

Abstract:

This thesis deals with corruption and moral blame. It examines the moral components that sufficiently establish moral blame, and suggests that given certain circumstances, moral actors can be without desert of moral blame for engaging in corruption. This thesis should be of significant interest; for it advances non-utilitarian moral reasons for excusing acts of corruption.

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THE ETHICS OF CORRUPTION

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Table of Contents

Section	Page
1:Corruption.....	1
1.1: Defining Corruption.....	2
1.2: The Essential Elements of Corruption.....	3
1.3: A Paradigmatic Case of Corruption.....	7
2: Morally Blameless Corruption.....	9
2.1: Central Claim.....	9
2.2: Key Consideration 1: Worth, Desirability, and Intent.....	9
2.3: Key Consideration 2: Personal and Interpersonal Moral Obligations.....	12
2.4: Key Consideration 3: Autonomy.....	16
2.5: Governmental Systems on Moral Blamelessness.	21
3: Objections and Responses.....	24
Bibliography.....	29

The Ethics of Corruption

The primary claim of this paper is that actors can be morally blameless for engaging in acts of corruption. One way to argue this is to posit a type of consequentialist moral argument, where, roughly speaking, both objective (actual) consequences, and subjective (intended) consequences can deem an actor morally blameless for acting corruptly (or otherwise immorally) (Railton 142-143). By this account, we can say that an actor committing corruption does not deserve blame if he both intends to bring about a net benefit to society and that, indeed, that benefit (or one greater) does occur. Suppose a state candidate is running against an opponent he knows to be a racist, sexist bigot, who, if elected, will impose policies that unfairly disenfranchise women and minority groups. Motivated primarily by his desire to prevent the bigoted candidate from having the power to impose such unjust policies, the first candidate goes about buying votes illegally. As a result of his illegal vote buying, the first candidate, wins the election, and prevents his bigoted opponent from ever having the power to implement the above unjust policies. It seems right (given these circumstances) to say that the first candidate acted in a way that was morally wrong - he acted corruptly. However, considering his intentions and the ultimate outcome of his actions, it does not seem right to say that he *deserves* blame - at least not from this more consequentialist view point.

Although sensible an account for moral blamelessness, some may not find an account like the one provided above to be very convincing. Some may reasonably hold that an actor, regardless of his intentions and the outcomes of his actions, is blameworthy by his *choosing* of his own free will to engage in an immoral act (T. Irwin, "Classical Philosophy"). On this view, the degree to which an actor has *autonomy* is primary in deciding whether or not the actor

deserves blame - good intentions and outcomes, then, turn out to be only secondary considerations.

The idea that autonomy is essential to the moral worthiness of an act is essential to this paper's primary argument. For, unlike the roughly sketched consequentialist account provided above, I base my claims for morally blameless corruption, not only on our intentions and/or the outcomes of our actions, but also on the degree to which external factors limit our ability to act autonomously. Specifically, I argue that the systems by which we are governed can force us to choose between serving the moral rights of others, or serving our own - that, therefore, such systems force us into wrong action, regardless of whose rights we choose to serve. My claims, if correct, should be of interest; for they imply that, given a reasonable view of morality, there are non-utilitarian moral reasons for excusing certain acts of corruption.

My paper is divided into three sections. I begin, in section one, by defining corruption for the purposes of this paper - emphasizing which elements of corruption are essential to it, and presenting corruption in its most paradigmatic form, bribery (S. Miller, "Corruption").

In section two, I present my claim that actors involved in corruption can be morally blameless. I begin here with a detailed enumeration of several key considerations that help to support my claim for the moral worth of system-induced corruption. I follow this by briefly demonstrating how faulty systems of government work to unjustly limit our autonomy. In this, I aim to show how formal office holders, under such systems, do not always deserve blame for responding to these set limitations with acts of corruption.

In section three, I respond to potential objections.

Section 1: Corruption

In this section, I define corruption for the purposes of this paper - emphasizing which elements of corruption are essential to it, and presenting corruption in its most paradigmatic form, bribery.

1.1: Defining Corruption

Corruption occurs when an actor intentionally and voluntarily deviates from the duties assigned to him by his office in some formal institution, for personal benefit.

1.2: The Essential Elements of Corruption

The above definition is formed of the essential elements of corruption. I enumerate and describe these essential elements below.

> The Holding of Office in a Formal Institution

For our purposes, corruption requires that one hold office within some formal institution. Formal institutions are those that are legally established, enforced, and monitored by the state (Alesina and Giuliano 6). These include government, corporate, and otherwise professional or academic institutions. An actor's office in a formal institution is his role or position in that institution. These include political offices like president or governor and non-political offices like college professor or financial advisor. Formal institutions are distinct from informal institutions. Informal institutions rely on enforcement methods not supported by the government, such as custom, tradition, and cultural belief. These institutions include family, friendship, and general citizenship. Deviation from the duties assigned by informal institutions is not corruption

for our purposes. Informal duties are significantly less demanded of one by the legal, moral, and social-normative forces grounded by the systems of government one lives in, and here such demand is key to our evaluation of the influence of government on individual acts of corruption.

Other authorities on corruption give a narrower set of corrupt actor criteria than the one I have described above. Transparency International defines corruption as “the abuse of entrusted power for personal gain” (Transparency International 3). The Edmond J. Safra Center for Ethics at Harvard University, in a recent study, defined corruption as “private gains in the form of cash or gifts by a government official, in exchange for providing specific benefits to private individuals or groups” (Dincer and Johnston, “Measuring Illegal”). Similarly, yet more simply, the World Bank Group defines corruption as “the abuse of public office for private gain” (World Bank, “Helping Countries Combat Corruption”). Indeed, many more authorities on the concept of corruption - the United Nations, the Supreme Court of the United States, and the United States Department of Justice, for example - also describe corruption in terms of the misuse of publicly accorded powers¹.

The recurring model of corruption, as per the authorities above, is one in which public individuals abuse their accorded powers in order to obtain some personal benefit. For convenience, I will call this model the Powerful Public Official Model (PPOM).

Although a widely held model of corruption, the PPOM overlooks a vast number of acts that are corrupt - namely, every case of corruption in which the involved actors are neither powerful, nor public office holders. For example, when an Olympic boxer throws a fight for money, this is corruption for personal gain. Similarly, when a witness accepts a bribe to testify

¹ *United Nations Handbook, Supreme Court, Foreign Corrupt Practices Act.*

² More on the role of voluntary action on responsibility is presented in Section 2.2

³ Bribery requires intent. Any rational individual would reasonable assume that the act of giving a gift to someone may cause its receiver to behave more favorably towards him. So if we

falsely in court, this is corruption for personal gain. In each of the aforementioned cases the actors are neither public officials, nor notably powerful. Yet, clearly, they have each engaged in a corrupt act.

For our purposes, the PPOM will not be advanced, with any significance, as corruption, in general. As I intend it here corruption will not require any involved actor to be powerful, nor will it require that one hold public office. Instead, corruption will require only that an involved actor hold a formal institutional role.

> Intentionality and Voluntariness

Corruption requires that one act intentionally. An actor must know beforehand that she is doing something illegal, immoral, or socially unacceptable in order for her actions to be corrupt. If she is unaware of the ills of her actions, she cannot be said to have acted corruptly. Furthermore, corruption requires that one act voluntarily. If an actor is forced, or otherwise coerced into acting, she cannot be said to have acted corruptly, although we might say the action she commits is, itself, a type of wrong action².

> Deviation from Duty

Corruption requires that an actor deviate from her duties, qua her office in a formal institution. For our purposes, duties are the legal, moral, or social-normative obligations assigned to one's office. For example, judges have a duty to abstain from such activities as illegal bribery, gross abuse of power or discretion, and the deliberate violation of the right of others. Duty is not, however, the general expectations which might be assumed of one's office. For example, a

² More on the role of voluntary action on responsibility is presented in Section 2.2

stockbroker might be *generally expected* to make returns on investments for his clients, but he does not necessarily have a *duty* to do so.

Here, I only consider serious deviations from duty as sufficient for corruption. These do not include mere acts of negligence or failure to use reasonable care. For example, the professor who skips out on her office hours to make time for an afternoon nap intentionally and voluntarily deviates from her normative institutional duty to be present for the office hours assigned to her. Moreover, she derives the personal benefit of rest. I do not consider this or similar instances of petty deviation to be corruption, for our purposes. Petty corruption might be worthy of significant consideration elsewhere, but here my focus will be on more reasonably serious deviations from duty for personal benefit. For example, police officers taking bribes to allow crime, or political candidates buying votes illegally to win elections.

> Personal Benefit

Corruption requires that one be *primarily* motivated to act by the expectation of deriving some personal benefit. Personal benefit is not limited to the benefits derived solely by the corrupt actor. Personal benefit includes all benefits enjoyed by anyone the corrupt actor intends to have benefit - family, friends, colleagues etc.

For our purpose, the personal benefits sufficient for corruption include monies or property. Sufficient personal benefits also include those which one might derive from the intrinsic values of sexual gratification, enhanced social status, the free exercise of power, and/or the pleasures that might come about from consuming certain substances.

1.3: A Paradigmatic Case of Corruption

In this segment I present corruption in its most paradigmatic form (bribery), illustrating how the essential elements of corruption play in this such case.

Bribery

Bribery is giving money, benefits, or gifts with the intention of altering the receiver's actions, decisions, or motivations³.

The archetypical case of bribery is one in which both the giver and the receiver are aware of the fact that the gift given to the receiver is intended to influence her actions - each actor agreeing (even implicitly) on some course of action that should follow from the giving (or promise of giving) and receiving of that gift⁴. Consider the example below.

Marley allows his friend, Ripley, a customs and border protection agent, to stay at his vacation house for the summer in exchange for Ripley's authorization for Marley to bypass all airport customs checkpoints in Ripley's country. If Ripley gives Marley such authorization and accepts Marley's offer to stay at his vacation house for the summer, and both understand that

³ Bribery requires intent. Any rational individual would reasonable assume that the act of giving a gift to someone may cause its receiver to behave more favorably towards him. So if we remove the condition of intent from bribery, then almost any kind of gift giving, by any rational individual, could be considered a potential form of bribery, merely because they hold this reasonable assumption. This is an unacceptable consequence. Many gifts are merely given out of custom, generosity, or perhaps out of appreciation for past actions performed by the present receiver. These kinds of gift givings should not to be considered forms of bribery simply because the giver is aware that the giving of the gift may cause the receiver to view him more favorably; the receiver's having a more favorable perception of the giver is nothing more than a mere result of receiving the gift; not the intended effect. That is, although the gift giver reasonably assumes the receiver will view him more favorably as a result of receiving the gift, he need not necessarily have given the gift in order to *cause* the receiver's favor upon himself. In essence, the gift giving in these cases are as an end, and not as means to an end. Gift giving, then, must be an intended means - not an end - in order for to be considered bribery.

⁴ The lesser model cases of bribery are those in which only one of the engaged actors (giver or receiver) expects that the gift is part of a non-genuine exchange.

Marley's offering the use of his vacation house is meant to influence Ripley to grant checkpoint bypass authorization to Marley, then the two have engaged in a model case of bribery⁵.

As a customs and border protection agent, Ripley holds office in a formal institution - namely that of government. Moreover, Ripley has a duty to abstain from accepting illegal bribes in exchange for unwarranted security checkpoint clearances. By intentionally, and voluntarily accepting the terms of Marley's bribe - a bribe from which Ripley intends to personally benefit from - Ripley has engaged in a paradigmatic case of corruption by bribery.

Now, although paradigmatic of corruption, bribery is not its only significant form. Other forms of corruption include the abuse of discretion or power, nepotism, theft, misuse of public resources, and coercion. Bribery alone, however, will suffice in conveying the primary point of my thesis. For the remainder of this paper, therefore, I will only discuss corruption in the form of bribery.

⁵ It is necessary, here, that Ripley gives Marley authorization *primarily* because he has received a gift in exchange for said authorization. If Ripley gave Marley such authorization for some other unjustified, non-gift related reason, then the act could perhaps still fall under the category of corruption, and still not necessarily be a bribe, per se.

Section 2: Morally Blameless Corruption

In this section, I present my argument for morally blameless corruption. I begin with the central claim of my thesis, followed by a detailed enumeration of its key considerations. I then explain how the systems of government under which an actor lives can impact the moral worth of an actor's actions such that the actor can be morally blameless for acting corruptly.

2.1: Central Claim

Actors engaged in corruption can be morally blameless for their actions when the system of government under which they've acted has forced them to choose between respecting the moral value of others (and thereby disavowing their own), or respecting their own moral value (and thereby disavowing that of others). The following key considerations, I believe, give license to this claim.

2.2: Key Consideration 1: Worth, Desirability, and Intent

My argument demands consideration of three distinct dimensions of morality: Moral Worth, Moral Desirability, and Moral Intent. Below, I define each dimension and indicate how moral desirability and moral motivations can influence the moral worth of an action.

Moral Worth

The moral worth of an action is the extent to which the actor deserves moral praise or blame for performing the action - the extent to which the action speaks well of the performing

actor (Arpaly 224). On the whole, moral worth concerns our moral attitude toward an *actor* for having performed action X.

Moral Desirability

The moral desirability of an action speaks to the action itself, and is a measure of the extent to which the action alone is morally right or wrong (Arpaly 224). On the whole, moral desirability (rightness/wrongness) concerns our attitude toward an actor's action X. *Moral wrongness* and *moral rightness* are subcategories of *moral desirability*; I will use each interchangeably.

Moral Motivation

The moral motivations of an action are the primary influences behind the actor's performing an action - they are the actor's incentive, or reason for acting.

Desirability and Motivation on Worth

The moral motivations behind an actor's actions effectively influence the extent to which the actor deserves moral blame/praise for performing the act (Arpaly 224). Even when two acts are equal to the extent that they are equally morally wrong for actors to perform, the moral blameworthiness for performing each act can nonetheless be different, depending on actor's moral motivations for acting. For example a mother who steals to feed her starving children may deserve less moral blame than the thrill seeker who steals out of mere contempt for the law.

Similar to moral motivations, the moral desirability of an act effectively influences the extent to which one deserves moral blame/praise for performing an act. For example, we might say a person deserves greater moral blame for murder than he would for theft - murder is to a far greater degree more morally wrong than theft, even if the motivation is the same⁶.

Desirability and motivation both individually influence moral worth, but also influence each other in doing so. An actor performing a morally right act may not necessarily deserve moral praise if his motivations for acting are morally shabby (Schapiro 41). We might say that giving to charity is a morally right action, but that a person who gives to charity can still be undeserving of moral praise, if he is doing so for the wrong reasons. The politician who gives money to charity, solely because he thinks that doing so will make voters look more favorably towards him, might not be said to be morally praiseworthy for his actions. Conversely, an actor performing a morally wrong act may not necessarily deserve moral blame if his motivations are morally sturdy (Schapiro 41). We might say it is morally wrong to break the law, but that a person can still be morally blameless for breaking the law if he does so for the right reasons. For example, an actor might not be said to deserve moral blame for stealing car keys from a drunken friend to prevent him from driving drunk⁷.

⁶ I confess that this assumption is based on, what I believe to be, a more common sense view of moral desirability. Although some might argue that each is equally bad, or more controversially, that theft is worse than murder, I hold, what I believe to be, the more widely held view that it is worse to kill someone than it is to steal from them. Also, my assumption here is only meant to apply to cases of theft and murder that end *only* in said theft and murder, respectively. If stealing vital medication from ten people leads to those people dying, it might be the case that theft is worse than murder, if said murder ends in, say, five people dying.

⁷ I assume it is mostly the case that the taking of property without the owner's consent is illegal, even if temporary, and even if done to prevent others from breaking the law.

2.3: Key Consideration 2: Personal and Interpersonal Moral Obligations

In addition to the considerations above, my argument demands consideration of personal and interpersonal moral obligations. Below I explain what each of these obligations means, for our purposes, and submit why each is arguably of equal moral value as the other.

Interpersonal Moral Obligations

Interpersonal moral obligations are those we have to other people - our obligation to behave in a way that is morally good in relation to others. There are two accounts of such obligations. The more altruistic, and perhaps less stringent, account of interpersonal obligations suggests that we have an obligation to act morally for the benefit of others, even if we ourselves are harmed as a result (Eshleman, 2014). We tend to view the firefighter who dies in service as a “hero”. The monk who suffers persecution and death while advocating for religious freedom, we view as a “martyr”. Similarly, the soldier who jumps on a grenade to save his brothers in arms is given a title of moral merit for his self-sacrifice. The assumption that morality is a matter of selflessness is perhaps a strong one, and I will make no attempt to justify it here. It is, I suspect, widely held, nonetheless, and therefore worthy of our attention.

A slightly less altruistic, yet more stringent interpersonal moral obligation we have is to respect the moral rights of others⁸. Some of these rights are basic human rights, which one may qualify for by merely “being a human”(Hill 93). Others are more conditional, and include the right to just compensation for one’s labor, or the right to ownership upon one’s just acquisition of property. Where the earlier account of interpersonal obligation suggested we actively bring

⁸ In asserting that this second obligation is the more stringent of the two, I mainly suggest that it is the more strictly binding of the two as its essence applies even for the first obligation. If we are obligated to act morally for the benefit of others, this would include us acting in such a way that respects their moral rights.

about moral good for others, this account suggests simply that we not interfere with, violate, or have disregard for their moral rights. I suspect this last account of interpersonal moral obligations is far less controversial, and more widely accepted as a general principle of morality. For our purposes, an actor not meeting his interpersonal moral obligations has done so by this account - he has interfered with, violated, or held disregard for the rights of others.

Personal Moral Obligations

Personal moral obligations are those we have to ourselves. There are two accounts of such obligations. The more selfish, and perhaps less stringent, account is that we have an obligation to produce good for ourselves; to act in such a way as to bring about our own happiness (Eshleman, 2014). By this account one should (within reason) regard oneself above others, and seek to promote one's own wellbeing first and above all. I do not wish to justify the assumptions of this account here, as they are quite controversial, and mostly irrelevant to this paper. We can suspect, nonetheless, that they are widely held.

Perhaps less selfish, and more stringent an account of personal moral obligations is that we recognize and respect our own moral rights. Where the first account suggested we actively bring about moral good for ourselves before others, this last account simply suggests that we have an obligation of self-respect - that we recognize our equal status under the moral law (Hay 25). This account of personal moral obligations is far less controversial than the first, and more easily acceptable as a general principle of morality. For our purposes, an actor not meeting his personal moral obligations has done so by failing to recognize or respect his equal status under the moral law.

Thomas Hill provides a rather helpful account of personal moral obligations in his paper, “Servility and Self-Respect”. He argues that an individual has failed to respect himself when he fails to acknowledge that he has certain basic moral rights, or fails to value those rights properly - Hill calls such individuals “Servile” (Hill 89). According to Hill, “A person who fully respected a system of moral rights would be disposed to learn his place in it, to affirm it proudly, and not to tolerate abuses of it lightly (Hill 99).” The servile individual, therefore, proves indifferent to morality, in that he denies that he has (or deserves) equal moral standing with others. On the whole, servility is morally objectionable not in that it involves the failure to properly respect others’ equal status under the moral law, but rather our own.

Although Hill doesn't say so explicitly, we might interpret part of his argument to imply that we have an obligation to ourselves to accept no less than we justly deserve. For, it seems reasonable to assume that one’s accepting less than one deserves demonstrate one’s toleration of the abuse of one’s moral standing. From this, we could reasonably conclude that respect for a system of moral rights demands that we not tolerate, or accept, less than we deserve.

Now, there may be some exceptions to this obligation for *non-acceptance*. For instance, we might not be said to have ignored the obligation in conditions where obtaining what we deserve might be virtually impossible, or where the personal cost of allocation greatly outweighs the personal benefit. Moving forward, we shall assume that Hill’s argument for self-respect is correct, and that the implications I have proposed here do indeed follow from it (barring the above exceptions). The following is a general outline.

- *Accepting less than one deserves* is a species of *tolerance for the abuse of one’s moral standing*. *Tolerance for the abuse of one’s moral standing* is NOT *respect for a system of*

moral rights. Therefore, *accepting less than one deserves* is NOT *respect for a system of moral rights*. -

Note: For our purposes, *accepting* less than one deserves means *not acting* in response to having received less than one deserves. For our purposes, therefore, the obligation to not accept less than one deserves entails an obligation to *take action* to secure what one deserves. This includes, but is not limited to, reporting one's claim of desert to the appropriate authorities (law enforcement officers, for example), personally confronting one's transgressor(s), or actively seeking alternative means of resource allocation. Acting to secure what one deserves does not include one's merely taking offense or internally objecting to receiving less than one deserves, nor does it include reporting one's claim of desert to individuals incapable of taking effective action on one's behalf. Such measures do nothing to serve our interest in actually obtaining what we deserve, and, therefore, should not be seriously considered as sufficient to meet our obligation to accept no less than what we justly deserve.

The Equal Stringency of Personal and Interpersonal Obligations

Personal and Interpersonal obligations are equally stringent. In maintaining this contention, I draw from a Kantian account of self-respect derived by Carol Hay.

According to Kant, we should act so as to treat our own humanity, as well as that of others, as an end, "never merely as a means" (Kant 4:429). Roughly speaking, this means we must respect the moral worth and rights of all people (including ourselves), and respond to those rights accordingly. This is grounded in our having *Rational Nature*, which exists as an end in itself. Each of us, so long as we are rational, should conceive ourselves of having rational nature,

which endows upon us a value that requires we be treated as an end and never merely as a means (Hay 22). Our personal and interpersonal moral obligations, then, are part of a more general obligation to recognize and respond accordingly to rational nature wherever we find it - whether in ourselves, or in others (Hay 22).

If Kant's formulation is correct, and we are all intrinsically and equally valuable by our having rational nature, then it is the case that we should have equal respect for ourselves as we have for others; for each, our respect is ultimately toward rational nature. Now, one need not accept the above Kantian formulation of moral equality for one to hold the view that there exists an intrinsic value in humanity that accords us special and equal moral standing. In fact, I assume, this more general view is already widely held, even if not so formally understood. I do not wish to justify, or explicate upon any other grounds for which we are morally obligated to ourselves as much as we are to others; this task is especially unnecessary for our purposes.

2.4: Key Consideration 3: Autonomy

The last consideration my argument demands is of the ways in which autonomy (or freedom to act) influences moral worth. I argue here that one cannot be blamed for the result of actions one was forced to commit. Moreover, I argue that even when given a certain degree of autonomy, an actor can still be blameless for bad action when said action is performed within a "blind alley".

Autonomy

I use a more common sense account of autonomy, defining it generally as freedom in self-governance; autonomy is having authority over yourself and your actions, in that only you

are in control of those actions (Christman, 2015). One's being autonomous, however, does not necessarily mean one is limitless in one's freedom to act. Physical limitations like hunger, thirst, and the need for air limit our autonomy, in that we cannot choose to live without food, water, and air. Psychological limitations like addiction, depression, and love limit our autonomy in that we might be strained in our ability to choose to stop smoking tobacco, to enjoy the company of others, or to get over the loss of a loved one. Several other general limitations, including resource limitations, and intellectual limitations add to the numerous ways in which our autonomy can be limited. For our purposes, autonomy requires, at least, a reasonably minimal degree of self-governance, and takes into account the general limitations described above.

Moral Worth and Voluntary Action

I borrow from Aristotle in arguing for the blamelessness of actors performing non-voluntary actions. On his account, one is an apt candidate for praise or blame if and only if the action and/or disposition is voluntary (Aristotle 1110a-1111b4). Moreover, for an action to be voluntary, it must begin with the actor (not from some compelling external force), and the actor must know what he is bringing about through the action. On the whole, therefore, one is only blameworthy for an action if he has acted freely and knowingly. Our position here seems rather simple, and in little need of support to secure reasonable plausibility. However, a few examples may help to strengthen it.

That moral blame requires voluntary action turns merely on a common view that it would not be right to blame someone for something he could not help doing (either by his inability to resist external compulsion, or his ignorance). Consider the following example involving external compulsion. Suppose Berkeley is walking to work, when he is pushed unexpectedly into the

street. To avoid hitting Berkeley, several drivers swerve around him, consequently crashing into other cars. Although the accidents were technically *caused* by Berkeley's being in the street at the time, it wouldn't be right to say that he *deserves* moral blame for causing the accidents - he had no reasonable choice in the matter.

Consider, now, an example of non-voluntary action, involving ignorance. Suppose after the car crash incident, Berkeley makes it to work, where he is required only to adjust the building temperature, according to the majority preferences of the other workers - this is done merely by turning a dial to the desired setting. Now suppose further that Berkeley has an evil coworker, who, unbeknownst to him, has altered the wiring of the air conditioning system so that in addition to changing the air temperature, it also remotely activates a machine that crushes puppies in a nearby town. Technically speaking, Berkeley is the *cause* of each puppy being crushed, but again, it does not seem the case that he *deserves* blame for his actions.

Now, I recognize there are certain exceptions to the blamelessness of actors performing out of compulsion and ignorance. These generally include things like one's having a reasonable expectation to know the consequences of one's actions, and one's being reasonably able to resist external compulsion (Eshleman, 2014). Such exceptions need not be enumerated and explicated upon much more, however, for our purposes - they do not properly apply in the subsequent cases presented in this paper.

Blameless Autonomy and the "Blind Alley"

In moral philosophy, autonomy is a factor often central to moral responsibility (Buss, 2014). Aristotle, through the account provided above, offers one example. Indeed several other moral philosophers, including Kant, Robert Wolff, and Paul Benson, have authored accounts on

moral responsibility that place moral blame (or praise) wherever autonomy is present (Buss, 2014). Below, I attempt to draw out an account that makes an exception for autonomous actors, suggesting that given a certain degree of autonomy, an actor can still be morally blameless in performing wrong action.

In maintaining this contention for blameless autonomy, I borrow from Thomas Nagel's concept of a "moral blind alley". On Nagel's view, an actor can be forced, through no fault of his own, to behave in a way that is insufficiently justified (Nagel 74). That is, forces outside of an actor's control can effectively drive an actor into a position where any action he takes would be wrong. For example, if a gunman commands an actor to shoot an innocent person in order to save two other innocent people, the actor would be in a position in which any action he takes would be wrong. On the one hand, the actor could kill one innocent person, saving two innocent people. This would be wrong for him to do, at least from a Kantian perspective, from which it would have been wrong for the actor to even lie to save the two innocents. On the other hand, the actor could choose not to shoot anyone, allowing the two other innocent people to be killed. Shelly Kagan argues this action would be wrong as well - if it is "horrible" for one person to be murdered, then surely two people being murdered is worse (Kagan 366).

The example above, illustrates blameless autonomy, so based from a two-perspectives approach to the dilemma. The first perspective, I shall call, "internal". This perspective looks to the specific actions an actor can make, given his circumstance. In the example above, our actor can *shoot an innocent person* or *allow two innocent people to die* - these are the options available to him from the internal perspective. The second perspective, "external", looks more generally to whether the actions available to an actor are morally right or morally wrong. In the example

above the actor can only *do wrong* - this is the only option available to him from the external perspective.

- My two-perspective approach to blameless autonomy might be more tightly understood with an analogy. Envision yourself in a nearly empty room, where only a single black box rests at the center. The box reads “black-colored shapes”, and inside the box are *only* black-colored shapes - black triangles, black circles, black squares, black rectangles, and black ovals (among other black-colored shapes). Suppose now that you are to choose an item from within this box. From one perspective (internal), you maintain a certain degree of autonomy in that you have the freedom to choose between several different particular shapes. However, from a more general perspective, you have no autonomy in that you no choice but to choose a shape that is black. In instances of blameless autonomy, moral actors find themselves under similar circumstances. The actions available to them come in several “shapes”, while, however, only coming in one “color” - namely, “wrong”. -

From the internal perspective of the above gunman dilemma, the actor maintains a certain degree of autonomy - he has the freedom to choose, for himself, which specific action he should take; he is not forced to go one way or the other. However, from the external perspective, the actor has no freedom in that he can only choose to do wrong. For the above case, the internal perspective allows the actor autonomy, while from the external perspective he is, in effect, forced into wrong action. Hence, the actor here, although autonomous, is nonetheless without desert of blame (regardless of what he chooses); for he has no option to do right.

2.5: Governmental Systems on Moral Blamelessness

Governmental systems often have significant regulatory, executive, and legislative power over the states they govern. Moreover, they often legally enforce, monitor, and authorize the establishment of the formal institutions within the state. Aside from these more legal aspects of control, however, governmental systems can also influence individual office holders such that they are significantly limited in their ability to adhere to certain moral principles. More specifically, these systems can place their formal office holders in a position where they are forced to choose between respecting the moral rights of others (and thereby disavowing their own), or respecting their own moral rights (and thereby disavowing that of others). How faulty systems can create this dilemma for formal office holders is illustrated in the following example.

Mr. O is a professor at a public university under a corrupt governmental system. Because of the grossly irresponsible actions of his polity's heads of state (their using public funds selfishly and unjustly), Mr. O, and his fellow faculty members often go weeks without pay, and many times, if they are paid, the amount is short of what they justly deserve for their services. In addition to depriving Mr. O and his colleagues just compensation, the rampant misuse of public funds by Mr. O's heads of state has also lead to a significant reduction in the number of available alternative job prospects for Mr. O. Indeed, the job market is so poor that he would be better off continuing as a poorly compensated professor, than he would be if he went searching for other justified means of income. Left with no just means of obtaining the compensation he deserves for his service, Mr. O finds himself in a blind alley - he can either ignore his own interests, accepting his oppression and continuing to serve his oppressors for less than he deserves, or he can go about serving his own interests, although by unjust means. Said more generally, Mr. O must decide whether to respect the moral value of others (disregarding his own), or respecting his own

moral value (disregarding that of others). Suppose, now, that Mr. O chooses the later, deciding, specifically, to go about serving his own interests corruptly - accepting money from his students for grades.

From the internal perspective, Mr. O maintains a certain degree of autonomy - he could choose among a wide number of actionable approaches to servility or opposition. However, from the external perspective, Mr. O is in a blind alley - he could only choose to do wrong. Now, solely, from the internal perspective, Mr. O, might *deserve* blame in that he has *chosen*, by his own will, to engage in bribery. But from the external perspective - a perspective from which he is *forced* to do wrong - Mr. O is relieved of such desert. Hence, our actor, although autonomously engaging in an act of corruption, remains morally blameless.

Note: It might be right to assume that even when one is forced into a blind alley, one might still deserve blame for choosing to do what is most obviously wrong for him to do. For example, if forced the option to lie to a friend or to kill a friend, it seems clear that killing a friend is so obviously more wrong than lying to a friend that one might not be excused from moral blame for choosing the former. If this assumption is right, and bribery is quite obviously more wrong than any of the other wrong actions Mr. O would be left to perform, then it seems Mr. O (and anyone else who chooses to engage in bribery under the above circumstances) *deserves* blame. However, it does not seem the case that bribery is so obviously more wrong than those other wrong actions. On the whole, bribery is wrong. However, it is unclear (under the system-induced circumstance described above) whether it is so wrong as to warrant classification as especially bad among other means of wrongdoing.

Section 3: Objections & Responses

In this final section, I respond to three key objections. The first two objections underscore what may appear to be obvious flaws in my argument. The third and final objection challenges my argument by offering reasons for why it should not be advanced to begin with.

Objection 1: Corruption as harmful to society in general.

This objection aims to emphasize the overall effect corruption has on society. Ultimately, when an individual engages in corruption, he is not only responsible for harming the individuals directly affected by the act, but the society in general, which, down the line, will be affected indirectly. The power behind this objection lies in its potential to allow blame into blind alleys, where the action chosen is quite obviously significantly worse than all other available actions.

So, suppose Mr. O were a medical professor. If he took cash for grades and passed students who never learned the material, these students might go on to be incompetent doctors. Similarly, if he were an economics professor, he would be opening the gate for incompetent economists to take jobs in banks and other financial institutions. The negative societal effects of these are clear. His medical students would likely do little to improve the health of ill patients, and worse, they might likely cause further harm to patients. His economics students would likely do little to positively affect the private financial institutions they work for, and worse, they might severely negatively affect local or national economies, as public sector employees.

Adding more to the objection, I concede that the above are not just hypothetical outcomes of classroom corruption, but actual ones. According to a global survey on classroom corruption by Transparency International, one in six students has had to give money or sex to their

teachers in exchange for grades, or, in effect, paid for their academic and professional certification by enrolling at “diploma mills” (Transparency International 126). Some of these students have gone on to take jobs in highly sensitive positions - in one instance at a nuclear power plant, another with the US Department of Health, and another with the CIA (Transparency International 126).

This objection is worthy of serious consideration; for it even applies to several other types of corruption beyond just classroom corruption. Moreover, the objection takes the rather plausible position, considered earlier, that even when one is given no option to do right, one should opt to do what is least wrong. However, the objection seems to rely too heavily on the potential consequences of corruption, and therefore risks falling into support of corruption whenever its consequences are better for society as a whole. Suppose for example, Mr. O were to never bribe students for grades. In fact, suppose Mr. O did nothing in response to the oppression he underwent as a servant of corrupt government. It would seem that in doing so, Mr. O might actually promote the acceptance of oppression, in that, through his actions, he says, “There is nothing I can do about my situation. I should just accept it, and act accordingly!” Now, I suppose the type of behavior Mr. O displays in this case could potentially be more harmful to society than that of the original case (where he acts corruptly). Upon seeing that Mr. O has accepted his oppression, many others, including his students, family members, and members of his community may come to accept their oppression as well - even those not directly influenced by Mr. O’s behavior may be influenced indirectly by those who are (Hampton 8). I suspect that such wide acceptance of oppression might be worse for society, to some degree, than having a few incompetent workers entering the work force. If I am right here, this first objection is rather weak as a response to the moral excusability of corrupt actors; for it, in some instances, supports

corrupt action. So insofar as the objection might work to permit blame into blind alleys, it also works to forbid it.

Objection 2: Formal Office Holders Deserve Blame for Corruption; for they Voluntarily Undertake Not to Act for Personal Benefit Contrary to the Rules.

Formal office holders, before taking office, have voluntarily undertaken not to act corruptly. Even if it is the case that they are corrupted by the system they live in, it is ultimately their choice to take office in that system to begin with. By remaining within the system, and voluntarily undertaking to operate within it, they virtually consent to the workings of the system, and in this way deserve moral blame for the immoral acts they commit within the system.

Under certain circumstances, the above objection is rather powerful. For example, consider a case in which someone is given the option to make do for himself in either a just society, or an unjust society. If he chose to make do in an unjust society, we might not say that he is morally blameless for acting unjustly within that society, even if the society itself is the cause of his unjustness - the actor had/has a choice to live in a just society, and he chose/chooses not to; for this he is morally blameworthy for all he does in the unjust society.

David Hume, in his argument against the social contract, anticipated an objection similar to the one presented above. I borrow from Hume in my contention that one's living under a particular system does not entail that one has volunteered (or even consented) to live there. People are often born (or taken as young children) into the systems within which they currently live; for this it cannot be rightly said that they have volunteered to live in such systems - we would not say a baby has volunteered to live somewhere by his being born there, nor would we say a young child has volunteered (or given his consent) when he goes with his parents to a new city, state, or country. Furthermore, it need not be the case that if someone remains within a

particular system, they have volunteered (or offered their tacit consent) to remain within, and accept the nature of the system that they live. For those without the means to leave, nor the knowledge or skills to do so, their remaining within an undesirable system is by necessity, not choice (Hume II.XII.23). Hence, the assumption that one's operating under a particular system is voluntary (as the above objection suggests) is mistaken, where such circumstances apply.

For the types of corrupt actors I have advocated for in this thesis, the option to leave their current systems is not an optional at all – many lack the skills, language fluency, and resources to do so. For these such actors, the objection presented here does not properly apply.

Objection 3: Need to Cultivate a Culture of Anti-Corruption

The imagined view behind the objection presented here is advanced as follows: “We can improve upon society significantly by simply cultivating a culture of anti-corruption. Offering reasons for excusing corruption [as I have here] does little or nothing to help in that effort. Furthermore, it seems to justify corruption which in effect works to foster and promote corruption as something we as a society should accept, and even endorse - this, as a result, is simply unacceptable.”

Now, I agree that in order to make the kind of changes necessary to improve upon society and culture, in general, we should avoid efforts to justify immoral, or avoidably harmful aspects of society and culture, such as corruption. Moreover, I believe that we should never accept or act to promote such immorality and avoidable harm. In conceding this, however, I do not suggest that my argument should be rejected for working against the cultivation of a culture of anti-corruption.

Generally, my argument is that actors involved in corruption are blameless for engaging in corruption when the systems around them seriously limit their ability to act alternatively. Formal institutions are legally established, enforced, and monitored by the states they subsist within. When a state establishing, enforcing, and monitoring such institutions is itself corrupt, it leaves many of its formal office holders unjustly compensated, unlawfully disadvantaged, and without reasonable means for rightly ameliorating these ills forced upon them. In response, formal office holders, strained in their ability to provide support for their families, community, and themselves, act corruptly to secure such provisions.

The causal relationship between corrupt societal/governmental systems and the resulting corruption of lower-level office holders is made obvious by my argument for morally blameless corruption. My argument, therefore, works not so much as a justifier of corruption, but more so as an identifier of its causes. The source of morally blameless corruption is the systems that induce it, and just like any social issue, it is critical to eliminate the source of the issue, if we aim to effectively alleviate the issue itself. We must begin, however, by identifying the cause, and my argument does this directly. In this way, my argument for morally blameless corruption functions to promote and foster a culture of anti-corruption.

Now I do not suggest here that eliminating upper-level systems corruption will eliminate all corruption at every subsequent level - people often act corruptly out of mere convenience, lack of information, or malice, even when the system they live in has not limited their ability to obtain the benefits for which they have acted corruptly to begin with. What I do suggest is that eliminating upper-level systems corruption can significantly reduce corruption at lower-levels - at least where such lower-level corruption is induced by that at the upper-level.

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