment was inclined to acquit Estrada, confirming Filipinos' worst suspicions that the trial was merely a charade.

Within an hour after the court adjourned, hundreds of citizens went out on the streets demanding Estrada's resignation. By midnight, thousands had gathered on EDSA, the same highway where the 'People Power' revolt against dictator Ferdinand Marcos took place in 1986. Over the next four days, citizens massed on EDSA, refusing to budge until the President left his post. When Estrada was finally escorted out of the presidential palace on 20 January, it was apparent that he no longer had the support of the people, the armed forces or Congress.

The revolt against Estrada showed the effectiveness of direct citizen action in holding officials accountable, when democratic institutions are unable, or unwilling, to do so.

The uprising happened because it was clear to those following the trial that the senators would not deliver justice. But it would not have succeeded without the combined efforts of citizens' groups from a broad political spectrum, including the Catholic Church and the opposition. These groups temporarily set aside their differences to coordinate rallies, forums and other events to raise popular awareness about Estrada's excesses. They mobilised their constituencies for a series of protests that began in October 2000 and culminated in Estrada's arrest 12 weeks later.

The emergence of a broad anti-corruption coalition during the Estrada administration indicated the depth of popular outrage against malfeasance in high office. Corruption is a long-running theme in Philippine politics but, for the most part, the complacent citizenry tolerated corrupt and unaccountable leaders, voting them into office despite their crooked deals. The revolt showed the limits of that tolerance.

That limit was reached because of Estrada's sheer effrontery. The picture that emerged from the impeachment testimony was of a president who accumulated millions in deals that ranged from the most sophisticated sectors of the economy – the stock market and the formal banking system – to the most primitive and illicit, such as gambling and smuggling. Estrada combined the vintage methods of plunder perfected by Marcos, like preferential loans to cronies, commissions from contracts, and the use of foundations as fronts, with newer machinations: the use of state pension funds for stock market speculation and corporate takeovers. Estrada is estimated to have stolen as much as P20 billion (US \$400 million) during his two-and-a-half year presidency.

Such thievery infuriated the middle class and the business community, which mobilised their resources in support of the protests. These sectors were most affected by an economic decline triggered by the loss of investor confidence. The Catholic Church attacked Estrada on moral grounds: the presidential lifestyle, which included keeping five households in grand style, was particularly scandalous. Trade unions, grassroots groups and leftist organisations formed the core of the protests. Most of those who took part in the revolt did so out of a sense of righteous anger.

The media played a key role by providing information on presidential malfeasance and encouraging participation in protests by reporting them. The impeachment trial was covered live on television and radio, allowing Filipinos to make an independent assessment of the evidence and the conduct of the hear-

ing. And, for the first time, demonstrators were able to text-message one another to mobilise for rallies, spread the news and raise awareness.

While the fall of Estrada renewed faith in 'people power', it also showed the fallibility of Filipino institutions and the urgent need to strengthen them. Even as a new government assumed power, the old structures remained. The judiciary is weak and pliable and high-level corruption is endemic in a system where 'money politics' reigns. Electoral campaigns are among the most expensive in the world

and candidates are beholden to personal and corporate contributors.

These problems will not be resolved quickly. The danger is that citizens will lapse into apathy once they see that corruption persists. While the organisations that took part in the revolt remain energised, it requires a great deal of resources and effort to keep vigilance alive. Electoral politics must be reformed and the judiciary strengthened if the battle against corruption is to be truly won.

Sheila Coronel

Wahid, Indonesia's first freely-elected president.⁵³ Analysts say that the reactionary gloom is caused partly by the pervasive corruption of recent years. Economic despair brought on by the financial crisis has led to a higher incidence of corruption among the bureaucracy, many of whom were underpaid even before the currency depreciation.⁵⁴

These developments are cause for concern since a successful anti-corruption campaign requires not only a free press and strong civil society organisations, but also wide public support. The struggle within civil society against corruption may be weakened by scepticism about the effectiveness of anti-corruption institutions, and by corruption allegations against anti-corruption bodies. The press too faces increasing scepticism. In both Indonesia and the Philippines, there are allegations that sections of the media are politically partisan and subjective about which corruption scandals they report, though journalists dismiss such accusations.

However, tendencies to prioritise economic stability and to be sceptical of anti-corruption efforts should not be exaggerated. Perhaps concerned by the public's increasing disillusionment and by the spectre of the old-guard returning to power, anti-corruption activists have stepped up their campaigns.

In Thailand, the October Network watchdog group can call on a team of whistle-blowers, including bureaucrats and company managers. And reform-minded senators, armed with oversight powers, have set up committees to monitor government ministries and the implementation of economic policy.⁵⁵ In the Philippines, where citizens are responding energetically to the Estrada trial, anti-corruption groups are volunteering to guard ballot boxes and to monitor the procurement of government projects.⁵⁶

In many places the anti-corruption movement can boast victories, and these are important reminders to the public that the battle against corruption is not in vain. In the Philippines, the testimony of the vice-president of a bank during the

Estrada trial was a watershed for the business community, many of whom now prefer professionalism over cronyism. In Malaysia, the state of Terengganu created a local Ombudsman office and adopted an Integrity Pact.⁵⁷ In Cambodia, a Transparency Task Force has been established by the NGO Centre for Social Development in conjunction with the Ministry of Education, and is developing a curriculum of ethics, transparency, accountability and good governance studies for the public school system.⁵⁸

Signs of change are even evident in Vietnam. Though press freedom is curtailed, reporting by journalists of irregularities in a government body led recently to an official investigation. Analysts hope that the election of Nong Duc Manh as Secretary General will lead to greater openness; Manh has already allowed meetings between legislators and ministers to be televised.⁵⁹

Efforts such as these are indicative of the perseverance of those fighting corruption. But in a region-wide climate of political instability and economic difficulties, activists face an uphill struggle, not least in rallying public opinion behind them. As the window of opportunity narrows, activists are realising that they must work fast to prove to the public that corruption can be challenged.

Conclusion

The most prominent development in Southeast Asia over the last two years has been the prosecution of many of its heads of government and other high-ranking officials for alleged corruption. Yet upon closer inspection of events in Cambodia, Indonesia, Malaysia, the Philippines, Thailand and Vietnam, it becomes clear that corruption has survived the various impeachment proceedings and sackings. This begs the question: were the politicians who called for justice truly trying to fight corruption, or were the accusations simply a political tool?

Democratisation in Southeast Asia has not been accompanied by strong institution building, even within political parties. Politicians' desire for short-term political gains over their rivals has limited longer-term efforts to reduce opportunities for corruption. Parties and politicians continue to rely on patronage, and this leads to alliances between old and new regimes that may compromise the drive for good governance.

Democracy requires strong legislation if it is to ensure that no one is above the law. Legal reform in Indonesia has fallen far short of weeding out impunity for the corrupt, and the public has reacted by taking the law into its own hands: vigilantism is on the rise. In the Philippines and Thailand, the low credibility of the judiciary and police hinders the reporting of corruption. If this trend continues, it will be doubly difficult to pursue prosecutions. Intervention by the gov-

ernment in the legal battles of many Southeast Asian countries has not helped. As Singapore has shown, the fight against corruption requires a strong judiciary that serves justice no matter who the perpetrators of crime may be.

The urgent need to tackle these issues cannot be sufficiently stressed. In many countries in the region, patience with promises of reform is running out. In spite of the pressure being applied by the IMF and the World Bank, and the revelation of high-profile corruption scandals, corruption remains. Many increasingly want to prioritise economic stability at the expense of political and institutional reform.

Civil society today is stronger and better equipped to carry out the daunting task of empowering communities. Whether as election monitoring crews or micro-credit teams, grassroots groups can provide the social, economic and political education the population needs to demand change. Because of the increasing assertiveness of civil society groups in most countries in Southeast Asia, the challenges outlined may be surmountable.

- 1 UNDP, *Human Development Report 1999* (New York: Oxford University Press, 1999).
- 2 *South China Morning Post* (Hong Kong), 25 April 2001.
- 3 *Far Eastern Economic Review* (Thailand), 26 April 2001; Associated Press, 13 April 2001; *Financial Times* (UK), 14 June 2001.
- 4 *Asiaweek* (Hong Kong), 20 April 2001; *Time Asia* (Hong Kong), 24 May 2001; *Bangkok Post* (Thailand), 16 May 2001. As a result of the investigation, a graft monitoring panel called for mistresses of senior officials to be forced to declare their assets. *Bangkok Post* (Thailand), 20 June 2001.
- 5 *Far Eastern Economic Review* (Thailand), 7 September 2000.
- 6 *Far Eastern Economic Review* (Thailand), 8 February 2001.
- 7 Associated Press, 15 May 2001.
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