



從世界先進各國公私協力反貪腐作為 探討我國的廉能政策

王 伯 頌*、劉 育 偉**

目 次

- | | |
|----------------------------------|--------------------------------|
| 壹、前言 | 三、亞洲開發銀行的「亞太地區反貪腐行動計畫」三大支柱 |
| 貳、探究世界先進各國公私協力反貪腐之經驗與作為 | 肆、從犯罪學理論建構廉能作為之架構 |
| 一、各國公部門的反貪腐作法 | 伍、反貪腐對策的四種可能途徑分析 |
| 二、各國私部門方面反貪方面的做法：以聯合國反腐敗公約之締約國為例 | 一、律師途徑（lawyer's approach） |
| 三、各國民間反貪腐之作為 | 二、商人途徑（businessman's approach） |
| 參、以國際機構倡議的廉能政策為明鏡：反貪腐的防治對策參考借鑑 | 三、經濟學家途徑（economist's approach） |
| 一、聯合國的反腐敗公約（UNCAC） | 四、公民途徑（citizen's approach） |
| 二、國際透明組織倡議的「國家廉政體系」 | 陸、探究我國廉能政策之方向與策略 |

關鍵詞：先進各國比較、貪腐、廉能、犯罪學理論

Keywords：The Comparison of Advanced Countries, Corruption, Integrity, Criminology

* 銘傳大學犯罪防治學系副教授、臺灣青少年犯罪防治研究學會監事，國立中正大學教育學院犯罪防治研究所博士。

** 國防大學法律事務組上校組長，兼任國防大學管理學院法律系暨研究所助理教授。國立中正大學教育學院犯罪防治研究所博士，本文通訊作者。

本文感謝二位匿名審查委員之不吝指教及賜正，特表謝忱。

摘 要

民主、人權、責任、清廉、透明等觀念已成為國際趨勢，這種普世價值觀念已散播並深植於國家社會，本文從北歐諸國、新加坡、美國、紐西蘭、澳洲等反貪較為成功國家之公、私部門協力反貪腐的實施狀況中瞭解，反貪並非僅是片面的政府作為，充分投入私人的參與才能落實「全民反貪」。

此外，藉由犯罪學明恥整合與日常活動等理論的觀點說明反貪腐因子，關鍵在於對社會大眾及政府決策者所表現出的意義，應不在於它的發生頻率，而是它與政經機構結合（掛勾）的威脅。最後，再以國際機構及我國倡議的廉能政策為明鏡，帶入反貪腐的防治對策參考借鑑，說明我國的反貪腐具體對策的演進與未來展望，期由本研究之彙總，對反貪腐對策與防治工作能有更宏觀之理解，進而接軌國際，開創全球反腐敗的新紀元。

The Public and Private Sectors from Countries in the World Work Together to Fight Corruption as a Measure of Localization and Cleanness

Wang, Po-Chi、Liu, Yu-Wei

Abstract

The concepts of democracy, human rights, responsibility, integrity and transparency have become international trends. This universal value has been disseminated and deeply rooted in the country and society. This article from the implementation of anti-corruption countries in Scandinavia, Singapore, the United States, New Zealand, Australia and other sectors of the anti-corruption state understand that anti-corruption is not only a unilateral government, fully involved in the implementation of private participation Anti-corruption for all. In addition, this article also explains the anti-corruption factors by the theory of criminology. Its crux lies in what it means to the public and government policy-makers, not because of the frequency of its occurrence, but of its threat to political and economic institutions. Finally, taking the clean government policy advocated by international agencies and Taiwan as a mirror, we draw lessons from the reference of anti-corruption measures and illustrate the evolution and future prospects of Taiwan's anti-corruption measures. This study hopes to give a more macroscopic understanding of the anti-corruption measures and prevention and control work, so as to integrate with the world and create a new era of global anti-corruption.