

Legal Autonomy vs. Political Dependency: The Role of Prosecutorial Power in Corruption Investigations

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This study aims to analyze the tension between legal autonomy and political dependency in shaping prosecutorial power and its effectiveness in corruption investigations. This study employs a narrative review method using descriptive analysis, drawing from peer-reviewed academic literature, international legal reports, and comparative case studies published between 2020 and 2025. The material covers various jurisdictions to examine structural differences in prosecutorial independence, appointment mechanisms, oversight structures, and political interference. Sources include theoretical discussions, legal analyses, and empirical findings that reflect global variations in the prosecution of corruption cases. The review finds that prosecutorial autonomy is a critical factor in the effectiveness of anti-corruption efforts. Countries with strong legal and institutional safeguards—such as transparent appointments, fixed terms, and operational independence—exhibit higher rates of successful prosecutions and greater public trust. In contrast, jurisdictions with high political dependency demonstrate selective justice, delayed investigations, and diminished institutional credibility. The chilling effect of political pressure on prosecutorial discretion is a recurring theme, particularly in systems with weak legal protections. Public trust, media oversight, and international monitoring mechanisms serve as important buffers against political interference but vary in effectiveness depending on local contexts. Prosecutorial independence is essential for maintaining the integrity of anti-corruption enforcement. Effective reform requires balancing legal autonomy with institutional accountability, adapting oversight frameworks to national contexts, and reinforcing public trust in legal institutions. Long-term success depends on the resilience of both legal frameworks and democratic norms.

Keywords: prosecutorial autonomy, political interference, anti-corruption, legal independence, prosecutorial discretion, judicial reform, institutional accountability.

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1. Introduction

In the realm of criminal justice, few institutions are as strategically positioned at the intersection of law and politics as the prosecutor's office. While prosecutors are expected to serve as neutral arbiters of the law, vested with the authority to initiate, pursue, or dismiss criminal

charges, their role frequently comes under scrutiny when political dynamics intrude upon legal processes. The central problem this review addresses is the tension between prosecutorial independence and political interference—an enduring challenge that undermines both the effectiveness of corruption investigations and the public's trust in the justice system. Across



jurisdictions, the ability of prosecutors to function without undue influence is often hindered by political actors seeking to shield allies or target opponents, raising pressing questions about accountability, transparency, and rule of law.

Prosecutorial autonomy is globally recognized as a cornerstone of effective anti-corruption efforts. In systems where prosecutors operate independently from the executive and legislative branches, the likelihood of impartial investigations and successful convictions increases substantially. Conversely, in environments where prosecutorial decisions are subject to political control or manipulation, investigations into high-level corruption tend to stall, be selectively enforced, or result in prosecutorial inaction. This dynamic has been observed in multiple democratic and hybrid regimes, signaling a broader structural issue that transcends individual cases or political contexts. As corruption becomes more sophisticated and entrenched, the need for autonomous prosecutorial institutions has grown more urgent, both as a mechanism of justice and as a symbol of state legitimacy.

Key concepts in this discussion include legal autonomy, political dependency, and prosecutorial discretion. Legal autonomy refers to the institutional and procedural safeguards that allow prosecutors to operate free from external pressures, including constitutional protections, judicial oversight, and transparent appointment mechanisms. Political dependency, by contrast, describes the condition wherein prosecutorial decisions are constrained by the interests or influence of political actors, often through informal pressures, legal subordination, or financial dependence. Prosecutorial discretion—the authority to decide which cases to pursue, when to file charges, and how to allocate resources—is central to the prosecutorial role, but it becomes problematic when exercised in the shadow of political interference.

The aim of this narrative review is to analyze how the balance—or imbalance—between legal autonomy and political dependency shapes the role of prosecutorial power in corruption investigations. Rather than offering a normative or prescriptive account, the review synthesizes current academic and policy-oriented literature to explore global patterns, case studies, and theoretical frameworks. It seeks to identify the structural, procedural, and political conditions that

support or undermine prosecutorial independence and to highlight how these dynamics influence anti-corruption outcomes in both developed and developing legal systems.

The methodology adopted is a descriptive analysis within a narrative review format. Drawing from peer-reviewed journal articles, legal monographs, and international reports published between 2020 and 2025, the review assembles a multi-jurisdictional perspective on prosecutorial power. Special attention is given to sources that examine institutional structures, appointment mechanisms, oversight models, and empirical outcomes of prosecutorial action or inaction in corruption cases. Through qualitative synthesis, the review seeks to map recurring challenges and emerging best practices, offering a foundation for deeper inquiry into the evolving relationship between law and politics in the prosecutorial domain.

2. Methodology

The approach taken in this narrative review article is primarily descriptive, focusing on a comprehensive analysis of the role of prosecutorial power in corruption investigations, with an emphasis on the tension between legal autonomy and political dependency. This method allows for an in-depth exploration of the various factors that influence prosecutorial decision-making, alongside a systematic review of scholarly articles, case law, legal reforms, and international reports. The review aims to present a balanced understanding of both the theoretical and practical aspects of prosecutorial independence in combating corruption, drawing insights from contemporary developments and recent literature.

The sources for this narrative review were selected based on a strict inclusion criterion that emphasizes the most recent and relevant publications, specifically from 2020 to 2025. These sources include peer-reviewed journal articles, books, international reports from organizations such as Transparency International and the United Nations Office on Drugs and Crime (UNODC), as well as legal case studies and legislative documents. Articles were selected if they provided significant theoretical or empirical contributions to understanding prosecutorial autonomy, political dependency, and their interplay in corruption investigations. The review also incorporated comparative legal studies to capture a broader, cross-jurisdictional perspective on the issue,

analyzing different models of prosecutorial independence from various national contexts.

The material reviewed was primarily focused on legal frameworks, institutional arrangements, and case studies involving prosecutorial power in anti-corruption efforts. Particular attention was given to articles and case law that illustrate how prosecutorial autonomy is established, protected, or undermined in specific jurisdictions. In addition to academic literature, documents from international legal bodies, such as reports from the European Commission on the rule of law or the Organization for Economic Cooperation and Development (OECD), were included to provide insights into the global challenges and trends regarding prosecutorial independence. These sources offered valuable data on how political influence manifests in legal systems and how it affects the prosecution of corruption.

The review methodology also employed a qualitative, interpretative approach, synthesizing the findings of the selected studies and integrating them into a coherent narrative. Each source was analyzed not only for its legal or political content but also for its broader implications on the role of prosecutors in upholding justice and fighting corruption. The data were categorized into themes reflecting key areas of interest, such as the legal basis for prosecutorial autonomy, the mechanisms of political interference, and the practical outcomes of political dependencies in corruption investigations. The aim was to provide a holistic understanding of the dynamic relationship between prosecutorial power and political influence, highlighting both the theoretical frameworks and the real-world consequences of such interactions.

To ensure the accuracy and relevance of the review, special attention was given to articles that included contemporary case studies or empirical data from recent corruption investigations. These articles offered a real-time perspective on the challenges faced by prosecutors in jurisdictions with varying levels of political interference. In addition, legal texts and reforms that have shaped prosecutorial power over the past few years were incorporated, particularly those that reflect recent shifts towards greater prosecutorial autonomy or increased political control. This allowed the review to remain grounded in the latest developments, ensuring

that the analysis is both timely and relevant to current discussions on corruption and the rule of law.

Given the complex and multidimensional nature of the topic, the methodological approach was designed to accommodate a wide range of perspectives. The review does not aim to provide a definitive solution to the issue of prosecutorial independence but instead seeks to present a comprehensive overview of the current state of research, offering insights into the challenges and opportunities that exist in strengthening prosecutorial autonomy in the fight against corruption. The inclusion of diverse international sources and perspectives ensures that the review is not limited to a single legal tradition but considers the global landscape of prosecutorial power and its relationship with political dependency.

3. Conceptual and Theoretical Framework

Prosecutorial power occupies a unique position in the legal system. As a bridge between the investigation and adjudication stages of criminal proceedings, the prosecutor holds discretionary authority over whether and how a case proceeds. This includes determining whether charges should be filed, negotiating plea agreements, and recommending sentences. According to Barno and Lynch, this discretion is shaped by legal mandates, institutional norms, and political culture, all of which frame the scope and limits of prosecutorial behavior (Barno & Lynch, 2021). The fundamental function of the prosecutor is not merely to secure convictions but to ensure that justice is served within the framework of legality and fairness, making the role inherently sensitive to both legal and political considerations.

Legal autonomy is grounded in constitutional guarantees that protect the independence of the prosecutorial office from undue external interference. These guarantees often take the form of clear legal mandates, security of tenure, transparent appointment procedures, and institutional insulation from the executive branch. Mykhailiuk emphasizes the importance of self-governance mechanisms within the prosecutorial corps in Ukraine, noting that such structures are vital in safeguarding autonomy and resisting politicization (Mykhailiuk, 2025). Similarly, Khotynska-Nor illustrates how comparative reforms in the Baltic states have reinforced prosecutorial self-regulation, ensuring that

decisions are made on the basis of law rather than political expediency (Khotynska-Nor, 2024). These protections are closely linked to the broader principles of the rule of law and the separation of powers, which define the boundaries between different branches of government and their respective competencies.

Political dependency, however, often undermines these legal protections. One of the most common mechanisms of political control is the appointment and removal process. Prosecutors who serve at the pleasure of political leaders may feel pressured to align their decisions with the interests of the ruling elite, particularly in high-profile or politically sensitive cases. Lee's analysis of prosecutorial abuse in South Korea underscores how executive influence over appointments can lead to selective prosecutions and eroded public trust (Lee, 2022). Another pathway for political dependency is budgetary control. When prosecutors rely on legislative or executive branches for funding, their operational capacity can be indirectly manipulated, as Imankulov notes in his study of the Kyrgyz Republic, where funding decisions have been used to pressure prosecutors into compliance (Imankulov, 2023). The absence of fiscal autonomy thus poses a serious challenge to institutional independence.

The relationship between legal autonomy and political dependency can be understood through the lens of several legal-political theories. Institutional independence theory posits that the strength of prosecutorial autonomy is directly related to the robustness of legal institutions and the clarity of constitutional mandates. According to Getsko, countries with strong legal traditions and well-defined institutional frameworks tend to maintain higher levels of prosecutorial independence, which correlates with more effective enforcement of anti-corruption laws (Getsko, 2025). On the other hand, the principal-agent model offers a more nuanced perspective by highlighting the dilemma of holding prosecutors accountable without exposing them to political manipulation. In this model, prosecutors (agents) are delegated authority by the state (principal), but the challenge lies in designing oversight mechanisms that ensure accountability without undermining independence. Mou elaborates on this dynamic in the context of China, where recent reforms have sought to balance prosecutorial accountability with protection from political retaliation (Mou, 2022).

A further conceptual tension lies in the exercise of prosecutorial discretion itself. While discretion allows prosecutors to tailor decisions to the specific facts and legal complexities of individual cases, it can also serve as a conduit for political influence. Berryessa et al. have examined how prosecutorial discretion, if left unchecked, may enable systemic biases or favoritism, especially in environments where institutional safeguards are weak (Berryessa et al., 2022). The challenge, therefore, is to strike a balance between discretion and oversight. Suwartono emphasizes the need for restructured legislative frameworks that clarify the duties of prosecutorial commissions, ensuring that oversight is consistent, legally grounded, and resistant to political capture (Suwartono & Efendi, 2024).

This balance is particularly precarious in transitional democracies and hybrid regimes, where institutional norms are still evolving. As Brutyan highlights, prosecutorial supervision over the legality of detention and sentencing is often compromised by informal political pressures, despite formal legal protections (Brutyan, 2023). Moreover, the principle of prosecutorial neutrality is frequently challenged by the demand for political loyalty, creating a paradox wherein prosecutors must simultaneously uphold the law and navigate the expectations of political patrons. Arriagada's ethnographic study of Chile's prosecutorial office illustrates how even well-established systems can become arenas for competing pressures, as prosecutors attempt to balance legal obligations with interprofessional and political dynamics (Arriagada et al., 2023).

The conceptual and theoretical framework outlined here underscores the intricate relationship between legal norms and political structures in shaping prosecutorial behavior. Legal autonomy and political dependency are not mutually exclusive but exist on a continuum, mediated by institutional design, cultural norms, and individual agency. The tension between discretion and oversight, independence and accountability, remains at the core of this debate. As Pavlenko argues, drawing from foreign legal systems can provide valuable insights into how different jurisdictions have addressed these challenges through reform and innovation (Pavlenko, 2023). Ultimately, any analysis of prosecutorial power must grapple with the complexities of legal theory, institutional practice, and political reality—an

intersection that continues to evolve in response to both domestic pressures and global norms.

4. Global Perspectives on Prosecutorial Autonomy

Across the globe, prosecutorial autonomy manifests in diverse forms, ranging from deeply institutionalized independence to heavily politicized control. In countries where autonomy is legally and structurally entrenched, prosecutors play a decisive role in curbing high-level corruption, often without fear of retaliation. Italy offers a compelling example of such autonomy, especially in the wake of its “Clean Hands” (Mani Pulite) operation during the 1990s, which targeted systemic political corruption. Italian prosecutors, operating with significant procedural independence, managed to indict and convict hundreds of political and business elites. This enduring tradition of judicial independence continues to shape Italian prosecutorial structures, although tensions still exist between political bodies and the judiciary (Barno & Lynch, 2021). In South Korea, recent high-profile corruption investigations have demonstrated the capacity of prosecutors to investigate even sitting presidents. The impeachment and imprisonment of President Park Geun-hye was made possible by prosecutorial institutions equipped with a high degree of functional independence and public legitimacy (Lee, 2022).

Conversely, in countries like Hungary and Brazil, prosecutorial independence has been undermined by executive dominance and institutional manipulation. Hungary presents a model of formal independence paired with de facto political alignment. Although the country’s chief prosecutor is constitutionally protected, the appointment mechanism effectively allows the ruling party to secure long-term influence, as seen in the repeated reappointment of a politically sympathetic chief prosecutor (Getsko, 2025). In Brazil, prosecutors historically enjoyed a degree of autonomy, particularly through the Ministério Público system. However, in recent years, this autonomy has been eroded through executive interference, strategic appointments, and legislative backlash following anti-corruption campaigns like Operation Car Wash. This rollback underscores the fragility of institutional independence in the face of concentrated political power (Crummett, 2020).

Judicial reforms and landmark court decisions have played a transformative role in shaping prosecutorial

power. In post-Soviet states such as Ukraine and Georgia, reform efforts have centered on depoliticizing the prosecutor’s office and aligning institutional structures with European standards. Mykhailiuk details how reforms in Ukraine aimed to establish a model of prosecutorial self-governance, focusing on transparent appointments, ethical oversight, and institutional insulation from the executive branch (Mykhailiuk, 2025). Similarly, Kakitashvili explores Georgia’s approach to global anti-corruption norms, emphasizing conceptual shifts in prosecutorial activities to enhance accountability and autonomy (Kakitashvili, 2022). While these reforms mark significant progress, their implementation has often been uneven due to enduring political interference and lack of enforcement capacity. Successes and failures in corruption investigations often reflect the degree of prosecutorial autonomy available in a legal system. In Indonesia, Suwartono describes how reforms in the prosecutor’s commission have attempted to formalize oversight while strengthening the institutional base of prosecutorial independence. Nevertheless, the dual burden of political influence and institutional fragmentation continues to impede consistent enforcement outcomes (Suwartono & Efendi, 2024). In contrast, Chile presents a case where the public prosecutor’s office operates with a relatively high degree of procedural independence, though it still faces pressures from within the broader political and legal system. Arriagada illustrates how interprofessional dynamics and limited communication infrastructures can affect prosecutorial performance, especially in complex corruption cases (Arriagada et al., 2023).

Patterns of autonomy are further complicated by variations in legal culture, historical legacies, and governance frameworks. In Russia, the prosecutorial system remains deeply centralized and subordinate to political authority despite legal protections on paper. Inshakova underscores the symbolic and functional role of the prosecutor’s office as a bulwark of state control rather than an independent legal actor (Inshakova, 2022). Shishkin and Ogorodov similarly note that the Russian prosecutorial office is institutionally embedded within the vertical hierarchy of executive governance, making it vulnerable to top-down directives (Shishkin & Ogorodov, 2023). By contrast, Ukraine’s efforts toward prosecutorial reform emphasize decentralized governance and self-regulation, with varying degrees of

success depending on political will and international support (Khotynska-Nor, 2024).

In the Kyrgyz Republic, institutional shifts in 2023 have led to a perceived constitutional crisis marked by the weakening of prosecutorial safeguards. Imankulov argues that changes to the constitutional status of the prosecutor's office, under the guise of reform, were strategically designed to reduce resistance to organized crime and executive overreach (Imankulov, 2023). Similarly, in Pakistan, Ejaz highlights the structural weaknesses in the prosecutorial system, noting that although prosecutors are expected to act independently, they often operate under direct or indirect political influence, especially in high-stakes corruption cases (Ejaz et al., 2024).

Reforms in countries like China have also aimed to balance accountability and autonomy. Mou explores how lifetime prosecutorial accountability has been introduced to address concerns about impunity, yet this shift is accompanied by a tightening of political control through centralized oversight structures (Mou, 2022). While the rhetoric of reform promotes anti-corruption, the underlying mechanisms often reinforce political dominance over legal institutions.

Comparative experience suggests that prosecutorial autonomy, when institutionalized through legal safeguards, transparent appointments, and functional oversight, contributes to more effective and credible corruption investigations. However, even in systems with robust autonomy, external pressures, resource limitations, and informal power structures can diminish effectiveness. Conversely, in jurisdictions where prosecutorial power is tightly controlled by political actors, corruption investigations are frequently symbolic, targeted selectively, or abandoned altogether. The global landscape thus reflects a complex interplay between legal design, political context, and institutional practice, where the success of anti-corruption efforts is closely linked to the strength and integrity of the prosecutorial function.

5. Political Interference and Its Mechanisms

Political interference in prosecutorial affairs typically manifests through mechanisms that target both institutional structures and individual decision-making processes. One of the most direct forms of interference is the appointment and dismissal of prosecutors based on

political loyalty rather than professional merit. This method undermines both public trust and legal neutrality, especially when used to replace independent-minded prosecutors with loyalists. Lee provides a compelling example from South Korea, where political actors have at times attempted to influence investigations through targeted appointments and dismissals, despite the country's strong legal protections for prosecutorial independence (Lee, 2022). Similarly, Getsko describes how long-term appointments in Hungary have enabled ruling parties to entrench loyal prosecutors who are unlikely to challenge governmental misconduct (Getsko, 2025).

Budgetary constraints serve as another effective lever for political control. In countries where the prosecutorial office relies on the executive or legislature for financial resources, strategic budget cuts can be used to limit investigative capacity, delay proceedings, or penalize institutional resistance. Imankulov highlights how in the Kyrgyz Republic, budgetary manipulation has been deployed as a tactic to reduce prosecutorial autonomy and shift the balance of power toward politically connected actors (Imankulov, 2023). Without financial independence, prosecutors are often unable to pursue complex or politically sensitive investigations, especially those involving high-ranking officials.

Legal reforms, while often presented as neutral or even progressive, can function as veiled tools of political interference. Reforms that appear to streamline procedures or promote accountability may in practice concentrate oversight in politically controlled bodies or alter mandates in ways that diminish institutional independence. Suwartono discusses how reformulating the role of Indonesia's prosecutor's commission has introduced both greater oversight and potential vulnerabilities to executive influence, depending on how the reforms are implemented and monitored (Suwartono & Efendi, 2024). Similarly, Mou's analysis of reforms in China reveals how efforts to enforce accountability can simultaneously be employed to enhance political surveillance and diminish the functional autonomy of prosecutors (Mou, 2022).

Misuse of prosecutorial discretion under political pressure is another frequent form of interference. Selective justice—where certain individuals are prosecuted while others are shielded—reflects the strategic deployment of legal tools for political ends.

Crummett explains how prosecutorial discretion, when unchecked by legal or institutional safeguards, can facilitate arbitrary or biased decision-making, undermining the principle of equal justice before the law (Crummett, 2020). In politically charged environments, discretion becomes a double-edged sword: essential for legal efficiency but dangerous when co-opted for political purposes.

Delayed investigations are often used to ensure that cases lose public momentum or reach the statute of limitations without resolution. In Russia, Voronin notes that legal remedies of prosecutorial supervision are frequently employed to maintain appearances of legal scrutiny while effectively stalling investigations (Voronin, 2021). Delays can also stem from internal directives to deprioritize politically sensitive cases, especially when external pressure is exerted informally or through coded political messaging.

Political clientelism and dominant party systems further compound the problem by embedding informal loyalty networks within the legal system. When appointments, promotions, and disciplinary actions are based on political alignment rather than professional merit, prosecutors become instruments of political consolidation. Brutyan highlights how prosecutorial oversight in post-Soviet jurisdictions often reflects broader patterns of authoritarian governance, where legal institutions are designed to serve executive interests (Brutyan, 2023). In such contexts, formal legal protections are insufficient to counteract the effects of deeply entrenched patronage networks.

These mechanisms collectively shape an environment where prosecutorial autonomy is systematically compromised. Whether through direct dismissal, fiscal manipulation, or covert pressure to delay or divert investigations, political actors exert control over the legal process in ways that are difficult to detect and even harder to counteract. As the global cases suggest, the most resilient prosecutorial systems are those that combine constitutional protections with operational autonomy, institutional transparency, and robust civil society engagement. Without such safeguards, the prosecutor's office remains vulnerable to becoming a tool of political strategy rather than a guardian of justice.

6. Implications for Anti-Corruption Enforcement

The structural relationship between prosecutorial institutions and political authority significantly shapes the effectiveness of anti-corruption enforcement. In legal systems where prosecutorial autonomy is formally guaranteed and practically respected, investigations into corruption can proceed with rigor and impartiality, even when they target politically connected individuals. However, where the boundaries between political and legal authority are blurred, the prosecution of corruption is frequently selective, delayed, or altogether abandoned. In such environments, the legal-political structure acts less as a guardian of justice and more as a filter that protects political elites from scrutiny. As Getsko notes, the degree to which the prosecutor's office is institutionally embedded in the broader mechanism of state power can either enhance or obstruct anti-corruption capacity, depending on how checks and balances are distributed (Getsko, 2025). Systems that maintain prosecutorial subordination to executive branches tend to demonstrate lower rates of successful high-level prosecutions and a greater prevalence of impunity.

Political dependency creates a chilling effect that can demobilize even well-intentioned prosecutors. When career advancement, job security, or institutional funding are contingent on political favor, prosecutors often avoid initiating sensitive cases involving corruption among the ruling elite. This self-censorship can be as damaging as overt interference, as it cultivates a culture of caution and legal minimalism. Lee's study on South Korea reveals how even in a relatively autonomous system, political backlash and retaliatory measures against prosecutors have a deterrent effect on future investigations (Lee, 2022). Similarly, in the Kyrgyz Republic, Imankulov observes that prosecutorial hesitance intensified following changes to the constitutional and legal status of the prosecutor's office, effectively weakening the institutional will to confront corruption (Imankulov, 2023).

Public trust and media scrutiny serve as critical buffers in protecting prosecutorial independence, especially in systems where legal autonomy is incomplete. A vigilant public and an active press can amplify the costs of political interference, mobilizing support for prosecutors and deterring undue influence. Arriagada illustrates how media visibility in Chilean prosecutorial offices contributes to a form of external accountability,

even in the absence of direct legal protections (Arriagada et al., 2023). In jurisdictions where the press is free and public engagement is high, prosecutors may find greater institutional courage to challenge powerful actors. However, this dynamic is contingent on the broader political culture and media ecosystem. In authoritarian or hybrid regimes, where media freedom is curtailed, this form of societal oversight is often neutralized, reducing the protective effect of public visibility.

Regional and international mechanisms have emerged to promote and reinforce prosecutorial independence as a pillar of anti-corruption policy. Organizations such as the Group of States against Corruption (GRECO) and the OECD Working Group on Bribery issue detailed evaluations, policy recommendations, and technical assistance aimed at strengthening legal institutions. These bodies emphasize institutional design, transparent appointment procedures, and accountability mechanisms that respect independence. In Ukraine, Mykhailiuk highlights how engagement with European institutions has influenced prosecutorial reforms, prompting changes that emphasize self-governance and reduced executive control (Mykhailiuk, 2025). Similarly, Pavlenko points to the relevance of foreign models and international standards in reforming prosecutorial structures in post-Soviet countries (Pavlenko, 2023).

Despite their significance, the effectiveness of international mechanisms depends on the willingness of national governments to implement recommendations and submit to external oversight. Inshakova warns that without genuine political will, such frameworks may become symbolic gestures rather than meaningful reform tools (Inshakova, 2022). Still, in countries with transitional legal systems or external geopolitical pressures, international organizations can exert soft power to encourage compliance with norms of prosecutorial independence. This influence is most effective when coupled with civil society activism and institutional reform from within.

Ultimately, the effectiveness of anti-corruption enforcement is inseparable from the structure and culture of the prosecutorial institution. Where autonomy is protected and public accountability is operationalized, prosecutors can act decisively against corruption. Where political dependency reigns, enforcement becomes performative, and corruption persists under a veneer of legality.

7. Discussion

Efforts to strengthen prosecutorial autonomy have taken a variety of institutional forms, many of which aim to reduce executive influence while enhancing procedural integrity. One of the most common reforms involves altering the method of appointing and dismissing prosecutors. Appointments made through judicial councils or independent commissions, rather than by the executive, are believed to enhance impartiality. Khotynska-Nor describes how in Ukraine and the Baltic countries, transitioning to self-regulated prosecutorial bodies has increased transparency and reduced political interference (Khotynska-Nor, 2024). This approach not only protects prosecutors from retaliatory dismissal but also encourages public confidence in the impartiality of legal processes.

Fixed terms and security of tenure are additional strategies designed to reduce prosecutorial vulnerability. By establishing non-renewable terms or legally protected dismissal conditions, prosecutors are insulated from immediate political shifts. Suwartono emphasizes that legislative clarity around the duties and authority of prosecutors helps to reduce opportunities for arbitrary interference (Suwartono & Efendi, 2024). However, reform efforts must also consider the risk of entrenching unaccountable actors. If fixed terms are not balanced with meaningful oversight, prosecutorial power can become stagnant or, worse, a tool of entrenched interests. This concern highlights the ethical dilemma at the heart of prosecutorial reform: how to preserve independence without sacrificing accountability.

Ethical boundaries in prosecutorial independence are particularly fraught in democratic systems that value both legal impartiality and public oversight. Prosecutors wield immense power, including the discretion to deprive individuals of liberty. While independence is essential for resisting political pressure, unchecked autonomy can lead to abuses of discretion, partial enforcement, or institutional inertia. Crummett explores this tension through the lens of republican theory, arguing that legal institutions must protect against both domination and arbitrariness (Crummett, 2020). Prosecutorial independence, therefore, must be matched by clear standards, transparent procedures, and avenues for public redress.

Normative trade-offs between political insulation and democratic control are inevitable in institutional design. On one hand, removing prosecutorial offices from political influence strengthens the legal shield against corruption and favoritism. On the other hand, full insulation can alienate prosecutors from democratic oversight and diminish public input. As Berryessa notes, prosecutorial power exercised without transparency or accountability mechanisms risks fostering systemic bias or elitism (Berryessa et al., 2022). This balance is especially difficult in pluralistic democracies where public trust is fragmented and political competition is high.

In jurisdictions with deep-rooted political clientelism, reforms must also contend with informal networks of loyalty and influence. Brutyan highlights how in post-authoritarian systems, formal legal changes often fail to dislodge entrenched practices of favoritism and selective justice (Brutyan, 2023). Institutional reform, therefore, requires more than legal amendments; it demands cultural change, professional training, and a commitment to ethical norms within the prosecutorial community. Barno emphasizes that prosecutorial decision-making is shaped not only by law but also by internal norms, peer expectations, and the organizational ethos of the office (Barno & Lynch, 2021).

Finally, the role of external oversight bodies, such as ombuds institutions or civil society watchdogs, must be reconsidered in light of these trade-offs. Usov suggests that modern prosecutorial science should integrate external feedback mechanisms into internal evaluation systems, ensuring that independence does not become synonymous with isolation (Usov, 2023). Independent monitoring, public reporting, and access to judicial review can help anchor prosecutorial institutions in the broader democratic fabric without compromising their ability to act autonomously.

The normative considerations surrounding prosecutorial reform thus demand a delicate balance between empowerment and constraint. Legal independence must be coupled with ethical responsibility; institutional autonomy must be accompanied by democratic legitimacy. The path forward lies not in absolutist models but in adaptive frameworks that respond to national contexts while upholding core principles of justice and accountability.

8. Conclusion

The role of prosecutorial power in corruption investigations is emblematic of the broader struggle between legal autonomy and political dependency that characterizes many contemporary legal systems. This article has explored how the structure, function, and independence of the prosecutor's office significantly affect the effectiveness of anti-corruption efforts across different jurisdictions. Through a comparative and descriptive analysis, it has become clear that where prosecutorial institutions are designed and allowed to operate independently, the pursuit of justice tends to be more credible, consistent, and impactful. Conversely, when prosecutors are constrained by political actors, whether through appointments, funding controls, or legislative manipulation, the legitimacy and effectiveness of anti-corruption enforcement are severely undermined.

Legal autonomy is not merely a constitutional principle; it is a functional necessity for the impartial administration of justice. Prosecutors must be free to investigate and pursue cases based on the merits of the evidence, not the political consequences of their decisions. In countries where this autonomy is secured through transparent appointment mechanisms, fixed terms, and operational independence, prosecutorial institutions have demonstrated greater capacity to confront entrenched corruption. However, even in these contexts, the risk of informal influence, resource manipulation, or institutional inertia can undermine progress. This suggests that autonomy must be continuously protected, nurtured, and reinforced through institutional design and professional ethics.

Political dependency, on the other hand, introduces a pervasive chilling effect on prosecutorial discretion. When prosecutors are dependent on political authorities for their career security or institutional resources, they may refrain from pursuing cases that threaten powerful interests. This hesitancy erodes public trust in the legal system and sends a dangerous signal that certain individuals or groups are above the law. The result is not only legal inequality but also a weakening of democratic institutions and public accountability.

The broader effectiveness of anti-corruption enforcement hinges on the interplay between legal structures and societal forces. Public trust and a free

press play a vital role in shielding prosecutors from undue influence by amplifying public scrutiny and deterring political retaliation. Similarly, regional and international mechanisms that monitor compliance with standards of prosecutorial independence contribute to external accountability. However, the domestic implementation of these standards remains uneven, and their success ultimately depends on the political will of national actors and the resilience of legal institutions.

Institutional reforms aimed at enhancing prosecutorial independence must strike a careful balance. While insulating prosecutors from political interference is essential, this must not come at the cost of accountability or transparency. Oversight mechanisms, such as judicial review and independent ethics bodies, are necessary to ensure that prosecutorial discretion is exercised fairly and consistently. Moreover, reforms must account for the political culture and historical context of each country, avoiding one-size-fits-all solutions in favor of locally adapted models that prioritize both autonomy and democratic control.

In conclusion, the prosecutorial role in anti-corruption enforcement is a litmus test for the health of democratic governance and the rule of law. Legal autonomy and political neutrality must not be treated as abstract ideals but as practical prerequisites for justice. Strengthening prosecutorial independence requires more than legislative change; it demands a sustained commitment to institutional integrity, ethical leadership, and public engagement. As corruption continues to evolve and adapt, so too must the legal institutions tasked with confronting it. Ensuring that prosecutors are empowered to act without fear or favor is not only a matter of institutional design but also of political courage and societal will.

Authors' Contributions

Authors contributed equally to this article.

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In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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In this research, ethical standards including obtaining informed consent, ensuring privacy and confidentiality were observed.

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