

ANTI-CORRUPTION – AN IMPORTANT FACTOR IN BUILDING A STATE RULED BY LAW IN SINGAPORE AND PROMPTING VIETNAM

MA. Ngo Van Truong and Dr. Tran Thi Ngoc Anh
Faculty of Philosophy, Hanoi National University of Education

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ABSTRACT

In recent years, Vietnam's anti-corruption work has been promoted, and ample cases have been resolved in order to strengthen the people's confidence in the leadership of the Party and the State. It is vital to refer to the experience of anti-corruption, building, and perfecting the rule of law of countries worldwide. In particular, Singapore is considered typical and close model of the model of building an incorruptible state in the current context. The article clarifies Singapore's main solutions in anti-corruption work, building an incorruptible state, thereby helping Singapore to achieve great achievements in anti-corruption work, making a significant contribution to the development of the country and this is a model for many countries to absorb, including Vietnam.

Key Words: Anti-corruption, A State Ruled By Law, Singapore.

1. INTRODUCTION

Firstly, in terms of geographical location and natural conditions, the Republic of Singapore is the smallest country in Southeast Asia, located in the south of peninsular Malaysia, where international maritime and air transport routes pass through. Singapore has a very small area, nearly 700 km², a small area and few natural resources are major limitations of the Lion island nation. The government has expanded the area by taking land from the hills and the seabed and buying land and sand from neighboring countries, so the area of Singapore has increased from more than 581 km² in the 1960s to more than 697 km² today (1, p.17).

Secondly, about the history of the formation and development of Singapore, the island of Singapore was occupied by the Sumatran Srivijaya empire and started with a Javanese name called Temasek. From the 16th to the early 19th centuries, Singapore was part of the Kingdom of Johor, which became a British colony in 1867. Singapore became an autonomous state in 1959 with its first head of state being Yusof bin Ishak and its first prime minister Lee Kuan Yew after the 1959 elections. A referendum on the terms of integration into the Federation of Malaysia was achieved in 1962. Singapore was separated from the federation on 7 August 1965 after political disagreements between the state government and the federal council in Kuala Lumpur. Singapore was independent two days later, on 9 August 1965.

Thirdly, concerning economy, politics, and society, Singapore's economy is mainly based on trade and services (accounting for 40% of national income). Singapore's economy since the late 1980s has achieved the highest growth rate in the world. In addition, Singapore is a parliamentary republic, with a Unicameral Parliamentary Government of the Westminster system representing the constituencies. The country's constitution establishes a representative democratic political system

and is now a multi-party system. Since independence, the People's Action Party (PAP) has been in power continuously. In the National Assembly, there are currently 94 delegates, Lee Kuan Yew is the former Secretary General of the Party. From December 1992 to December 2004, the Party General Secretary was Goh Chok Tong. From December 2004 to the present, the General Secretary of the PAP Party is Prime Minister Lee Hsien Loong.

Through the above characteristics, it can be seen that Singapore is a country with a small area, unfavorable natural conditions, and natural resources for the development of the diversity of the country in terms of race, language, and culture. However, this country is located in a vital geographical position, where international shipping and air routes pass. With a strategic vision, Singapore's leaders know how to solve their limitations and difficulties and take advantage of their strengths to bring the country to great development, become the Asian Dragon, and have per capita income at the top of the world. To achieve that success, the State of Singapore has had a series of policies and measures to promote the development, especially, the important role of anti-corruption work, building an incorruptible State.

2.SINGAPORE'S SOLUTION TO BUILD AN INCORRUPTIBLE STATE

To achieve great achievements in anti-corruption, and building an incorruptible state, a series of solutions are offered in Singapore, as follows:

2.1. Promoting the role of the Leaders

The first one is to uphold the determination in building an incorruptible state. This is the great role of the leaders, the senior officers, and most notably, Lee Kuan Yew. Singapore's leadership is determined to do everything possible so that all legislative and administrative measures are taken to reduce the chances of corruption. In 1979, Mr. Lee Kuan Yew, Prime Minister of Singapore stated: "The moment key leaders are less than incorruptible, less than stern in demanding high standards, from that moment the structure of administrative integrity will weaken, and eventually crumble. Singapore can survive only if ministers and senior officers are incorruptible and efficient..." (2, p.30). It can be seen that Mr. Lee Kuan Yew's speech at that time showed the common perception of the People's Action Party and the Singapore government that the position and role of the ruling party and the country's leaders must be respected, demonstrated, expressed by their own morality, firstly integrity. Lee Kuan Yew, the People's Action Party, and the Government of Singapore have upheld the spirit of dedication and have been ready to eliminate corrupt elements so that the Party and Government are honest.

The second one is to uphold the pioneering, exemplary character of the leader. Lee Kuan Yew is an exemplary model, although he is the Prime Minister of Singapore, who established a state, his integrity makes many people admire him: He lived in the house his father left behind, driving a car that he bought with his own money. He did not tolerate illegal public affairs regardless of the person's position, including his capable assistants. Lee Kuan Yew's few corruption cases will show his integrity, straightforwardness, and will for anti-corruption. This can be seen in the fact that the Minister of National Development - Tan Kia Gan, was a close colleague of Lee Kuan Yew. When Mr. Tan was involved in demanding a commission in exchange for his approval of buying a Boeing plane, and consequently, the affair was discovered, Lee Kuan Yew declared: "As the representative of the government on the board of directors of the airline, but he did not fulfill his responsibilities, I fired him from the board of directors. and stripped of other appointed positions"

(3, p.164).In addition, even Lee Kuan Yew himself was investigated in 1995 for real estate purchases and received a discount when buying. However, the conclusion of the investigation is that this trading was completely normal, there was nothing unusual in it. Thereby, it can be seen that Lee Kuan Yew is an example for his successors to learn and follow.

2.2 Focusing on building the leaders' qualities

Firstly,Singapore pays great attention to the quality of its leadership team, especially senior leaders. A leader with high qualifications, vision, determination and exemplary character will be the basis for success in the fight against corruption. In particular, Lee Kuan Yew is an example of the quality of a senior leader. He was born in 1923 and graduated with a law degree from the prestigious Cambridge University of England in 1949, at the age of 26. Thus, he has both virtue and talent, qualified to shoulder the task of leading Singapore in the difficult early days. After that, the second Prime Minister of Singapore, from 1990-2004, Mr. Ngo Tac Dong also graduated from the prestigious Williams College (USA), majoring in economic development.

Secondly,Singapore's leaders are highly educated, have extensive knowledge, and have worked in many positions. As a result, Singaporean leaders always have foresight, and strategic steps, and always recognize the role of anti-corruption in the development of the country. This reality is reflected in the third prime minister, Lee Hsien Loong - Lee Kuan Yew's son who has held the position of Prime Minister since 2004 until now, Lee Hsien Loong received his secondary education at Catholic High School, then continued to study at National Junior College, majored in mathematics at Trinity College, University of Cambridge, UK, graduated with honors in Mathematics in 1974 and received a certificate of Computer Science (honorary class). In addition, in 1980, he obtained a Master's degree in Public Administration from the John F. Kennedy School of Government.

2.3. Developing a valid and effective Anti-corruption Law

The first one isto focus on building and gradually perfecting the Law on Anti-corruption.The Singapore Anti-Corruption Law was promulgated on June 17, 1960, and was subsequently supplemented to improve and expand the powers of investigators, including the right to arrest, search, and inspect bank accounts, bank deposit numbers of the suspects as well as their wives, children, and subordinates...The income tax administrator is required to disclose the relevant information of anyone under investigation. Allowing judges to accept the testimony of accomplices is a piece of evidence. The law allows the court to consider evidence that the accused person is living at a standard of living beyond his economic means or has assets for which his income cannot be explained as corroborating evidence, proving that the accused person has accepted a bribe. This is known as the "presumption of corruption" principle.Furthermore, in 1963, the anti-corruption law was added to make it mandatory for witnesses summoned by the CPIB to be present to give information. By 1980, the maximum penalty for corruption, providing false information, or misleading the CPIB would be imprisonment and fines of up to S\$10,000, and judges have the power to expropriate funds, obtained from the CPIB stemming from corruption.In 1989, the Corruption Act was passed, giving courts the power to freeze and confiscate the assets of those convicted of corruption. In 1999, this Act was replaced by a new law, the Anti-Corruption Law. Even the briber was found guilty. The investigation of corruption is not only in the public sector but also in the private sector and those living outside of Singapore.

The second one is improve the effectiveness of the application of the Anti-corruption Law into practice. In order to have great achievements in anti-corruption, and building an integrity state Singapore has also focused on establishing and strengthening the maximum power for the Corruption Investigation Agency to promptly detect and deal with acts of bribery and corruption. CPIB receives direct instructions from the Prime Minister and is a fully competent authority, authorized to conduct corruption investigations in all political, civil, and legal fields. There will be no prohibited areas, and conversely, there are measures to protect whistleblowers. Therefore, a tough law, severe punishment, and the improvement of the Law's application are the important basis for highly effective anti-corruption work in Singapore.

2.4. Building a specialized anti-corruption agency

The first one is to focus on building and reforming a specialized anti-corruption agency. Singapore is determined to build a truly effective anti-corruption agency. Deputy Director of the Anti-Corruption Authority of Singapore, Mr. Koh Teck Hin, affirmed that: "Strict laws but weak enforcement will still occupy corruption, just like having a perfect battle plan but the army is incompetent" (2, p.35). In particular, the key agency to prevent, detect and impede corruption is the Corrupt Practices Investigation Bureau (CPIB) - a corruption investigation committee, established by the British in 1952 to deal with the increase of corruption. Similarly, it was also an independent agency when in 1959, Mr. Lee transferred the CPIB from the Ministry of Home Affairs to the Ministry of Justice. 10 years later, it was completely transferred to the Prime Minister's Office, meaning more power.

The second one is to give great power to the anti-corruption body (CPIB). In Singapore, the CPIB is the only force with the power to investigate corruption, utterly independent of the police. CPIB reserves the right to investigate any individual or company in the public or private sector, regardless of the level. The special powers that the Government grants to the CPIB are not for only one individual of the CPIB, but for all members, as long as they are in the process of performing their official duties. In particular, the independence of the CPIB is enshrined in the Constitution of Singapore, whereby the President has the right to request the CPIB to continue investigating any minister or senior official even if the Prime Minister disagrees.

2.5. Accomplishing a mission of public servants and respecting talents

Firstly, a mission of public servants.

Regulations on the "handbook of public servants": The Singapore government attaches great importance to the ethics of public servants, and considers this an important measure to ensure the integrity of public servants and the code of self-discipline of civil servants is very strict. Each employee must write an oath, then the Government distributes to each office employee a diary to record his or her activities, and the secretary of the management unit shall be the person to check the contents of the records. If any problem is found, the diary will be immediately sent to the corruption investigation department for authentication. The regulations make it very difficult for officers to embezzle, they must declare once a year to the state about their assets and those of their spouses. Government officials are not allowed to visit casinos, and the press also has regulations that employees sending articles abroad must be allowed by the editor.

About the general accumulated capital policy: Accordingly, each month, public servants will spend a certain amount of salary in a certain percentage, and government agencies or businesses

also need to base on their salary percentage, then send a certain amount to the employee's name, these two amounts are combined into the general accumulation of employees. The longer working years, the higher the position, and the greater the amount of money received. If a public servants commit a corrupt crime, this amount will be automatically canceled. Therefore, public servants do not dare to risk embezzlement to lose this amount.

Regarding the regulations on receiving gifts: In Singapore, if someone want to corrupt something, no matter how small, it will be very troublesome. For example, when foreign guests come to Singapore, if they would like to give host country officials a gift to thank them for their hospitality and strengthen friendly relations, the gift must have cultural significance without great value for money. Any gift with a value of S\$100 or more is refused or they must ask permission from the head of the agency to receive it. But when received, the recipient must report to the head of the agency for consideration, thereby showing the rigor in human resource management of Singapore. Specifically, it creates a system of standards and regulations, forcing officers to follow, and they no longer have the opportunity to embezzle, but if there is embezzlement, its consequences are enormous.

Secondly, the policy of respecting talents.

Regarding the salary policy: "On an island with no natural resources, a high unemployment rate, while the birth rate is uncontrolled, the factor that needs to be promoted is people, people are both a means and an end in Singapore's nation-building career"(1, tr.112). Therefore, Singapore pays special attention to the use of talents, paying decent salaries to talented people, thereby getting the service of talented people for the development of the country. Singapore has a fairly high salary disparity between senior officers and junior officers, public servants and between public servants and employees and workers. With such a salary, officers can live and take care of their families without corruption. In particular, in 1994, the Government issued the "White Paper on Competitive Salary for a Competent and Clean Government" regulating the salaries of Ministers and senior public servants.

Regarding the training of talents: Singapore is considered as the country with the most methodical policy of attracting talents from abroad in the world. Prime Minister Lee Kuan Yew has clearly identified talented people as a key factor determining the competitiveness and development of the economy. Therefore, during the past years, attracting talented people, especially talents from abroad, has become Singapore's top priority strategy. At the same time, in 1998, Singapore established the Singapore Talent Recruitment Committee. The Singapore government selects talented people based on their ability and proficiency to contribute, regardless of the nationality of immigrants.

In terms of recruiting and building the next generation of leaders: In Singapore, the issue of selecting and nurturing the leadership team and the next generation of leaders is paid special attention, accordingly, officers are selected based on three criteria, be it ability, integrity and preeminence, not based on familiarity, regardless of race, religion, gender and even nationality. Accordingly, today in Singapore's state apparatus led by the PAP Party, from politicians to public servants there is almost no phenomenon of "Using money to get into government, to gain power, to dispose of misconduct and for self-interest."

2.6. Other solutions

The first solution is to reform the administrative apparatus. In order to obtain great achievements in anti-corruption work and build an honest state, Singapore also focuses on measures to reform the administrative apparatus to be compact, limiting many levels. In particular, Singapore has increased its focus on applying information technology to the operation of the government system to facilitate the people and the public servants.

The second solution is the participation and supervision of the people. Prime Minister Lee Kuan Yew also once affirmed that “*The greatest strength is public opinion, which is reprimanding and condemning corrupt people*” (4, p2). In particular, the press can approach CPIB to exchange information without any obstacles. Along with that, Singapore has seriously built an extensive education program for people’s awareness of anti-corruption, implemented synchronously among pupils, students, and in the community.

The third solution is to build a culture of integrity. In Singapore, the issue of building and promoting a culture of integrity has been emphasized from a very early age. Integrity culture is a content of political culture, a reflection of integrity politics on culture, and the result of the impact of cultural values, and behavioral standards on the process of political construction. On the other hand, the ruling Party and senior leaders lead by example, resolutely fight against corruption, and create an image of integrity for all public servants, party members, and society. Build cultural values of integrity from within the society and back up to politics at the top of the architecture. Singapore is a country influenced by Confucianism. Singapore’s leaders pay great attention to researching and exploiting the spiritual values of Confucianism and putting those values into the content of civic education, thereby creating a culture of social and political integrity.

3. Suggestions for building an incorruptible state in Vietnam through the Singapore case study

3.1. *The need to uphold the pioneering, exemplary, and political determination of leaders*

Through learning about Singapore’s opinion and measures to prevent corruption, some suggestions can be drawn that Vietnam can refer to. First of all, there is the need for leadership, exemplary, and political determination. Once the senior leaders are exemplary, pioneering, and determined to prevent corruption, there will be an “*iron hand*” to effectively prevent and fight against corruption.

In Vietnam, the anti-corruption work is only successful when there is the highest determination, real involvement, and pioneering example of key leaders, especially those who are the senior leaders of the Party, State, and Head of the Central Steering Committee for Anti-Corruption, along with that determination needs to be deployed at all levels of government. Furthermore, in order to have quality and talented leaders, even the nomination and appointment stage needs to be focused: “It is necessary to have a plan for senior officers to select the most deserving people for key positions to avoid letting incompetent, opportunistic, degenerate, and corrupt elements into the leadership ranks” (5, p. 32).

3.2. *The need of an effective anti-corruption law*

In Vietnam, the Law on Anti-Corruption was passed by the National Assembly of the Socialist Republic of Vietnam and came into effect on June 1, 2006. However, the Law on Anti-

corruption needs to continue to be supplemented and revised in order to perfect the legal system and create conditions for anti-corruption activities to be most effective. Vietnam should amend towards:

Vietnam's anti-corruption law is not enough to be a true anti-corruption law - a criminal law, with full sanctions and enforcement conditions.

It is necessary to increase penalties for corruption, criminalizes corruption in the private sector, and correct the subject of the law's impact not only in the state agencies but also in the private sector. At the same time, it is necessary to increase the penalty for giving bribes. The measure of confiscating part or all of the offender's property can make the offender afraid and dare not perform his/her acts.

3.3. A dedicated and effective anti-corruption agency

In fact, in countries with an effective anti-corruption record, there is an independent anti-corruption agency. In Singapore, the anti-corruption agency is the CPIB. In Vietnam, the anti-corruption agency is the Central Steering Committee for Anti-Corruption. For this agency to be truly effective in fighting against corruption, it needs to:

Separate the anti-corruption agency into an independent agency: the Central Steering Committee for Anti-corruption is under the direct leadership and direction of the Politburo and the Secretariat. It is not yet an independent agency.

Human resources: The Central Steering Committee for Anti-Corruption is composed of senior officers in the political system. The main task of the members of the Steering Committee is not to specialize in investigating corruption, but to work in the agencies and departments that they are directly in charge of. In addition, this agency must be organized neatly, and with absolute integrity.

Activities: For the Steering Committee for Anti-Corruption of Vietnam, the powers only stop at the level of directing and orienting investigation and adjudication activities, while investigating and adjudicating corruption-related issues still falls under the jurisdiction of the Court and the Procuracy.

It is necessary to specify the rights and obligations of the agency: According to the current Law on Anti-Corruption, Chapter V has provisions on the Steering Committee for Anti-corruption without its specified rights and obligations. There should be a mechanism to control the power of the anti-corruption agency. Great empowerment is needed to enable effective operations, but also under control. Therefore, it is necessary to have an external control mechanism, so that when a corrupt agency has any "problem", another agency will control and handle it.

3.4. A reasonable remuneration

Currently, in Vietnam, the state's treatment of officers and public servants is still not satisfactory. Therefore, in order to prevent people participating in the state apparatus from falling deeper into the path of corruption, one of the top measures is to pay due attention to their lives.

Besides economic measures, it is necessary to combine with spiritual measures, whereby apart from increasing wages and creating good working conditions and working environment, it is essential to organize patriotic and honest competitions, anti-corruption, and commending and praising examples of integrity who dare to fight wasteful corruption. Along with that is to uphold the use of talents: "Sage is the national resources". The service of talented people will be the driving force for the development of the country and it is necessary to promote the policy of respecting talents.

3.5. Other suggestions

The participation of the whole society is required: The fight against corruption to be successful not only requires the determination and iron will of the heads of state and legal agencies, but also the participation of stakeholders of media agencies, the press, the people and the whole society.

Building an efficient administration: Singapore's success in economic development and anti-corruption is due to an efficient administration. Vietnam needs to focus on building a modern and professional administration, taking national interests and serving the people as the highest goal. It is vital to perfect institutions and laws, ensure publicity, transparency, feasibility, and international integration, and strongly promote democracy associated with the rule of law. Moreover, there are ample effective measures, be it promoting reform of administrative procedures, tightening discipline, focusing on reviewing processes, working regulations, assignments, and decentralization, overcoming the situation of avoidance of responsibility. Finally, the government should strengthen the inspection and examination of public affairs, and strictly handle acts of harassment, negativity, and violation of the law.

Building a culture of integrity: The 11th Conference of the Central Committee of the Communist Party of Vietnam issued Resolution No. 33/NQ-TW: "*Building culture in politics and economics. Paying attention to building culture in the Party, state agencies, and mass organizations and consider this an important factor to build a clean and strong political system. In particular, the focus is on building a contingent of officers, party members, civil servants, and public employees with moral qualities, dedicated, wholeheartedly serving the Fatherland, serving the people, closely attached to the people; have a sense of respect for the law, democracy goes hand in hand with discipline; personal freedom associated with social responsibility and civic duty. It is essential to prevent and reverse the deterioration of political ideology, morality, and lifestyle among a number of officers, public servants, and party members...*" (6, tr.5). Building a culture in politics and economy is considered an important factor for building an honest and strong political system, which is the sample of building a culture of integrity. Therefore, it is necessary to have specific measures, value systems, standards, and codes of conduct for honest politics in the current era.

4. CONCLUSION

The anti-corruption work in particular, and the building of an incorruptible state in general, is a long, complex, persistent, and drastic process, requiring a system of specific measures, the participation of the entire political system, and the support of the citizens. Singapore is an effective anti-corruption model for many countries to learn, especially for Vietnam, it has its own

characteristics in terms of conditions and circumstances, so it is necessary to be flexible in learning from other countries experiences. As a result, the government will take the most effective and appropriate measures to bring about positive results in the process of anti-corruption, building a socialist state ruled by the law of the people, by the people, and for the people.

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