

VICE PRESIDENT'S CONFERENCE
ON FIGHTING CORRUPTION
AMONG JUSTICE AND SECURITY OFFICIALS

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Panel on “Ethics in the Public Sector”

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- Basic Outline
- Developments
- Check-List of Issues for Discussion

BASIC OUTLINE

1. The root of corruption and the route to corruption: personal interest and power.
2. Personal interest as a many faceted motive:
money, lust, self-aggrandizement, gratification and power itself
3. The vicious circle:
interest • power • interest • power; the personal interest in acquiring more power and the power to obtain more in the personal interest.
4. Power and bribes. Countervailing powers. **Transparency**.
5. The lack of countervailing powers and **transparency** in Europe: corruption in Europe.
6. When bribes are not necessary: public office and conflicts of interest, or do-it-yourself and self-service corruption.
7. The Italian case.
8. An explosive mix: big business, media, politic.
9. When criminal justice does not work.
- 10. When** criminal justice works only too well.

DEVELOPMENTS.

1. **The** end of the century provides a new perspective on some criminal and unethical behaviors, focussing on the separate concepts of fault and liability. Some chain of events, when at the **fringe** of government, acquire a new dimension, based on moral, social, political and historical connotations. Three m's as a new route to corruption: motive, money and media.
2. **From** Saint-Simon's utopia of **freedom from** corruption to a recent Italian case. **Nicolò Machiavelli** and Giovanni Sartori. The perfect **framework** for corruption: overregulation, bureaucracy, indifference.

3.The role of -the economy. Aristotle's Nicomachean Ethics and modern Law and Economics.

4.Political and electoral systems and **party-financing**. Business and politics. The banking system, overinvoicing and the ferry-boat to the off-shore islands. When the ferry is equipped with a lifeboat : corruption of the judges.

5.The Italian case. Silvio Berlusconi. Political Leader and Knight of the TV system. Conflict of interest : the mother of all unethical conducts.

6.The role of law, from the Constitution down to the regulations and guide-lines. The American experience. The essential tool of Corporate Governance. A final check-list.

CHECK-LIST OF ISSUES FOR DISCUSSION.

1. The growing role of conflicts of interests in the evolution of Ethics in Government, modeled after the U.S. legislation of 1978.
2. Corporate governance as an essential tool to restrain conflicts of interest both in private business and in corporate relations with politics.
3. How to avoid that party and electoral financing be used as an investment to pursue private interests of a personal nature.
4. Transparency as the answer to the mere appearance of impropriety.
5. Majority representation as against proportional representation (which gives political parties undue influence through impersonal political and economic decisions).
6. Total separation between judges and prosecutors.
7. Where needed, a quick process of **further** privatization of major business sectors, handled by international merchant banks.
8. An open, competitive society in the field of television and multimedia.
9. **A** basic Antitrust Law, modeled **after** the Sherman Act of 1890, administered by the Courts - not by Commissions, Agencies, Authorities.