



## Establishing Principles of Good Governance to Combat Corruption

إرساء مبادئ الحكم الرشيد لمكافحة الفساد

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### Abstract:

The last decades of the last century witnessed a broad global reform trend that included various social, political and economic aspects. This trend coincided with the rapid changes that the world witnessed in light of the collapse of barriers between countries because of what is called globalization. The International Monetary Fund, the focus has been on managing the state in order to improve levels of development, combat corruption, improve the performance of institutions, activate legal systems, and establish the principle of transparency in the management of state resources...etc. Hence the call to establish the principles of good governance that work on the good management of state resources and confronting and combating corruption, as well as the abuse of power.

The issue of good governance has taken on great importance, as it has become a priority for decision-makers all over the world. It has also become a key guarantor for transforming growth into sustainable development that envisages a degree of justice, accountability and legitimacy that responds to the aspirations of individuals and meets their needs, as well as the establishment of the rule of law.

Hence, we will try - God willing - through this paper to highlight the role of establishing the principles of good governance in a country, in eliminating the phenomenon of corruption, and from it we will try to address the following points:

The concept of good governance.

Principles and rules of good governance.

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Dimensions and components of good governance.

Good governance and combating corruption.

- **Keywords:** Establishing Principles, Good Governance, Combat Corruption.

ملخص:

شهدت العقود الأخيرة من القرن الماضي توجهاً عالمياً واسعاً للإصلاح شمل مختلف الجوانب الاجتماعية والسياسية والاقتصادية. وتزامن هذا الاتجاه مع التغيرات السريعة التي شهدتها العالم في ظل انهيار الحواجز بين الدول بسبب ما يسمى بالعولمة. التركيز حسب صندوق النقد الدولي، كان على إدارة الدولة من أجل تحسين مستويات التنمية، ومكافحة الفساد، وتحسين أداء المؤسسات، وتفعيل النظم القانونية، وترسيخ مبدأ الشفافية في إدارة موارد الدولة ... إلخ. ومن هنا جاءت الدعوة إلى ترسیخ مبادئ الحكومة الرشيدة التي تعمل على الإدارة الرشيدة لموارد الدولة، والتصدي للفساد ومكافحته، وإساءة استعمال السلطة. تحظى مسألة الحكم الرشيد بأهمية كبيرة، حيث أصبحت من أولويات صانعي القرار في جميع أنحاء العالم. كما أصبحت ضامناً أساسياً لتحويل النمو إلى تنمية مستدامة تتمتع بدرجة من العدالة والمساءلة والشرعية تستجيب لطلعات الأفراد وتلبي احتياجاتهم، فضلاً عن إرساء سيادة القانون. ومن هنا حاول - بإذن الله - من خلال هذه الورقة إبراز دور ترسیخ مبادئ الحكم الصالح في الدولة، في القضاء على ظاهرة الفساد، وهذا من خلال معالجة النقاط التالية:

- مفهوم الحكم الرشيد

- مبادئ وقواعد الحكم الرشيد

- أبعاد ومكونات الحكم الرشيد.

- الحكم الرشيد ومكافحة الفساد.

الكلمات المفتاحية: ترسیخ المبادئ، الحكم الراشد، مكافحة الفساد.

## 1- The concept of good governance:

Before delving into the concept of this term, it should be noted that this term has historical roots, which we must be acquainted with. The term governance is of Greek origin (kubemân) and was known in Latin (gubernere), and in the ancient French language (13th century), it is synonymous with the term government. Government (the method and art of management). In the 14th century, it moved to English (governance), and then it was used as a legal term in French in the year 1478, to be used widely to express the burden of government in the year 1679. Then this concept emerged in the literature of comparative analysis of political systems and was used in international documents of the United Nations and international financing institutions Where the adjective "good" was added to it, i.e.: Bonne governance.

In addition, according to Amani Qandil (2008, p. 115): It was translated into Arabic through several terms, including: good governance or rational, righteous, governance or governance, but the most common expression is good governance, which was adopted by the Arab initiative in 2005.

According to Salwa Saharawi (1999, p. 108): In 1989, the World Bank for Development Literature presented a report on sub-Saharan African countries entitled "Africa from Crisis to Sustainable Growth," in which the crisis in the region was described as a crisis of governance, where he linked the investigation of Economic development and the fight against corruption in these countries with the efficiency of government administration, and attributed the causes of economic failure and structural adjustment in these countries to the failure to implement policies.

Moreover, with the introduction of the concept of good governance by the World Bank, many other international institutions and specialized scientific institutions began to deal with this new concept. Some of them even called for the necessity of reforming the system of government and the necessity of activating the democratic system and partisan pluralism and preserving civil rights, freedoms and human rights as components of good government. 2000 A new dimension of good governance was added, which is the ability to predict.

So, through this observation of the historical development of the emergence of the rightly guided rule, it becomes clear to us that the emergence of this concept is due to several considerations:

- In the beginning, it was limited to improving the profitability of aid in the recipient countries through the conditions set by the donor institutions.
- It has become a prerequisite for achieving sustainable development, reducing poverty and combating corruption by activating the values of

transparency and accountability, involving civil society, and fighting all forms of corruption and waste of public money.

**1-1- The linguistic meaning:** If we go back to the concept of this term, it is linguistically: The word good governance is composed of two parts (ruling, rational).

The first part: Judgment. The linguistic meaning is mentioned in dictionaries of the Arabic language as follows: (judgment) meaning: knowledge and understanding. (Judgment) by opening the ha and including the cafe, a judge, that is, he became wise.

The second part: (adulthood): in the law: the age at which a person reaches and becomes independent in his actions, and it is also the preponderance of the mind or is responsible for his actions, whether from the point of view of the law or from the point of view of society, and (adult): the upright is on a path that does not deviate from it Including the Rightly Guided Caliphs.

Al-Rasheed: One of the most beautiful names of God. It means good appreciation.

Adulthood: according to the jurists: that the boy reaches the limit of obligation, is righteous in his religion, and is in the interest of his money. He is the intellect, and the sane person responsible for his actions.

Therefore: the rightly guided rule through the linguistic meaning, confirms the meanings of integrity, knowledge and good appreciation.

### **1-2- Idiomatic meaning:**

**A- Governance:** According to Hassan Karim (2006, pg. 95), it is an old term that refers to: a set of processes related to decision-making and putting it into practice. It also means: the exercise of political power and its management of society's affairs, resources, and economic and social development, and it is thus a broader concept than the concept of government because it includes, in addition to the work of the official state apparatus of executive, legislative, judicial, and public administration, the work of all informal institutions or civil society organizations in addition to the sector. private.

**B- Al-Rashid (Good):** The good, the good, represents the adjective or value attached to the first term in order to reflect the extent to which governments respond to the needs of the people they serve, and by that it means an indication of the quality of governance in a specific environment.

### **C- Good Governance:**

**Definition of the World Bank:** Daniel Kaufman (2003, p03) indicates that good governance according to the World Bank includes the processes and institutions through which power is exercised in a country, relying on the

good management of institutions and the selection and coordination of policies in order to provide good and effective service. This definition includes the following:

The process, by which governments are selected, held accountable, monitored, and changed.

- The government's capabilities to effectively manage resources and provide services, and to formulate and develop new legislation.

- Respect for the institutions that govern economic and social interactions.

Definition of the United Nations Development Program: G.Shabbir, James Gustave (1997, p. 05) indicates that according to the United Nations Development Program, the concept of good governance: "is the exercise of economic, political and administrative authority to manage the affairs of the country at all levels, and includes mechanisms, processes and institutions Through which citizens and groups express their interests and needs, exercise their legal rights, fulfill their obligations, and accept mediation to resolve their differences.

Amani Kandil (2008, p. 154) refers to the concept presented by this agency as: the ability of the government to maintain social peace, ensure law and order, and promote the creation of conditions Necessary for economic growth and ensuring a minimum level of social security. It has also been defined as the government's ability to process public administration efficiently and effectively in a manner that is accountable and open to citizen participation.

**- Definition of the Arab Human Development Report:** According to the Arab Human Development Report (2002), good governance: "is governance that promotes, supports and preserves human well-being and is based on expanding human capabilities, choices, opportunities and economic, social and political freedoms, and seeks to fully represent all segments of the people and be responsible before him to guarantee the interests of all members of the people."

- Al-Akhdar Ezzi and Ghalam Jalati (2006, p. 14) refer to some definitions that were presented by some researchers in the field of knowledge, and we list the most important of them:

- Definition of Marcou, Rangeon and Thiebault: Good governance is the new and effective forms between public sectors, through which private agents as well as public organizations, groups or groupings of citizens or other forms of agents take into account the contribution to the formation of policy.

**Definition by Francois Xavier Merrien:** Good governance relates to a new form of effective management so that agents of every nature and public

institutions share with each other, and make their resources and jointly all their goods and capabilities create a new alliance of action based on the sharing of responsibilities

Through the foregoing, we can say that good governance is the good management of resources in society, whether human, material or financial. It is only related to the problems of corruption and deviation, but extends to all aspects of social life, especially behavior, education, structures, etc.

## **2- Principles and rules of good governance:**

Talking about good governance means taking into account the history of society, its values, traditions, etc., and this supports the saying that it is not linked to an automatic criterion, in the sense that there is a difference in application and characteristics in different societies, in addition to that there are policies for good governance that are better than others. Therefore, its principles and components were numerous, the most important of which are:

**1-2- Separation of Powers:** It is one of the basic constitutional principles upon which good governance is based. This principle has been associated with the name of the French political philosopher "Montesquieu" (January 18, 1689 - February 10, 1755), a French philosopher with the theory of separation of powers currently adopted by most regimes) who had the credit for highlighting it as a basic principle for regulating the relationship between the public authorities in the state And to get rid of absolute governments that monopolize all powers. This principle means distributing the main government functions to three bodies: the legislative power, the executive power, and the judicial power, each of which is independent in carrying out its function. The legislative authority legislates laws, and the executive authority assumes governance, administration, and the conduct of state affairs within the limits of those laws. As for the judicial authority, it aims to achieve justice in accordance with the law. However, this separation does not mean a complete separation of powers. Rather, there must be a balance and cooperation between these authorities, and each authority respects the functional competencies entrusted to the other authority. It is necessary to have mutual control between the three authorities in order to achieve protection for the rights and freedoms of individuals. The differences in the application of this principle by countries led to the emergence of three political systems: the council system, the parliamentary system, and the presidential system. If we are facing an absolute separation of powers, we are dealing with the presidential system, and if we are facing separation with cooperation, we are facing the parliamentary system, and in

the case of the dominance of the legislative authority with the emergence of the executive authority from it, we are facing the council system.

**2- Judicial independence:** In the sense that judicial decisions must be impartial and not subject to the influence of other authorities (executive and legislative) or to the influence of private or political interests, and not to allow any party to give orders, instructions or suggestions to the judicial authority related to the organization of that authority, as it means not to prejudice With the original competence of the judiciary, which is the adjudication of disputes.

- Civil Society: Refers to all types of voluntary activities organized by the group (non-governmental organizations, non-profit organizations, labor unions, charitable organizations, religious organizations, trade unions, charitable organizations, etc.) around common interests, values and goals. These diverse activities include the purpose in which civil society is engaged in providing services, or influencing public policies.

**4- Independence of the media:** The mission of the media in society is to communicate lively with the public, and the independence of its means leads it to play the role of a critical observer of both the political and economic forces and the executive authorities in exercising their roles. It also plays a decisive role in providing the social space through which the right of expression is exercised. Effectively, and independence also means commitment to professionalism that obliges them to integrity, honesty, belonging to honest news, and the free, honest, impartial word with honesty.

**5- Strengthening the mechanisms of transparency, monitoring and accountability:** This is done by clarifying the relationship with the individuals requesting the service through the procedures for providing services, as well as disclosing the general policy followed, especially the financial ones. It also requires each individual who has been delegated certain powers to answer how to act, as well as how and where he used the resources.

Therefore, transparency is one of the means of assistance in the process of accountability and accountability, just as accountability cannot take place in the desired and effective manner without practicing transparency and instilling its values. Transparency and accountability remain a citizen's right towards the authority as one of the basic guarantees for strengthening good governance and consolidating its values in society. The state's political, economic and social institutions, public and private, civil society organizations and the supreme bodies of audit, oversight and accountability must work in a planned, thoughtful, coherent, integrated and solidarity

manner in order to fight and combat corruption and instill the values of transparency, accountability and integrity in society.

**6- Community participation in civil oversight, human rights, and citizenship:** Participation means that each individual has a role and opinion in making decisions that affect his life, whether directly, or through intermediary institutions or organizations permitted by law. In this sense, the concept of participation is closely linked to a democratic society, as community participation in decision-making leads to a decline in corruption, especially when society in general demands the adoption of integrity, transparency, and the application of accountability principles, and education on citizenship and human rights leads to the establishment of justice and peace within society.

It is also worth noting the principles of good governance presented by each of

(1993, p. 11) Tim Plumpter et Jhon Graham, which are:

- Institutional legitimacy.
- Democratic elections.
- respect human rights.
- Political openness.
- The rule of law.
- Transparency.
- Administrative efficiency.
- Management neutrality (merit-based job).
- Tolerance and justice.
- Popular participation.
- Public spending for general purposes.
- The independence of the judiciary.
- Independent, free and active media.
- The absence of corruption.
- Accountability and responsibility.

### **3- Dimensions and components of good governance:**

The ultimate and main goal of implementing good governance is combating corruption and achieving the well-being, stability and security of individuals and citizens, and this is done through their participation in various political channels to contribute to improving the quality of their lives and their well-being. intimately to the production of good governance.

#### **3-1- Dimensions of good governance:**

**3-1-1- The political dimension:** related to the nature of the political authority and the legitimacy of its representation. This dimension lies in the

need to activate democracy, which is a condition for the embodiment of good governance, by organizing free and fair elections open to all citizens, with an independent authority capable of implementing The law, and a responsible parliamentary body that has the potential to achieve a media system that puts it in constant contact with the citizen.

**3-1-2- The technical dimension:** related to the work of the public administration and the extent of its efficiency. Except for the duties of their job, and their selection shall be according to the criterion of competence.

**3-1-3- The economic and social dimension:** which is represented in revealing the economic decision-making methods of the state and the economic relations with other countries related to the distribution of production, goods and services to the members of society. The state from one angle, and the nature of public policies in the economic and social fields and their impact on citizens in terms of poverty and quality of life from a second angle, as well as their relationship with foreign economies and other societies from a third angle.

Through this it becomes clear to us that it is not possible to imagine an effective public administration without independence from the influence of politicians, just as it is not possible for the political administration alone to achieve achievements in public policies without the presence of an effective public administration, and economic and social policies are not correct in the absence of participation, accountability and transparency. Therefore, good governance is the one that includes effective democratic governance and is based on participation, accountability and transparency, and based on the availability or absence of a set of indicators that include these three dimensions integrated with each other, it is possible to measure the validity and rationality of governance within the state, and the extent of the authority's contribution Political in providing the appropriate ground for citizens to enjoy their various rights and guarantee their freedoms.

### **3-2- Basic Components of Good Governance:**

**1-2-3- Establishing democracy:** In order for good governance to be humanly and socially acceptable, it must set for itself as a primary goal the strengthening of democratic development, as it cannot be embodied in an atmosphere devoid of democratic principles. On the other hand, respect for democratic principles is considered a prerequisite for the application of good governance Hence, the democratic legitimacy granted to the ruler or leadership and the participation of citizens in the decision-making process is what establishes the effectiveness that is considered one of the important elements of good governance and development policy and strategies,

meaning that there is a dynamic relationship between good governance, democracy, and social and economic development.

**3-2-2- Electoral Systems:** Free and fair elections strengthen democratic practices and ensure that power is not monopolized and the system can be renewed periodically, through the creation of independent bodies to organize and monitor elections.

**3-2-3- Decentralization:** by this, we mean that the state authorities delegate their powers and authorities to non-central (local) administrations, with the broad participation of members of society, and by that

The individual feels that he is the decision-maker and depends on himself for self-realization on the one hand, and that he is under popular supervision on the other hand.

3-2-4- The constitutional system of government and legal rights: Considering that the constitution is the pillar of the state's laws, the makers of constitutions must be keen to build a constitutional structure that matches what society aspires to and is in harmony with international charters and agreements regulating human rights and fundamental freedoms. The rule of law within the state and the guarantee of justice and legal rights.

#### **4- Good governance and combating corruption:**

##### **4-1- Corruption:**

Corruption is a global phenomenon that hardly any society is devoid of, and it is not a new issue, but it has emerged as a global issue only in recent times. In it" (Surah Al-Baqarah, verse 30), and God Almighty considered corruption as the killing of people in His saying, the Most High: "Whoever kills a soul unless it be for manslaughter or corruption in the land; it is as if he killed all mankind" (Surat Al-Ma''idah, verse 32).

And Wahba Mustafa Al-Zuhaili (2003, p. 14) indicates that due to the seriousness of corruption, it was mentioned in the Holy Qur'an in fifty verses on different occasions, denouncing corruption, blaming the corrupt, and showing the seriousness of corruption and its dire consequences. And Tariq Mahmoud Abd al-Salam al-Salous (2005, p. 02) adds that there are signs of corruption in some old ideas. Plato forbade ownership of the ruling class, as well as forbidding them to marry and form families to protect them from the temptations of corruption, because the deviation and corruption of rulers is motivated by the instinct of love of money or Emotional vulnerability towards relatives.

No one can deny that corruption was and still is a part of the administrative, political and economic life in any country, but there is no unified precise definition regarding this phenomenon, and the reasons may be due,

according to Adam Noah Al-Qudah (2003, p. 355): "to the multiplicity of forms, forms and means of corruption In addition to the difference in the fields of knowledge interested in studying this phenomenon between iq, ij and political, it is also due to the difference in legal and legislative references that define criteria for distinguishing between corrupt acts from others.

Corruption in the language dictionaries is (corrupted) against reform, which means damage, damage, and harm to others, and (corruption) is invalid, so it is said that the thing is corrupted, i.e. vandalized and vanished, and the corruption is the opposite of interest.

- According to Hussein Al-Mohammadi Bawadi (2008, p. 13), the term: Corruption in English means: the deterioration of integration, virtue, and the principles of morality, and it also means bribery. It has been broken, and this thing, as it may be a behavioral rule, it can be an administrative rule, and this breaking is done with the aim of achieving a benefit.

- Tawaher Muhammad Al-Tohamy (2006, p. 02) defines it as: "Moral deviation of some public officials."

We note that these definitions, especially the latter, focus on one dimension, which is the moral dimension.

- Mr. Ali Sheta (1998, p. 43) defines it as: "The use of public power for the sake of personal gain or gain, or in order to achieve social status, or to achieve the benefit of a group or class in a way that results in a violation of the law or a violation of legislation and standards of moral behavior and thus Corruption includes a violation of public duty and a deviation from ethical standards in dealing, and therefore this behavior is considered illegal on the one hand and illegal on the other.

Muhammad Al-Mazen (2006, p. 05) defines it as: "An immoral image and an illegal act carried out by the person who practices it with the intent of obtaining personal benefit. the behavior".

- The Transparency International Organization, which was founded in 1993, defined it as: "The abuse of power for private gains and benefits."

As for the United Nations Convention against Corruption of 2003, it did not address the definition of corruption, but it criminalized cases of corruption that it identified in:

- Bribery of national public officials.
- Bribery of foreign public officials and employees of public international institutions.
- Misappropriation, misappropriation or other diversion of property by a public official.
- Trading influence.

- Abuse of functions.
- Unlawful enrichment.
- Bribery in the private sector.
- Misappropriation of property in the private sector.
- Laundering proceeds of crime.

Concealment.

- Obstruction of justice.

- If we go back to the most widespread definition, it is the definition provided by the World Bank, where corruption is defined as: "the misuse of public office to achieve a private benefit." He mentioned forms of corruption, including: accepting or requesting a bribe to facilitate a contract or conducting an important tender, offering bribes by agents, intermediaries, or others to take advantage of policies to seduce public procedures to overcome competitors and achieve profits outside the framework of the law, exploiting public office to appoint relatives or seizing money The state.

If we notice these two definitions, we find that they focus on the legal dimension.

A comprehensive definition of corruption can be given, so we say that it is: Every illegal, material or moral behavior that is contrary to what is required by the public interest, and includes the actions of the public and private sectors alike, and affects the legal, civil and political aspects.

#### **4-2- Fight against corruption:**

According to Ahmed Salah Attia (2008, p. 107), according to a report issued by the United Nations in February 2004 entitled "Anti-Corruption", the reasons for the spread of the phenomenon of corruption were limited to the absence of democracy, with the concomitant prevalence of monopoly, lack of accountability and transparency, in addition to the rule of oppression, injustice and violation of human rights. In another report, there are many reasons behind the emergence and spread of the phenomenon of corruption in societies, although there is almost unanimity that this phenomenon is a negative human behavior driven by self-interest...".

Therefore, through all of the above, we can say that the application of the principles of good governance will contribute greatly to

Eliminate the phenomenon of corruption completely, and this is through:

Commitment to the principle of balanced separation between the three branches of the executive, legislative and judicial authorities in the political system.

- Strengthening the judicial system, its independence and integrity.

- Strengthening the oversight bodies in the state and supporting their independence.
- There is a will of the political leadership to combat corruption by taking serious preventive or punitive measures against elements of corruption.
- Generalization of facilities, services and public institutions that serve citizens.

Applying work rules, written procedures and codes of conduct for employees in the public and private sectors.

Opening the way for media freedom and allowing it or citizens to access information and public records, which supports their exercise of their oversight role on the work of ministries and public institutions.

- Strengthening the role of civil society and private institutions in monitoring government performance.
- Implementing legislation and strengthening systems that combat corruption and impose penalties on its perpetrators.

### **Conclusion:**

In the end, it can be said that the level of corruption decreases in the systems in which institutional controls are established between the three branches (the executive branch, the legislative branch, and the judicial branch), which are the most important principles of good governance, as well as the existence of effective mechanisms to prevent, detect and punish this illegal behavior. Government activity, by its very nature, provides relatively fewer opportunities for corruption, and society despises it, and economic opportunities abound, and the doors of state officials are open to stakeholders.

On the contrary, its levels rise when the institutional mechanisms to combat corruption are weakened or not used, and government control and regulation of economic resources on a large scale provides ample opportunities for legitimacy, and corruption becomes widespread in a way that becomes unacceptable and permissible, and in these systems narrow political elites control and exploit economic opportunities. Precious and relatively rare political opportunities are harnessed for personal gain, official work controls are reduced, and alternative means are scarce in front of interests and groups that are vulnerable to exploitation.

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