

貪污腐敗

EDITORS TIM LINDSEY & HOWARD DICK

CORRUPTION  
IN ASIA

RETHINKING THE GOVERNANCE PARADIGM

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# Corruption In Asia Rethinking The Governance Paradigm

**Timothy Lindsey**



## **Corruption In Asia Rethinking The Governance Paradigm:**

**Corruption in Asia** Timothy Lindsey, Howard W. Dick, 2002 Multilateral and bilateral aid agencies now direct much of their East Asia activities to so called governance reform Almost every major development project in the region must now be justified in these terms and will usually involve an element of legal institutional reform anti corruption initiatives or strengthening of civil society and often a mix of all of these Most are in fact major exercises in social engineering Aid agencies and major multilateral players like the IMF the World Bank and the Asian Development Bank are attempting not just to improve governance systems and combat corruption but implicitly to restructure entire national political systems and administrative structures Conditionality puts real weight behind these projects If successful they could transform the face of East Asia Defining governance and understanding corruption are therefore not minor issues of terminology However a great deal of optimism is required to believe that social engineering for good governance will succeed in either Indonesia or Vietnam within the foreseeable future In Indonesia there is neither the political will nor the mechanism to act since the legal system is itself utterly corrupted Better laws have been passed but they fail in implementation In Vietnam the problems are somewhat different but the outcomes are similar Corruption is widely recognised to be a major political social and economic issue even by the Party itself but few cases are ever tried The bureaucracy including the legal system and the party are so complicit that reform is impossible These systemic problems point to the basic flaw in the good governance agenda and strategy A politically powerful alliance of foreign and domestic interests is necessary Foreign multilateral agencies donors and NGOs are able to set the international policy agenda but their domestic allies are politically weak In the absence of rule of law the basic institutions of these transitional societies remain largely as they were and there is as yet no viable alternative system in either Indonesia or Vietnam The argument of this book is that more might be achieved sooner by much better understanding of political legal commercial and social dynamics in Indonesia and Vietnam not as they are meant to be but as they are Multilateral agencies donors NGOs business firms and scholars on the one hand and local politicians bureaucrats business people lawyers journalists academics and NGOs on the other hand have much usefully to discuss Only out of that dialogue a dialogue between the world as it is and the world of ideals can steady progress be made This book examines these problems initially in an abstract theoretical sense before testing the frameworks thus established through a series of case studies of Indonesia and Vietnam two very different Asian states one Vietnam still socialist but in difficult transition from command economy to a limited market structure the other Indonesia embracing a market economy and an emerging democratic system one with a Confucian legal and political tradition the other not one with a socialist the other a civil law legal system The book is divided into three parts The first Frameworks establishes some theoretical approaches to the problem of corruption and governance including a East European example The second part looks at case studies from Indonesia and the third part looks specifically at Vietnam Relevant legislation and judicial decisions can be found in the table

of cases and a detailed glossary and list of abbreviations will assist readers unfamiliar with the countries under examination

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*Routledge Handbook of Corruption in Asia* Ting Gong, Ian Scott, 2016-11-25 Corruption in Asia ranges from the venal rent seeking of local officials to the million dollar bribes received by corrupt politicians from excessive position related consumption to future job offers in the private sector for compliant public servants from money laundering to white elephant projects that do little more than line the pockets of developers and their political partners The Routledge Handbook of Corruption in Asia addresses the theories issues and trends in corruption and anticorruption reform that have emerged from this diverse experience The book is divided into four major parts corruption and the state corruption and economic development corruption and society and controlling corruption strategies successes and failures Chapters compare and contrast corruption in different social and institutional contexts examine both successful and unsuccessful attempts to control it and consider what lessons can be drawn from these Asian experiences This academically rigorous and insightful book will be of interest to a wide range of students and scholars particularly those of Asian studies politics and sociology

**The Changing Face of Corruption in the Asia Pacific** Chris Rowley, Marie dela Rama, 2017-05-03 The Changing Face of Corruption in the Asia Pacific Current Perspectives and Future Challenges is a contemporary analysis of corruption in the Asia Pacific region Bringing academicians and practitioners together contributors to this book discuss the current perspectives of corruption's challenges

in both theory and practice and what the future challenges will be in addressing corruption s proliferation in the region Includes viewpoints from both practitioners and academic contributors on corruption in the Asia Pacific region Offers a strong theoretical background together with the practical experience of contributors Explores what the future challenges will be in addressing corruption s proliferation in the region Aimed at both the academic and professional audience

**Indonesian Law** Tim Lindsey, Simon Butt, 2018-09-05 Indonesia has a growing population of almost 300 million people it is increasingly involved in world affairs and has a booming economy The need to better understand its unique complex and often obscure legal system has become pressing This is true across a wide range of sectors including but not limited to trade and investment crime and terrorism and human rights Indonesia s democratization after the fall of Soeharto in 1998 triggered massive social and political changes that opened up this diverse and formerly tightly controlled society Law reform was a key driver of Indonesia s transformation and its full effect remains to be seen This book offers clear and detailed explanations of the foundations of Indonesia s legal system in the context of its legal reform and rapid development It offers succinct commentaries on a wide range of issues examining the judicial process the constitution corruption and the court system contract law administrative law foreign investment taxation Islamic law and family law It examines current substantive law and judicial interpretation and presents case studies of how the system operates in practice Written in an accessible and engaging style this book is an essential guide for readers seeking quick and clear answers to questions regarding the law and its application in Indonesia

**Law Reform in Developing and Transitional States** Timothy Lindsey, 2007 Law reform in developing countries has become an increasingly topical subject in recent years A critical issue is why so many law reform projects in developing economies are regarded by their sponsors and recipients as unsuccessful This informative book examines examples of law reform projects in post socialist and post authoritarian states in Asia identifies common problems proposes analytical frameworks for understanding the problems identified Though parallels between Asian models and those in developing states elsewhere in the world are strong the book has been developed to avoid suggestion that the issues covered are somehow peculiarly Asian indeed it is shown that cultural relativist approaches to Asia are unsustainable This is an invaluable reference for those involved in the areas of development economics Asian studies and comparative politics

*Labour Market Regulation and Deregulation in Asia* Caroline Brassard, Sarthi Acharya, 2006 Papers presented at the Conference on Regulation Deregulation and Reregulation held at Singapore during 22-24 March 2004

The Social Construction of Global Corruption Elitza Katzarova, 2018-12-06 This book offers new ways of thinking about corruption by examining the two distinct ways in which policy approaches and discourse on corruption developed in the UN and the OECD One of these approaches extrapolated transnational bribery as the main form of corrupt practices and advocated a limited scope offense while the other approach tackled the broader structure of the global economic system and advocated curbing the increasing power of multinational corporations Developing nations in particular Chile initiated and

contributed much to these early debates but the US sponsored issue of transnational bribery came to dominate the international agenda In the process the corrupt corporation was supplanted by the corrupt politician the corrupt public official and their international counterpart the corrupt country This book sheds light on these processes and the way in which they reconfigured our understanding of the state as an economic actor and the multinational corporation as a political actor

Business in Indonesia M. Chatib Basri, Pierre van der Eng, 2004 Examines Indonesia's business environment since reformasi began in 1998 what stayed the same what changed and what could change Includes insights of distinguished and stimulating speakers from business independent research organisations and academic institutions in Indonesia Australia and elsewhere Eng from ANU *Indonesia, Law and Society* Timothy Lindsey, 2008 Since the first edition Indonesia has undergone massive political and legal change as part of its post Soeharto reform process and its dramatic transition to democracy This work contains 25 new chapters and the 4 surviving chapters have all been revised where necessary Indonesia Law and Society now covers a broad range of legal fields and includes both historical and very up to date analyses and views on Indonesian legal issues It includes work by leading scholars from a wide range of countries There is still no comparable English language text in existence **Globalization and Regulatory Character** Fiona Haines, 2019-06-04 Originally published in 2005 Uniting critical debates on globalization with those on regulation this book provides an innovative account of the fate of safety regulation in the face of global pressures The author addresses the key question of whether globalization is making safety standards better or worse She analyzes the diverse strands of globalization that threaten safety standards and examines the measures that hold potential for beneficial change Regulatory character a theoretical model that captures local economic political and cultural influence developed in the work sheds light on how and why regulation and safety standards do or do not change in the face of a crisis The theoretical work is grounded and illuminated by research on the Thai government's response to the Kader fire set in the rapidly industrializing context of Southeast Asia Theoretically rigorous and empirically rich the book has critical contemporary social relevance It demonstrates a diverse theoretical heritage embracing Weber Douglas and Christopher Hood amongst others that critically and productively engages with research and policy making to raise safety standards

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