

INDICES TO MEASURE CORRUPTION AND A QUEST FOR ITS APPROPRIATENESS

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ABSTRACT

The indices to measure corruption as a starting point to grasp some of the methods which are used to measure and rank the level of corruptions from various countries. The author believe that, the perception and phenomenon of corruption are all the same from various countries; as we all know and believe that the roots, causes and consequences of corruption are same no matter conducted in developed or under developing countries .

The first part of this article presents the meaning and partial prescribe forms of corruption as to provide clear understanding of corruption from its immense diversity to the readers; and the second part articulate the measurement and methods which are taken to measure the level of corruption. Measurements of corruption have various ways to be used to measure corruption and governed by Transparency Index and Corruption Perception Index. At the end of the article, author discusses the perception of the instruments for measuring corruption in order to present in details whether are appropriate or not. As it has been noted, the indices vary and depend with the countries position. There are countries prefer to use one indices and another differ on the results provided by the same instruments. So the discussion will show which one is best compare to another indices.

Keywords: Corruption, Transparent Index, Perception Index, and Measure Indices

INTRODUCTION

Despite the facts that corruption has been presented and defined in various ways, however it is very difficult to define what a corruption is. This article presents some of the definitions which are considered as the best definitions to define corruption and its activities. Intellectuals articulate about corruption and highlight that corruption is not a new phenomenon; it is there since there is a limp of human kind.¹ With history, it has been proved that the study of corruption materialized from the late 20th C and the acts of corruption are the ones at stake. From the 20th century, corruption enlarged substantial devotion from academic scholars and turn out to be a debatable issue to various disciplines including social sciences and humanities. Various authors including William and Doig,² focused number of issues including the position on how the government addresses the issues of corruption, issues promotes and hold back the development of the countries from corruption; and how the legislation and anti-corruption agencies tried to reduce the level of corruption.³ Similarly, some scholars associate corruption problem in a wide-range and continuum to economic discipline; and that point made some of scholars to conduct research to find out the level of corruption across various countries to determine factors and the reasons for its existence.⁴

MEANING OF CORRUPTION

In order to provide an adequate points including the discussion of measurements of corruption, it is supposed to define what a corruption is at least in a simply manner despite the facts that

¹See Bullu SL *the Genesis of Corruption and Its' Perception* (2018:33); Bullu in her article demonstrates that Corruption is not a new phenomenon; it is a limp in the walk of human evolution and it is as old as the history of manhood and recognized; history demonstrates that the phenomenon of corruption had been manifested since ancient times in different cultures and societies.

² Williams R and Doing A (eds) *Controlling Corruption: The Politics of Corruption* Chapter 4 (Chatham, Edward Elgar Publishing Ltd. 2000:xi).

³ See also Theobald R *Corruption, Development, and under development* (Basingstoke Hampshire UK: Macmillan 1990)

⁴ Sandholtz W and Koetzle W *Accounting for Corruption: Economic Structure, Democracy and Trade* International Studies Quarterly 44:1 (2000:35).

the meaning of corruption depend to its intellectual relatively to the field.⁵ The definition of corruption is often contracted to the concept itself as it had been used to describe directive of specific bodies with powers to undertake some of the actions to fight against corruption within prerogative powers.⁶ For instance, the Transparency International defines corruption as the misuse of entrusted power for private gain;⁷ while the World Bank report⁸ defines corruption as a use of public office for private gain through the commitments conducted by the public officer for his/her personally benefited from that act. With the same meaning, the SADC Protocol against Corruption⁹ defines corruption as "any act that includes bribery or any other behaviour in relation to persons entrusted with responsibilities in the public and private sectors that violates their duties and aimed at obtaining undue advantages of any kind for themselves or others".¹⁰ On other hand, the AU Convention on Prevention and Combating Corruption¹¹ defines corruption as the acts and practices including related offences prescribed in the Convention. The Oxford dictionary defines corruption as the dishonest or illegal behaviour especially for the people in authority, typically involving bribery.¹²

Apart from being as criminal acts in the legal instruments, there are other scholars describe corruption as an act of omission goes against legitimate expectation.¹³ On other hand, Riara¹⁴ declares that,

⁵ See also Bullu (2018:33).

⁶ Tanzi V Corruption around the World: Causes, Consequences, Scope and Cures (1998:576).

⁷ TI (2014) available at <http://www.transparency.org>

⁸ the World Bank Report (2007) available at <http://worldbank.org>

⁹ SADC Protocol against Corruption (2000).

¹⁰ SADC Protocol against Corruption (2000) Art 1.

¹¹ AU Convention on Prevention and Combating Corruption (2003).

¹² Oxford Advanced Learner's Dictionary 8th Edition International Student's Edition Oxford University Press (2010).

¹³ Kibwana K *Initiatives against Corruption In Kenya: Legal And Policy Interventions* (Clari Press, Nairobi, 2001:14): Kibwana in his article says that Corruption is as an act of omission perpetrated by an individual or group of individuals which and hence the interests of society; and emphasizes that such acts of omission take place in all spheres of human endeavour; in government offices, corporate bodies, and private institutions.

¹⁴ Riara B *Grand Corruption as a Crime against Humanity* (2014:2) available at kenyalaw.org; Similarly, Leys C *What is the Problem with Corruption?* *Journal of Modern African Studies* (1965:216) says that habitually, the word corruption referred to general context which denotes the perversion of anything from an original state of purity and is defined by moralists as to change from good to bad; to debase; to pervert; and Leys further emphasis that, cases of corruption often point to the existence of a standard of behaviour according to which the action in question breaks

corruption is often said to be immoral, unjust and repugnant to the ideals of humanity; corruption has different definitions to different people, but there is one view that is collective in society, that corruption is a wrong and immoral act; and whoever indulges in corruptive behaviour should, without a doubt be frowned upon by society. In general, the actions of corruption are taken and described as the behaviour of a person who desires to achieve something through promise of money, honours or security in illegal ways.

FORMS OF CORRUPTION

Forms of corruption were established in order to deliver appropriate ways to which corrupt transaction conducted. The identifications of various forms clearly provide the means as to how the act occurred and assist to provide adequate ways in handling the situation. there are various names used to describe acts of corruption including 'passive', 'active', 'grand', 'petty' *etc*..... the mentioned names always lean towards appropriate name despite the fact that all names are remarkable and present the same meaning.¹⁵ For instance, the European Union Convention prescribed two forms of corruption and namely as active and passive corruption;¹⁶ while the European Criminal Law Convention describe the two forms of corruption with the same names with the inclusion of bribery instead of corruption,¹⁷ yet all the words tries to deliberate the same meaning. Both words direct the official actions in accepting, receiving and offering to whatsoever of such advantage.

Apart from being described in the legal instruments, there are some various authors' tries to question the taken definitions of the said forms of corruption; for instance, the European Criminal Law Convention on corruption says that the forms of corruption refer to offering or paying or receiving of the bribe; Wilson and Ramphele¹⁸ says that the prescribed terminologies are used purposely to distinguish particular and attempted offence conducted in possession.

some rules, written or unwritten, about the proper purposes to which a public office or a public institution may be put.

¹⁵ See Saphy Bullu *Legal challenges to the effective implementation of anti-corruption strategies in selected African countries* (Ph.D thesis submitted at the North West University, 2018:7)

¹⁶ Art 2 of the European Union Conventions on the Fight against Corruption of 1997

¹⁷ Art 2 of the European Criminal Law Criminal on Corruption of 1997.

¹⁸ Wilson and Ramphele *Uprooting Poverty in South Africa* (1989:271).

These forms of corruption are only differ on where are conducted. For instance, there are some of the actions are described and be considered to be conducted in large scales deals and involves people in position.¹⁹ In support to that, Elain²⁰ believe that there is a form of corruption which takes place and not involving money at the level where it takes place. In additional to that, some of the words used includes only cases where payments are accepted and be treated as a bribe had been taken. Despite of the establishment of various forms of corruption, yet those forms carries the same meaning apart from being differ in how are prescribed. These forms of corruption are only differ in terms of scale, and uncertain deals they are the different meanings, and it does not matter whether it takes place on a small scale or at a low level, it affects societies by undermining the rights of citizens. The said forms are also measured with the same instruments in order to provide the effects of the so called acts of corruption.

MEASUREMENTS OF CORRUPTION AND THE ESTABLISHMENT OF INDICES

Despite the fact that it is a bit difficult to define corruption, the leading institutions which established purposely to deal with corruption acts including Corruption Perception Index, Transparency International *e.t.c.....* managed to establish some of the indices to be used as a tool to measure the harden act to described. There are many challenges to measure corruption including the accuracy of the tools in perception of the reality. It is necessary to measure corruption in order to highlight its effect in the society in order to simplify the action of the government in formulating its tools to fight and control the acts. Measuring corruption is a system used to obtain accurate information on the actual occurrences of corrupt acts which at the end; the measurements provide in details the problem of corruption and the needs to know

¹⁹ Palmer *Combating Grand Corruption in Africa: Should it be an International Crime?* (2012) 31; Palmer further states that

corruption is used in two senses: it refers either to specific acts of corruption involving particularly large amounts of money, usually at senior levels of government, or to corrupt practices that result in the abuse of systems designed to ensure good and effective governance.

²⁰ Elaine *Moral and Legal Development of Corruption: Nineteenth and Twentieth Century Corruption in Ireland* (2007:49).

more on how to establish proper ways to assist in fighting against corrupt acts.²¹ It is also acknowledged that measuring of corruption always assist a state which wishes to make progress in fighting against corrupt activities by making a government be reliable, transparency and accountable.²²

In 1993, the first global civil society organisation namely TI was established as a leading tool to measure corruption, and fighting against it.²³ The establishment of TI as a tool to measure corrupt transaction brings awareness of corruption and its effects which at the end assist the society to implement effective measure including the establishment of criminal offenses to eliminate and control corruption.²⁴ The establishment of TI assist the implementation of multi convention and subsequent institutions to make long terms in fighting against corruption worldwide.²⁵ TI introduced the concept of the measurement chain to help states to establish tools which will be used as an instrument to measure policy and advocacy framework. The concept has to include the purpose of its work and must be easy to be adopted in local conditions, easy in implementing, and the process should be communicated and easy to evaluate the impact.²⁶ the TI notion provide awareness and impact of corruption which at the end recognise the need of assessing the impact of corruption and its measurements which can be used as a substantial tool in measuring corruption.

The TI released the Corruption Perception Index (CPI) as an annual report which measurable and presenting issues of corruption in good governance and creating a chance to be accepted instrument to be used international for comparisons of levels of corruption in countries across the world.²⁷ The goal of the CPI is to provide data on extensive perceptions of corruption within countries. That was meant to enhance the understanding on levels of corruption from one country to another. In an area as complex and controversial as corruption, no single source or

²¹ See also TI Report (2000).

²² See also

²³ Explanatory note 1995; and Malito D *Measuring corruption indicators and indices* SSRN Electronic Journal (2014:1) also says that, in the mid of 1990s, the Transparent International and World Bank provided some of the first measures of corruption

²⁴ See also Explanatory note, 1995.

²⁵ See Bullu (2018:.....)

²⁶ Shacklock A *et al* (2006: xiv).

²⁷ See also Palmer (2012:31).

polling method has yet been developed that combines a perfect sampling frame, a satisfactory country coverage and a fully convincing methodology to produce comparative assessments.²⁸ the launched CPI report led the emergency of various independent institutions surveys to measure corrupt transactions and these includes Economic Intelligence Unit,²⁹ Price Waterhouse Coopers,³⁰ World Bank's World Business Environment Survey,³¹ Political and Economic Risk Consultancy³² (to mention the few).

To simplify the task, the CPI imposes two approaches to be considered during the compilation of information in relation to the measures corruption. The first approach is that a source that conducts surveys must provide a ranking of nations for a variety of countries using varying methodologies; and the second approach is that sources must measure the overall level of corruption.³³

THE APPROPRIATENESS OF THE INDICES

Measuring corruption has been difficult due to secrecy and the fact that most known measures of corruption are indirect measures that tend to fade over time.³⁴ For a country or territory to be included in the index, a minimum of three of the sources that TI uses as mentioned above must be used to assess that country. Thus inclusion in the index depends solely on the

²⁸ 1995 TI Corruption Index

This is a group of Economist and the world leader in global business intelligence unit which provides the forecasting and advisory services through research and analysis in governments to understand changes and how to create opportunities to be seized in order to manage the risk in advance. available at www.eiu.com

³⁰ The PwC is a multinational professional services network includes accounting and auditing firm in the world. Available at www.pwc.com.au

³¹ This is an entity which examines the business and environment transactions between firms and states by generate measurement in areas includes corruption. Available at www.merlot.org

³² This is a specialised firm which provide strategic business plans and analysis of the companies doing business and produce range of reports on countries and especially to critical variables including corruption. available at www.cpib.gov.sg

³³ Thomas (2006:14).

³⁴ Golden and Picci *Proposal for A New Measure of Corruption Illustrated With Italian Data* (2012:39).

availability of information. A country's rank can change simply because new countries enter the index and others drop out. A higher score is an indicator that respondents provided better ratings, while a lower score suggests that respondents revised their perception downwards. Comparisons from one country to another are not feasible in this case and a ranking cannot be produced. Comparisons of the results from previous years should be based on a country's score and not its ranking.³⁵

The CPI is calculated by aggregating and analysing data from independent sources that measure the level of public and private corruption in various countries, and these these include corruption perception indices, bribery perception index, bribery payers index, the business environment and enterprises performance survey, the corruption experience index and the business international index, the open budget survey, and the voice of the people survey.³⁶. Those instruments in measuring corruption provided above, yet the style in conducting information should be do through methodological measures and these are objective data collection and subjective data collection. Objective data collection based on the computation of received information from judicial aspects, amount on the existence of public infrastructure, tracking country's' institution features, by auditing of special projects within coding and ranking activities.³⁷ On the other hand, collecting data through subjective method based on the instruments which devote by peoples or expert survey by including populations' perception towards corruption within the society.³⁸

Apart from that, various authors contribute on the needful of the said tool to measure corruption. For instance, Lambsdorff³⁹ states that the CPI anticipates a core in research on the causes and consequences of corruption, based on regression in a cross-section of countries. On other hand, Thomas⁴⁰ states that: it is important to note that these indices measure perceptions of corruption, not corruption itself, also measure for control of corruption⁴¹

³⁵ Thomas What Do the Worldwide Governance Indicators Measure (2006:14).

³⁶ See also Malito (2014:2).

³⁷ Kaufmann D *et al Measuring Corruption: myths and Reality* the World Bank Draft (2006:1).

³⁸ See also Lambsdorff(2006:81).

³⁹ Lambsdorff *Measuring Corruption* (2006:81).

⁴⁰ Thomas What Do the Worldwide Governance Indicators Measure? (2006).

⁴¹ See also See also Kenny *Measuring Corruption in Infrastructure: Evidence from Transition and Developing Countries* (2007:314).

Additional to that Brown⁴² states that

The measurement of corruption, whether directly or indirectly, based on perception or actual incidence, relies on an agreed understanding of 'corruption' itself.

Despite the fact that the CPI introduced indices in measuring corruption, various authors have opposite perception, and dare to say that the approaches followed to assess corruption vary in effectiveness and still provide the core tool for evaluation. Each of the aforementioned indices has its own way of measuring corruption.⁴³ Various authors marked the development of theories in approaching corruption capacity within states. However, the development of the theories raised confusion for the state fail to understand whether the aspect of corruption be operationalised under political or economic indicator. For instance, Malito⁴⁴ in her article says that indices of corruption have attempted to privilege the economic rationale for measuring and repressing corruption, the state fragility indices have employed indicators to construct political rather economic indicators. On the other hand Rice and Patrick⁴⁵ urge that in the case of the index of state weakness, corruption has been employed as components of the political indicators which assess the quality of a state's political institutions and the extent to which its citizens accept as legitimate their system of governance.

Sandholtz and Gray⁴⁶ say that the gross domestic index is used to measure the average level of education (literacy rate), development level and economic integration of the countries; and when it comes to measuring economic integration of the country the index focused on economic freedom issues such as business, trade, financial funds, freedom from government, social, political, property rights, investment, corruption and labour; and each index has equal weights.⁴⁷

⁴² Brown What Are We Trying to Measure? Reviewing the Basics of Corruption Definition (2006: xiii, 57).

⁴³ Shacklock *et al* (2006: xiii).

⁴⁴ Malito (2014:8)

⁴⁵ Rice SE and Patrick S Index of state weakness in the developing world (2008:8).

⁴⁶ Sandholtz and Gray International Integration and National Corruption (2003:775).

⁴⁷ Sandholtz and Gray (2003:775).

Similar to that, Rohwer⁴⁸ says that because there are so many different forms of corruption, it is not possible for one indicator to capture the multidimensional aspect of corruption in reliable and objective manner. Additionally, it is quite difficult in the contents that the perception of corruption keep differs from one category to another. For instance, in 1990 corruption have been tendered and interpreted as a phenomenon which originating and based in political aspect, and later on the expansion of perception gathered and be taken as a factor that affect state stability and potential generation.⁴⁹

Fazekas *et al*⁵⁰ urge that in order to fill some of the gaps between the demand for corruption indices and the dire state of the data currently available, there is a need to develop a novel measure of institutionalised corruption that derives solely from objective data describing behaviour, defined on the micro level such as individual transactions, and that allows for consistent temporal comparisons within and across countries, and rests on a thorough understanding of the corrupt rent extraction process.⁵¹ This approach makes use of micro-level data on individual public procurement procedures allowing for directly modelling corrupt actors' rent extraction activities such as institutionalised corruption in public procurement.

Shacklock *et al*⁵² further insist that the perception indices are valuable and powerful, particularly as a global and comparative corruption measurement tool, but they are not sufficient for certain purposes, such as diagnostics. In support of Shacklock arguments, Fazekas *et al*⁵³ argue that in the absence of forceful objective measures, there are three major sources of corruption indicators: (i) surveys of corruption perceptions and attitudes; (ii) reviews of institutional and legal frameworks; and (iii) detailed analyses and audits of individual cases. Unfortunately, each of these is seriously lacking, leaving the countries without any reasonably reliable and valid indicator of corruption that will allow for comparing countries over time.⁵⁴

⁴⁸ Rohwer A Measuring Corruption: A Comparison between the Transparencies International's Corruption Perception Index And The World Bank's Worldwide Governance Indicators (2009: 43).

⁴⁹ See also Malito (2014:8).

⁵⁰ Fazekas et al Anatomy of grand corruption: A composite corruption risk index based on objective data Working Budapest, Hungary (2012:1).

⁵¹ Fazekas *et al* (2012:1).

⁵² Shacklock *et al* (2006: xiii).

⁵³ Fazekas *et al* (2012:2).

⁵⁴ Fazekas *et al* (2012:3); further argue that despite industry has emerged for measuring corruption, the available measures are either fundamentally flawed or too narrow for testing theories of grand corruption and

In support to the above, some of the authors including Lambsdorff,⁵⁵ Treisman,⁵⁶ Apaza⁵⁷ (to mention the few) support the arguments in criticizing the methodological approach in measuring corruption. In addition to that it has been said that the formula based on perception and opinion in constructing the tools to measure corrupt activities which at the end the perceived value of corrupt activities omits the absolute amount of corruption⁵⁸. Apart from that, there are some other scholars including You and Khagram⁵⁹ raised a concern about the objective criticism derived from the experts' judgment which may ought to be fundamentally imprecise, bias, personal, and impersonal measure.

And finally, the issue on the established indicator in measuring corruption also create some of the concerns to authors and it has been noticed that, the World Bank (WB) composed 21 components indicator which are used as an instruments to assessments and surveys; on the other hand the CPI realised 17 components to calculate data source. The differences in

developing effective solutions to it. In a broad sense, corruption indicators derive primarily from surveys of attitudes, perceptions and experiences of corruption among different stakeholders (e.g. general population, firms, experts); reviews of institutional features controlling corruption in countries or individual organisations; and audits and investigations of individual cases.

⁵⁵ Lambsdorff JG *Measuring Corruption: The Validity and Precision of Subjective Indicators* in C JG Sampford *et al* (eds) *Measuring Corruption* (2006).

⁵⁶ Treisman D *What Have We Learned about the Cause of Corruption from Ten Years of Cross-National Empirical Research?* (2007:213), Treisman further says that

It could also be that the widely used subjective indexes are capturing not observations of the frequency of corruption but inferences made by experts and survey respondents on the basis of conventional understandings of corruption's cause.

⁵⁷ Apaza CR *Measuring Governance and Corruption through the Worldwide Governance Indicators: Critiques, Responses, and Ongoing Scholarly Discussion* (2009:141)

⁵⁸ See also Galtung F *Criteria for sustainable corruption control* (1998: 112); and Malito (2014:10) in her article point out that the control of corruption provided by the WB, for instance has been criticised for being biased from the perspective of business elites, which evaluate corruption on the basis of their own political orientation. While on the other hand, the CPI has been criticized for its at least questionable assumption about the relationship between the perception and the real extent of corruption.

⁵⁹ You JS and Khagram S *a Comparative Study of Inequality and Corruption* (2005: 145)

establishment of the indicators raise complications by losing the conceptual clarity on obscure methods.

CONCLUSION

As it has been noted above, there is a need to have instruments to measure corruption despite the fact that the perception is well known. The indices to measure corruption are very relevant to be establishing in order to have adequate instruments with ability to discover its existence and the effects thereof. Various factors hinder economic development worldwide no matter whether the country is well developed or still under development transition. However it has been proved that yet the indices does not provide adequate position of the corruption status because the instruments' are differ in perception to measure corruption and this is caused by the methodological aspects. The methods which are used and considered as keys instruments to measure corruption are differ in collecting, summering, and evaluating data. Those established indices varies from its perception on the ground that there are some indices not used everywhere serves for the geographical indications, and the political stability. And for that reasons, it has been proved there is a need for having appropriate indices which will cater all aspects and means of calculating corruption perception.

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