

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

**Washington, D.C.
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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.**