

The Governance of Corruption in an International Vision

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Abstract

After the end of the Cold War, with the deep development of globalization and many global problems, the theory of global governance has arisen. Cross-national corrupt problems have become social ones which cannot be neglected, and are important goals of global governance. If we completely eradicate global corruption, we should strengthen total cooperation between sovereign states, the UN and NGOs. If so, the effective and good governance in global corruption can come true.

Key words: The global governance; Corruption problems; Sovereign states; The UN; NGOs

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INTRODUCTION

The corruption is an important global problem of the international vision, which has become a public nuisance in international societies. To solve this corruption problem thoroughly, we must set up the concept of global governance. The sovereign states should widely develop international cooperation under the guidance of the global governance. It is not only cooperating with other state actors, but also working together with inter-governmental international organizations and nongovernmental organizations, which have to enhance communication

and coordinate timely to cope with the global corruption problem together.

1. THE RISING AND INTERPRETATION OF GLOBAL GOVERNANCE

Since the end of cold war, the international political and economic structure has undergone enormous and profound changes, especially with the development of the process of globalization, and the global problems emerging in large numbers. The main character of the global problems is its commonality and inseparable. Facing the increasingly rigorous global environmental deterioration, population problem, the uneven development between North and South problem, the international terrorism activity and drug-related crime, the AIDS problems, the refugee problem, the global financial crisis and so on, any country cannot keep out of the businesses, and it is also impossible to solve problems by themselves. Actually in many cases, it is difficult to divide the problems between domestic and global. Therefore, on the global scale, we should take advantage of every government's and non-government's international organization and corporation, the formal and informal international treaties and rules, the organizational or individual forces, to promote the solution of the global issues, after that, it is necessary to fulfill the global governance duty as soon as possible. The rise of global governance is the product of the development of objective reality. Just as what the Commission on Global Governance says, at the global level, governance issues mainly regarded as dealing with the governmental relationships in the past, but now we must understand that it is also including the non-governmental organization, the civic movement, the multinational corporation and the global capital market (Ingvar, 1995, p.2).

As a theory of rich contents and profound connotation, the concept of global governance spread quickly in

the international society and has been widely used in 1990's. But in terms of its conception, no matter in academia or in other area, it does still not form a unified opinion. Different scholars have different views and ideas, many of them regard as the "global governance" equal to "governance" within a limited range, and the concept will be as one. The U.N. Commission on global governance thinks "the governance is the sum of public or private individual and institutions managing the same affair's methods. It is a process of making the conflicts or different interests reconciled and continuing to take joint actions" (Mandela, 1995). The main founder of governmental theory is James Rosenau who gets the definition through comparing the governance with the rule. He said, "Comparing with reigning, the governance is a phenomenon of more abundant connotation. It includes government mechanisms, informal and formal governmental mechanisms. With the expansion of governance range, there are various people and organizations using these mechanisms which meet the respective needs to realize their dreams" (Rosenau, 2001). Afterwards, when Rosenau did the research of ontological study on global governance, he pointed out: "the governance is a mechanism guiding the society to achieve goals, it is a concept for understanding the old borders which is increasingly fuzzy, the new identity is commonly seen and the politic thinking is globally oriented". The Chinese scholar Yu Keping (2003, p.64) considered "the global governance is that governments, international organizations and national citizens maximize the common interests of democratic consultation and cooperation. Its main content should be an international political and economic order that is perfect and develops a set of safeguarding security, peace, development, welfare, equality and human rights, including dealing with global politics and economic problems of global rules and system." In a word, regarding to the concept of global governance, it has widely different opinions. There is no consensus even if the same scholar gets diverse definitions about global governance from different views and different period. However, we must understand a series of problems about global governance subject, object, goal, content and method (Yu, 2002). Only in this way can we understand the concept of global governance. This article refer to other's research accomplishment to make a such definite: what is called global governance, with solving global problems as a purpose and promoting human peace and development as the goal, the sovereign states, international organizations, multinational companies and other multiple actors by way of equal consultation, cooperation, and dealing with solution in a nonviolent manner to set up a global rule and mechanism. Global governance is a kind of dynamic concept. It emphasizes that using a series of rules and systems solves global problems, so that it will make the whole international society in the situation of harmony. It

also emphasizes that it is a dynamic process, which has the time spans and continuity. It is not static so that we must use the development and dynamic view to look upon the connotation of global governance. Because of this view, the connotation of global governance will develop with different international situations. Only according to the changing international situation, it will understand the global governance from dynamic perspective, seizing the global governance subject, object, goal and method. Finally we can understand well the rich connotation and essence of global governance.

For the increasing development of global governance, it works inextricably with the change of international community, then what is the main reason why causes the global governance comes out? It is a question worth discussing now. Throughout the international community, the rising of global governance is mainly focused on the following aspects:

First of all, the further developing of globalization and the emergence of global problems promote the generation of global governance. Globalization is a widely used word which has frequently utilized in today's international community. It has become the widest range, the greatest influence, the most pervasive and the most prominent globalization trends in present world. Globalization is a double-edged sword, with its role in promoting development and progress of human society, it also brings us severely negative effects, especially that the global problems are seriously endangering the whole human existence and safety. It is insufficient to solve the globalization problems by using the national state power, and still needs the whole international community actors such as the multinational corporations, the non-governmental organizations, the political parties to play a role and exert great influence, it is relying on multilateral joint operations and program building on the foundation of global public policy, planning and comprehensive treatments. Now it's time for current needs, the theory of global governance is growing in the international community.

Secondly, with the increase of activities and the rising power of the non-state actors in the international society, it will create the main factor for the multiplayer and the multilevel global governance. There is no denying that the national states are being more and more different areas within the challenge of intergovernmental organizations and international institutions, even though they are still the main actors on the international stage. Non-states actors or supranational entities are also actively participated in global politics. Their actives are usually involved in the international political stage. Under today's international society, whether national states or the United Nations cannot be the only responsible of global governance. Only multiple actors of the international community joint multilaterally, and participate in global governance, the good global governance will achieve. Therefore, the multi-

element of international society adds the new main factors which promote the realization of global governance.

Thirdly, the information revolution promotes substance of soil for the global governance. The rise of global governance cannot develop without science and technology, today's world is a universal relation world which is lacking of necessary communication tools and information channels, the international society can do nothing for the effective governance of global problems. The information revolution will serve all necessary means to the global governance, it is not only beneficial to the main body of global governance to strengthen international coordination and cooperation, but also it helps to build mechanism related with international coordination, which makes the information as one of the producing factors can freely flow, assemble and allocate during the international area.

2. GOOD GOVERNANCE FOR GLOBAL CORRUPTION

With the further development of globalization and the improvement of interdependence, the corruption is increasingly becoming a global problem. Corruption is a serious harmful chronic disease in human society, its existence has a profound historical and realistic reasons. In today's world, some corruption crimes present the characteristics of multinationalization, systemization and intelligentization, there are a great number of events occurring such as the international transfer illicit money, the cross-border money laundry and escaping overseas. It has not only influence on the development of national politics, economy, culture and society, but also harmful to the vital interests of people. Every country is facing a same dilemma in international society, in which no one can achieve victory by itself on fighting multinational corruption, therefore they must cooperate each other to achieve this aim. It only hopes to call all possible forces into action and establish the international prevention and punishment legal system of corruption crime. They can fundamentally eliminate the living space of "governmental plague". Hence, the anti-corruption is an important task for all of governments, and it is also a mutually concerned problem for international society. Strengthening the international cooperation of anti-corruption, it is beneficial to effectively prevent corruption and realize the people's demand for a clean government.

Firstly, realizing the global governance and solving the corruption problem need to strengthen the sovereign states' cooperation. The malversation is recognized as the one of illegal behaviors which has devastating for social order by community. Because of the existing danger, it should be governing and taking anti-corruption measures. Every sovereign state should agree with this word "anti-corruption need global governance concept," giving an

impetus to the open-door to the outside world on anti-corruption problems. In consideration of the corruption is transnational, it is not useful for fighting corruption criminal if it's blind reliance on itself, then it needs more cooperation and negotiation among every sovereign state to fight global corruption criminals. The global anti-corruption action cannot rely on every country doing everything by itself, only strengthening mutual communication, coordination and negotiation, can they restrain the spread of global corruption. Each country should improve the construction of national integrity system, continually establishing the anti-corruption legal framework, strengthening the legal deterrent and reducing the happening loophole of corruption; Countries should put corruption on the globalization for study. It relies on international cooperation to find dynamic and mechanism of anti-corruption.

Every sovereign state needs a common standard for governing corruption, not for double standard. Some developed countries comment the corruption to the developing countries, even armed intervention to rudely infringe on state sovereignty; But for its own corruption, especially for turning a blind eye to bribery. On account of different countries having different national conditions, their legal system for the definition of corruption exists some difference, and causes quite different mechanism and system on anti-corruption. The developed countries think, the host governments in developing countries according to national law about asking for the foreign investors to pay concession fee is regarded as extorted; but these investors use the patent fee of AIDS drugs from African to donate the political party which they supported, even it is regarded as a normal phenomenon which they funded more than in European football team. This double standard behavior will inevitably cause the developing countries disgusted, eventually it will weaken the real effect of international anti-corruption. Just as the international law association expert Richard Mr. Bloom points out: there are diverse forms of corruption in different countries and different regions have different definitions. Countries in the world should abandon the unrealistic egoism, trust each other, and strengthen understanding and communication. Therefore, in order to eliminate the difference, the best way is to seek common ground through the negotiation, and on the basis of consensus on what is corruption, measures should be taken by law. At the same time, standing on the height of global governance, we should not only see the corruption in a country has particularity, but also see that there is a common view in this world, if only emphasis on the special national conditions and neglect this common view, it will make us lose many chances of sharing other countries' advanced experience and absorbing the excellent political civilization achievements. Only in this way can we realize the close cooperation of all countries and the global governance of corruption.

Secondly, governing global corruption need pay attention to the role of international organizations, especially for the prominent role of the United Nations in the contemporary international arena. The international organization as the important main part of international law playing an indispensable role in corruption problem, it is effectively restraining some development of corruption problems. The United Nations has always attached importance to the global anti-corruption, particularly since the 21st century, the United Nations has set up the construction of anti-corruption system, it shows their strong determination of anti-corruption. Besides the United Nations, the African organizations, the OECD and other governmental organizations all play an important role in the process of anti-corruption.

Considering that the corruption causes a lot of damages for threatening the national politics, society and economic stability, represented by the international corruption of the United Nations is regarded as a serious crime, and it takes a long-term for making the international law documents which effectively prevent and punish corruption crime. This effort takes great effect in 2003 when the "United Nations Convention against Corruption" comes out, and benefits by associating together with the other milestone international law document which comes out in 2000 named "The United Nations Convention against Transnational Organized Crime". It is the first global and comprehensive international convention in the aspect of controlling corruption, and it is also the first legal document of guiding international anti-corruption struggle by the United Nations in history. This convention is strengthened the international legal cooperation of anti-corruption on the base of "The United Nations Convention Against Transnational Organized Crime", finally it forms a better comprehensive international legal cooperation principle, measure and system of preventing crimes including commercial bribery.

The American organizations advocate to set up an "Inter-American Convention Against Corruption", this is the first multilateral convention of anti-corruption, through this convention, the Latin American admits that combating corruption will strengthen the democratic system, and prevent economic distortion, the improper behavior of public administration and destroy the social moral structure, it aims to reinforce the American anti-corruption cooperation and set up the eliminate corruption mechanism. According to the convention spirit, it establishes a "tracking mechanism expert commission", in addition, it strengthens the censorship to get the first evaluation of Canada, Mexico, Jamaica and America. In March 2005, the expert commission made a discussion about "the No Safe Haven Initiative", admitting to refuse providing a safe haven to the corrupt officials. For against with corruption bribery, the OECD organized a "OECD

anti-bribery working team", which aimed to supervise the execute situation of "international business trading convention against bribing foreign officials". Moreover, the work team will give a execute situation anti-corruption report about Belgium, Greece, Hungary, Japan, Sweden, Switzerland, the UK and the USA.

Thirdly, realizing the good governance of global corruption, the non-governmental organizations need to play a important role to make up for the inadequacy of state actors. In perspective of global governance, the national actors such as the sovereign states and international organizations have deficiencies during solving the global problems. They need give full play to the role of non-governmental organizations. In the process of dealing with global corruption, the non-governmental organizations have their own special advantages, which is handing corruption cases more flexible and easy to coordinate, this will be the international actors can't be. In many non-governmental organizations of anti-corruption, the "Transparency International" has the deeply influence to play a important role in global governance of corruption.

In 2003, it aimed to promote global anti-corruption of Transparency International has been declared, now there are 120 countries set up brands of commission. Around the world, the Transparency international devote itself to improving the international society consciousness of corruption and endangerment, champion the policy reforms to promote the international multilateral convention implemented, it supervises the governments, enterprises and banks to implement their corruption promise. At country level, the Transparency international devote itself to strengthening supervision and improving transparency, which to evaluate the departments and agencies performance, it is necessary to promote reforms in a nonpartisan transcendental position. There are some important work to do such as presiding or participating in international or regional anti-corruption meeting; promoting to set up every branch of national organization; publishing a large number of anti-corruption publications; regularly publishing some publications like "Transparency International Communication"; building their own website to publish anti-corruption information. The most famous action of Transparency International is published "the annual report of global corruption" and the corruption index around the world.

The non-governmental organizations use the "soft power" and "soft mechanism" to deal with the global problems, besides for the corruption problems. But its soft features are easier to reconcile the international society irreconcilables and issues; it brings out the best in each other with the promotion of sovereign states and the United Nations, to properly handle the transnational corruption.

CONCLUSION

With the global development of corruption, it has influenced the international society's peace, stability and development. Global governance is a binding rule and regulation which implement by every area and every international actor on a global scale, it helps to solve the global public problems and realize to advance global mutual interests. As the international society's main actors, sovereign states, international organizations and non-governmental organizations need to strengthen mutual cooperation, and uproot the source of corruption so that it will realize the good governance of international society. "It is a responsible for all countries to prevent and uproot corruption, additionally every country should cooperate with each other as well as get all individual and group supports besides from public sectors, such as the civil society, non-governmental organizations and the community organizations." It is perfectly embodied the spirit of global governance.

Global corruption problem needs the international society's actors jointly participate, according to the mechanism and system construction, strengthening cooperation and generating effective solutions in order to realize good governance. However, the international anti-corruption cannot be unrealistically optimistic; it has a long

way to go. Maintaining peace, seeking development and promoting national harmony are the common wishes of people all over the world. Advocating integrity, opposing corruption, building a justice, harmonious and stable international society's atmosphere, which is necessary to realize practice democracy in international relations and meaningful for promoting peace around the world.

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