An assessment of the ethical dimensions of corruption

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Abstract

This paper addresses the ethical dimensions of corruption. Corruption in the form of bribery is widespread in the developing world and this includes Mauritius. Corruption assessed in absolute terms is unethical. However, if one were to use relativistic views, one would make allowances for 'mild' forms of corruption like seeking favours to obtain unwarranted advantages or paying bribes in the form of 'speed-up gratuities'. Our study shows that in many contexts, acts of corruption are accepted and justified either on the basis of the gains they bring to the individual who offered the bribe or undertake to seek the particular favour. It depends on the values prevailing in particular societies, hence notions of relativism. Another determinant of unethical conduct is the risk involved. As some of the literature emphasises, often the decision-maker may choose not to embark onto unethical conduct not because it is wrong in absolute terms, but because s/he is afraid of getting caught. This paper presents the assessment of specific acts of corruption, as made by our participants who were all from the business sector. Respondents rated scenarios representing instances of bribery, using the multi-dimensional ethics scale developed by Reidenbach and Robin (1988) as measurement device.

Keywords

Ethics, corruption, bribery

Introduction

Corruption is common to the Mauritian culture (National Integrity Systems, Transparency International Country Study Report, Mauritius, 2004, Unpublished). Different segments of the population get involved in corruption, the focus being on various trivial immediate benefits. At times of elections, efforts and resources are directed to the distribution of gifts, to ensure the vote of the recipients. Similarly, officials tend to expect bribes to be paid to them to 'motivate' them conduct their normal activities. This situation has somehow become a mode of life, not to say part of the Mauritian culture (Napal, 2001).

Corruption starts at a micro level that is, in business context. However, if no control is exercised, it takes a national dimension and becomes a cause for major concern. Special relationships that exist between the business sector and the government sector have traditionally accounted for some types of corruption. When the private sector contributes to political funding for instance, there is intent to corrupt. The cultural characteristics that contribute to corruption in developing nations make it imperative to create an ethical climate that would positively influence people's thinking. An ethical culture, in particular, ethical values, norms and beliefs, must be promoted, as a moral business culture is needed in developing economies. The aim is to prevent corruption from threatening social, economic and political development. Ethical behaviour should be marketed in such a way as to foster moral conduct at both business level and in everyday life.

This paper presents the findings of a survey administered to people of the business community. The survey itself consisted of hypothetical situations involving instances of bribery. Respondents were requested to assess the behaviour of the individuals presented in the two cases, using the multi-dimensional ethics scale developed by Reidenbach and Robin (1988). The findings are interesting as they reveal specificities of the Mauritian economy that are completely different from results obtained in previous applications of the R&R scale.

Literature

The World Bank definition of corruption refers to it as the misuse of one's office position for personal benefit. This relates to people occupying positions of public trust. Corruption is an economic problem intertwined with politics. "Corruption describes a relationship between the state and the private sector" (Rose-Ackerman, 1999). It takes the form of violation of norms of duty and responsibility within the civic order. Corruption can therefore be defined as the deliberate intent of subordinating common interest to personal interest.

Specific categorisations have been adopted to distinguish between different acts of corruption. Alatas (1999) draws a distinction between different forms of corruption, namely, nepotism, bribery, and extortion. Nepotism takes the form of "the appointment of relatives, friends or political associates to public offices regardless of their merits and the consequences on the public weal" (Alatas, p. 6). Bribery is the act of accepting gifts or favours offered, the objective being to induce the person to give special consideration to the interests of the donor. Some cultures condone the act of bribery as long as it brings in 'opportunities'. In fact, the concept of bribery has, for long, dominated the world of business. Extortion can take the form of either gifts or favours as a condition to the execution of public duty or the abuse of public funds for one's own benefit.

Although this type of corrupt practice is associated with underdeveloped countries (Hancock, 1989), there is evidence that corruption prevails in developed nations as well. Countries like France, Italy, Germany, Spain and Belgium have been the subject of major scandals over this kind of behaviour (Argandona, 2002). Politicians have been accused and/or tried in cases of irregular party funding.

Rossouw (1998) refers to three central concepts: corruption, fraud, and moral business culture. Corruption refers to the misuse of their position by people holding office of public trust, for their personal benefit. This could either involve the acceptance of bribes in return for favours or the fraudulent expenditure

of public funds for private benefit. Fraud on the other hand, also referred to as economic crime or white-collar crime, constitutes intentional criminal deception for private benefit. This includes acts like bribery, illegal campaign contributions, laundering of funds, consumer frauds, environmental pollution, price fixing, embezzlement, income-tax fraud, and computer break-ins. Such acts could take place either in the context of business or in the public sector. Moral business culture refers to a commitment to conduct business in such a way as to respect all stakeholders' interests within a framework of a competitive market-driven economy. Like Alatas (1999), Rossouw (1998) distinguishes between different levels of unethical conduct. However, Rossouw's definition is somewhat wider than Alatas' as it covers different extents of unethical acts. By this classification, Rossouw implies that a distinction must be drawn between corruption and criminal behaviour and corruption and mal-administration or mismanagement, although the effects are the same.

Tanzi (1998) and Robinson (1998) give other classifications of acts of corruption. Tanzi's classification includes bureaucratic/petty corruption and political/grand corruption; corruption that is cost-reducing or benefit-enhancing to the briber; briber-initiated or bribee-initiated corruption; coercive or collusive corruption; centralised or decentralised corruption; predictable or arbitrary corruption and corruption involving cash payments or not. Unlike Rossouw who categorised unethical acts in terms of broad areas i.e. corruption and fraud, Tanzi (1998) further divides these general classifications by referring to sub-classifications of corruption. He adopts an economic perspective and makes reference to briber/bribee-initiated and cost-reducing/benefit-enhancing to the briber (bribery) and coercive/collusive corruption and grand corruption (extortion). This type of illicit transaction is normally initiated either by business executives or politicians, on a large scale.

Robinson (1998) considers three categories of corruption, incidental or individual; institutional; systemic or societal. Incidental or individual corruption compares with what Tanzi describes as petty corruption whereas systemic corruption would be closely associated with fraud or grand corruption. Systemic or entrenched corruption describes a situation where major institutions and processes of the state are routinely dominated and used by corrupt people and where many citizens have few practical alternatives to dealing with corrupt officials. This type of corruption features in societies characterized by low political competition, low and uneven economic growth, a weak civil society and an absence of institutional control mechanisms.

Corruption is a feature of business worldwide (Argandona, 2003; Colombatto, 2003; Crawford, G. 2000; Damania et al., 2004). This is due to the perception that a certain level of corruption is good for business (Segal, 1999). In fact most business decisions are derived from the notion of consequences that is, from teleological rules. Notions of teleology evolved from early philosophies developed by Socrates (c. 469-399 B.C.), which derive from notions of how real happiness is linked with the achievement of perfection. When applied to business situations these led to the idea of maximisation of utility. Ethics theories originate from the writings of great philosophers like Socrates, Aristotle, and Confucius, to name but a few. As an academic topic, however, 'business ethics' originates from the 'Wall Street' scandals of the 1980s. This particular period, often regarded as 'period of greed' shocked many observers. There was evidence that throughout the 1980s, many managers, most of whom were graduates from major business schools, were digressing from standards of ethics (Bradburn, 2001). Given the negative repercussions that this had on business, it became obvious that

ethics is compatible with business.

According to the normative ethics literature, most decision-makers rely on notions of consequences when faced with ethical dilemmas. Ferrell, Fraedrich and Ferrell (2002) refer to two main teleological principles, utilitarianism and egoism. Both are founded on consequences that is, any act or decision is justified on the basis of its consequences. Utilitarianism is based on the concept of utility maximisation. When faced with ethical choices, the decision maker must opt for the act or decision that yields maximum utility or least harm (Adams and Maine, 1998).

The theory of egoism originates from Freud (1856-1939) who held that human beings are naturally aggressive and selfish. As per their philosophy, egoists should make decisions that maximise their own self-interests. In the context of business, this would imply choosing the alternative that contributes most to their self-interests. The general belief is that the egoist is intrinsically unethical. An egoist would focus on short-term goals oriented and make the most of any opportunity they avail of, as long as they derive a benefit from it. There is a different perspective to this theory.

Ferrell et al. (2002) present the concept of the enlightened egoist who allows for the well-being of others and adopts a long-term perspective. However, even the enlightened egoist gives priority to his/her own self-interest. If a business makes a particular donation, for instance, its motive may not be altruistic (Ferrell et al., 2002). When an individual or a business corporation gives with intent to receive something in return, such act involves an element of corrupt behaviour.

The theory of egoism states that people 'should' behave as egoists rather than 'they do' behave as such (Reidenbach et al., 1991). This school of thought relies heavily on ideas of prudence, self-promotion, best self-interests, selfishness, and personal satisfaction. An act is considered as ethical as long as it promotes the individual's long-term interests. An individual may also help others, and even give gifts if he/she believes that those actions are in his/her best interests (Reidenbach, et al., 1991). Whatever a person decides to do is a product of his ethical judgement and the circumstances in which the decision is made. In Mauritius for instance, it is traditionally acceptable to see someone use egoistic concepts to secure his/her own interests. Often, ethical judgements are influenced by self-motivating factors.

Bribery has been described as 'a practice involving the payment or remuneration of an agent of some organisation to do things that are inconsistent with the purpose of his or her position or office" (Adams and Maine, 1998, p. 49). The ethical aspects considered in this paper are moral, duty and relativistic considerations. The moral dimension is derived from virtue ethics and ideas of deontology. These theories assume that an act or decision is assessed in absolute terms. The notion of duty draws from ideas of contractualism and promise keeping, based on the principle of absolutism as well. Everyone knows for instance that the economic duty of business is to maximise profits. However while pursuing this profit maximisation goal, business executives should ensure that they do not undertake anything that would cause harm or prejudice to their stakeholders.

Therefore from a moral point of view, corruption would be condemned as a feature of business or as a mode of life to secure a position that one is not legitimately entitled to. The practice would not be condoned from a duty standpoint either. The option of seeking favours from the political class or paying/inviting bribes is likely to be discarded if one has recourse to notions of contractualism and promise keeping. From a relativistic perspective however, it could be argued that bribery or favouritism

are acceptable modes of doing business or advancing in one's career. This is because under relativism, cultural characteristics pertaining to specific contexts are used to evaluate the practice of corruption. The relativistic factor derives from ideas of relativism, either cultural or moral. Whatever is acceptable under the Mauritian culture or particular choice of moral framework would be regarded as right or ethical. However, this does not make the act or decision right in absolute terms. For example the two-factor solution obtained in Scenario 1 shows that the respondents rated the act of bribing the judiciary as culturally acceptable. This does not make the act right in absolute terms, meaning that a different culture may condemn the act of paying bribes to the judiciary to escape trial.

Our survey attempts to shed light on the dimensions that impact on ethical decision making when the decision makers have vested interests.

Methodology

For measurement purposes, the multi-dimensional ethics scale developed by Reidenbach and Robin (1988) was used. Reidenbach and Robin (1988) devised the measurement scales from normative moral philosophy. The objective of these scales is to measure the different aspects of moral philosophy a decision maker may have to consider in evaluating an ethical issue.

Fair	1	2	3	4	5	6	7	Unfair
Just	1	2	3	4	5	6	7	Unjust
Culturally acceptable	1	2	3	4	5	6	7	Culturally unacceptable
Violates an unwritten contract	1	2	3	4	5	6	7	Does not violate an unwritten contract
Traditionally acceptable	1	2	3	4	5	6	7	Traditionally unacceptable
Morally right	1	2	3	4	5	6	7	Not morally right
Violates an unspoken promise	1	2	3	4	5	6	7	Does not violate an unspoken promise
Acceptable to family	1	2	3	4	5	6	7	Unacceptable to family

Factor analysis was used to further reduce the above scale to three dimensions that is, a broad-based moral equity dimension, a contractualism/duty dimension and a relativism/cultural dimension (Kujala, 2001). The moral equity dimension encompasses 'fair', 'just', 'morally right' and 'acceptable to family' while the relativistic dimension consists of 'traditionally acceptable' and 'culturally acceptable' items. The third dimension is the contractualism one and it comprises 'does not violate an unwritten contract' and 'does not violate an unspoken promise' (Reidenbach, Robin, and Dawson, 1991). According to Reidenbach and Robin (1990), "the multidimensional nature of the scale can provide information as to why a particular business activity is judged unethical; whether, for example, the activity undertaken is perceived as fair or just, or whether it violates certain cultural or traditional values" (reported in Kujala, 2001, p. 232).

Data Collection

The sample population consisted of business people, from middle management upwards, from both the public sector and private institutions. Participants worked in retailing, financial services, courier service, estate agency, telecommunications (public and private sectors), construction, the hotel sector and wholesale pharmaceuticals, amongst other businesses.

Four hundred questionnaires were distributed in total and the response rate was 26%. The sample is reasonably homogeneous with respect to what is being surveyed, that is, the different aspects of moral philosophy a decision maker may have to consider in evaluating an ethical issue. In terms of demographic structure, there were 80% male and 20% female participants. Of the 104 people who responded to the survey, about 55% were degree holders. The majority of respondents (over 45%) were aged 'between 31 and 40' while about 25% were aged 'between 21 and 30'. As regards the respondents' position in the organization that employs them, roughly 35% were senior managers, nearly 50% were in middle management and about 10% were owners of the business. In any society, one would expect the judiciary to function independently from interference. It is quite surprising to see a citizen charged with murder bribing the judiciary to escape punishment.

Results and Discussion

Scenario 1

SV, a wealthy businessman, is convicted of a crime that he claims he has not committed. However, all facts seem to confirm that he is guilty. SV insists on his innocence, stating that the best lawyers are prepared to defend him. He opts for paying a judge to be partial to his case.

How would you categorise SV's action?

	RFL
Factor 1: Relativistic Dimension	
Culturally Acceptable	0.774
Traditionally Acceptable	0.869
Fair	0.911
Just	0.894
Acceptable to Family	0.750
Factor 2: Contractualism Dimension	
Violates an Unwritten Contract	0.922
Violates an Unspoken Promise	0.917

This case relates to the choice of an alternative that contributes most to the self-interests of the actor and reflects the concept of egoism. The principle of egoism relies heavily on ideas of prudence, self-promotion, best self-interests, selfishness, and personal satisfaction. Egoism states that people 'should' behave as egoists and this coincides with SV's behaviour. Considering that bribing the judiciary promotes SV's long-term interests and helps him evade punishment, this choice would be rated as ethical under the principle of egoism. The general belief is that the egoist is inherently unethical. Such people are short-term oriented and would take advantage of any opportunity that faces them, as long as they derive a benefit from it.

The results of factor analysis show high loadings of justice scales on the relativistic dimension and yet heavier loadings under the duty dimension. The two-factor solution explains 77% of the variation. The three-factor structure does not offer good results and this could be explained by the fact that respondents view bribery at such a level as widely practised and accepted. The two-factor solution is therefore retained as the results it offers are more logical on the bribery scenario. However, one could have thought that respondents would rate 'bribing the judiciary' as a very serious issue. For this reason, they would have been expected to separate the notion of whether it is accepted from whether it is fair and just (using the three-factor loading pattern) as opposed to lumping the two together (the two-factor loading pattern, where justice scales load on relativistic ones).

Scenario 2

AD has applied for a building permit two years ago. Although he initially followed all the necessary procedures, he is confronted with officials who seem to be complicating the process. AD knows that he has the option of paying some form of speed-up gratuity to 'motivate' the people he is dealing with. This would empower the authorities, hasten procedures and stimulate the officials.

In the circumstances, if AD offers something, how would you rate such action?

	RFL
Factor 1: Relativistic Dimension	
Culturally Acceptable	0.845
Traditionally Acceptable	0.872
Acceptable to Family	0.833
Factor 2: Moral Equity Dimension	
Fair	0.848
Just	0.869
Factor 3: Contractualism Dimension	
Violates an Unwritten Contract	0.817
Violates an Unspoken Promise	0.840

Scenario 2 is a case of bribery. To refer to the definition of Adams and Maine (1998), bribery is the illicit payment effected to motivate the recipient to do things that are inconsistent with his/her duties. AD's initiative of bribing the official to speed up the process of getting a building permit issued corresponds to what Alatas (1999) viewed as common under the Asian culture. This is what encourages some public officials to withhold their services until they feel adequately motivated to act. In the above case, AD concluded that bribing the official concerned would serve his purpose. While universal ethics principles would strictly condemn the act of bribery, the consequences justify AD's choice.

This form of corruption can take the form of either gifts or favours as a condition to the execution of public duty. As is common in many countries, the actor offers a speed-up gratuity to local authorities to get a building permit or to empower the authorities, hasten procedures and stimulate officials. Under this form of bribery, the bribe-payer wants to speed up the process of the movement of files and communications relating to a specific decision or act where he has a stake.

The practice of offer and invitation of bribes is encouraged by a good proportion of the population and is almost part of the Mauritian culture. Some public officials have developed the habit of not fulfilling their basic duties until they are suitably persuaded to do so. On the other hand, there are members of the public who have developed a habit of corrupting public officials to do a job that they are already paid for and are expected to perform in the normal course of their duty. Similarly there are public officials who expect extra money in the form of 'speed-up gratuities' to do their work.

This case can therefore be defended under either a two-factor analysis or a three-factor one, depending on how respondents assess the practice of bribery in the Mauritian setting. If the act of bribe offer is condemned because it constitutes an illicit activity, the three-factor solution can be used to distinguish between justice and cultural dimensions. If, on the other hand, the practice is condoned on the basis that it helps 'hasten procedures', and therefore, saves time, the two-factor solution could be retained. This latter option offers heavy loadings of justice factors onto the relativistic dimension, whereas the three-factor structure offers an appropriate solution. The three-factor solution explains 79% of the variation. There are high loadings under all three factors. The second factor, the moral dimension, explains more variation than the third factor, which represents

the duty dimension. In this particular case, there has been a tendency to use concepts of fairness and justice to evaluate the ethicality of the scenario. Since the two "duty scales" load onto the third factor, it means that those concepts were less important to the respondents as they evaluated the ethicality of this scenario.

It is worth pointing out that in Scenario 1, the duty scale was rated as the second factor in the two-factor solution and as the third factor in Scenario 2. As far as Scenario 1 is concerned, it is surprising to note that in a case involving an offence like an allegation of murder, the duty scale was rated as secondary. This differs from the results obtained in applications of the R & R scale in the United States of America where the duty scale was rated as the most significant factor.

Conclusion

Both Scenarios 1 and 2 present individuals who choose to pay bribes to further their interests. Scenario 1 carries even more significant ethical consequences as the decision maker uses his power to bribe the judiciary to rule in his favour. In this case the decision maker, a convicted individual, blends the notion of self-interest to serve his purpose that is to evade punishment. This coincides with the idea of overlapping between duty and enlightened self-interest. Garcia (1990) presented the view that some virtue concepts are more basic than deontic concepts. This could lead to a different notion of relativistic thinking where specific circumstances impact on ethical goodness and on human nature.

In Scenario 2, a citizen offers a bribe as a form of speed-up gratuity to motivate an official to give him a building permit. Speed-up gratuities constitute an area of concern, as many Mauritians, in particular the poorer section of the population, are not even aware of the unethical aspect of this type of 'payment'. Besides, what used to be accepted as 'speed-up gratuity' is now considered as insufficient. In other words, officials inviting bribery are becoming more demanding and expect bigger sums of money, which proves that a culture of bribery is slowly 'evolving' in Mauritius. Where it is question of the issue of licences or granting of permits, there are so many procedures involved that it becomes easy for the official concerned to have recourse to blackmail, depending on the financial status of the citizen involved, to secure bribes. Some people choose to pay bribes for an easy life as in this scenario.

It is interesting to note that participants distinguished between ideas of moral equity and relativistic factors, showing that they viewed this practice as clearly unethical. If this trend were to be maintained however, it would imply that people who cannot afford to pay bribes would be at a disadvantage. This is unacceptable if we take into account the fact that all citizens irrespective of class or status are entitled to such services, free of charge. Bribery is a feature of developing nations where systems of control are weak, leading to potential abuse of power and discretion on the part of policy makers.

Out of the three dimensions (moral, duty and relativistic) it can be said that the relativistic/cultural dimension has a considerable impact on ethical thinking in Mauritian context. This could be attributed to the individualistic culture of Mauritius. Under the individualistic culture, citizens feel that they owe obligations to one another irrespective of merits. Based on cultural grounds, business people sometimes 'justify' corruption on economic grounds. This can take the form of illicit payments to evade punishment or speed up the movement of files.

Summary

This paper focused on the controversy behind business decisions where ideas of duty are often in conflict with the pursuit of business objectives in the form of utility maximisation. While moral, duty and relativistic considerations impact on ethical decision-making to differing extents, there is evidence that ideas of duty often conflict with utility maximisation.

For the purpose of this paper, two scenarios were presented to the participants, each carrying an element of unethical conduct. In the first one, a wealthy business executive accused of a crime offers to bribe the judiciary to get a 'fair' trial. Contextual variables encourage the decision maker to use his/her self-interest to acquire happiness in the form of security. The second scenario presents an individual who chooses to bribe the local authorities to get a building permit. Again notions of duty overlap with self-interests as particular motives prompt this type of conduct. The bribe payer has something to gain from speeding up the movement of files relating to the issue of a building permit.

In absolute terms, the act of bribery is wrong meaning that we cannot re-define duty on the basis of the benefits that it brings to the wrongdoer. Yet the evidence shows that bribery continues to characterise and dominate the world of business, depending on the cultural acceptability of the practice of offering and inviting bribes. In the absence of control systems however, individualistic cultures tend to encourage a corrupt mode of life and Mauritius is no exception. In the long term this can take an unmanageable dimension and can cause considerable harm to the economy and society.

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