

CORRUPTION VS. CHRISTIAN ETHICS

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“ The love of money is the root of all evil things, and there are some who in reaching for it have wandered from the faith and spiked themselves on many thorny griefs” (*1 Timothy, 6:10*)

Introduction

This article is an integral part of a larger inquiry on the subject drawing on the related fields of knowledge without which it is impossible to identify the ongoing problematics and unknot its intertwined intricacy. However, it tends to dwell more on the two basic issues underlying the subject matter. In various contexts they are termed differently: secular vs. sacerdotal; lay vs. ecclesiastical; mundane vs. clerical, or, say, material vs. spiritual. The “material” aspect, admittedly, has won the competitive edge over the “spiritual” one in that it has brought about the opening of Pandora’s Box with all the abundance of severe and far-reaching consequences therefrom. In fact, the juxtaposition blade between the two has got somewhat blunted over time. Now, in an effort to put some edge on it, we shall attempt to reinstate the proven and infallible remedy: Christian Science.

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Background

The starting point for these lines is the circumambient reality that the corruption, primarily in the so-called developed countries, poses a risk of transforming into a systemic one or, to make things worse, can *dominate the existing value system whose surety is said to bear the state*.

Corruption has had a profound and well-documented impact on security: “The cost of corruption is four-fold: political, economic, social, and environmental. On the political front, corruption constitutes a major obstacle to democracy and the rule of law...Economically, corruption leads to the depletion of national wealth...It undermines people’s trust in the political system, in its institutions and its leadership... Environmental degradation is yet another consequence of corrupt systems.” *“Frequently asked questions about corruption”, Transparency International, Accessed 12 May 2011, http://www.transparency.org/news_room/faq/corruption_faq.*

Corruption has apparent destabilizing effects for nations and their security. The impact is manifold and includes, for example: “Leakage of WMD technology, trafficking and further proliferation is facilitated by systematic corruption, the presence of organized criminals and terrorists, poor governance, lack of territorial control and state failure, all of which are associated with instability. *“Corruption and Bribery: National Security Impacts”, Campaign Against Arms Trade, Accessed 12 May 2011, http://www.controlbae.org.uk/background/national_security.php; Ultimately this situation can progress into a state failure. For some states, even great powers, corruption has reached pandemic conditions and appears to be beyond management (see references to publications on Spain, Germany, Russia, and USA later in this article).*

The bane of corruption

Corruption in the public sector as competing with that of the private one should be viewed as a patent challenge to the existence of any political system with its legal, moral, social domains. It poses a direct threat to the national security.

Typically, the Law of most European countries, as experts claim it, does not provide for the specific penal types of the corruption. This should be explained through stipulations for a series of punishable behavior ranging from active and passive bribe to collusion and money laundering. Understandably, piling up all these clauses into one single provision on the corruption would not technically facilitate the desired outcome of combating this baneful social vice. In terms of the public sector the corruption-related crimes can be divided into: capital and lateral. The former typically include *crimes against the obligation of impartiality, bribery, conflict of interest, and collusion*. The latter contain *administrative and judicial prevarications, embezzlement of public funds, and fraudulence*. These felonies in turn fall into multiple variations geared to the needs of the penal and other codes entailing unnecessary hairsplitting which substantially thwarts the implementation thing.

Some scholars believe adequate review of the overall criminal doctrine has to be in place. Hereby the following changes are encouraged: *correct definition of the types of transgressions; adequate punishments, effective execution that will be conducive to both general and specific prevention, and a procedural system which would except impunity*.

The legal experts almost unanimously believe that international instruments handling this matter lack the precise and coherent formulation of what corruption is. Both the OECD Convention on Fighting Corruption in International Commercial Transactions, signed on 17.12.1997, as

well as the UN Convention against Corruption (31. 12. 2003), do not provide any rationale of the corruption. The same applies to the respective provisions of the EU. Though the European law, in its Frame Resolution 2003/568/JAI, stipulates it as an offence subject to sanction, drawing thereby on the antecedent acts: Convention of 26.01.1997 on Fighting Corruption by the Functionaries of the European Communities or Member States of the EU; article 29 of the Maastricht Treaty (1992, Niza, 2002) or art 83 of the Lisbon Treaty (2007),-- it however , does not furnish a *legal definition of corruption*. Much more worthwhile in terms of preciseness, allegedly, is the Convention by the Council of Europe on Penal Punishment of Corruption adopted on 27.01.1999.

Formulation of Corruption

When defining Corruption one has to take into account the components like societal, cultural and governance norms and values.

“The Anti-Corruption Plain Language Guide”, Transparency International (July 2009): 14 provides this definition: “Corruption involves behavior on the part of officials in the public sector, whether politicians or civil servants, in which they improperly and unlawfully enrich themselves, or those close to them, by the misuse of the public power entrusted to them.” The Korean Independent Commission against Corruption supports this contention: “any public official involving an abuse of position or authority of violation of the law in connection with official duties for the purpose of seeking grants for himself or a third party” – “Corruption: A Glossary of International Standards in Criminal Law,” OECD (2008): 21-23. As does the Asian Development Bank – “Definitions of Corruption”, Asian Development Bank, Accessed 12 May 2011, <http://www.adb.org/documents/pol>

The shortest available definition of corruption is again delivered by TI: “The abuse of entrusted power for private gain.” According to the World Bank, for policy purposes corruption can be best understood as: “The abuse of public office for private gain.” The Organization for Economic Cooperation and Development notes that in criminal law no single definition exists but establishes “offences for a range of corrupt behavior”. *“Corruption: A Glossary of International Standards in Criminal Law,” OECD (2008): 21-23.*

The stumbling block in this regard appears to be the ineffective persecution which in turn results from the inadequate implementation mechanisms. But this again would not have happened, had a relevant legislation been in place.

What lawyers can technically assert is in reality wanting and repetitive, because they themselves are bound by the limits of the acting law and do not have any tangible resources to change the situation. Lawyers are good at commenting the drawbacks or even blunders of the existing legislature, but rarely are they willing to pitch in and change things for the better. Why is it that way is a thrust of a different and much more voluminous study. Still the maxim once coined by Jeremy Bentham could be fairly applicable to the entire caste of lawyers of all times and nations. He regarded the jurisprudence as the “Art of being methodically ignorant of what everybody knows”. (W. Seagle, *The History of Law*, NY, 1946, p24). But, as the author pointedly notes, there is no law requiring lawyers to cultivate such ignorance. (Ibid).

Indeed, the legislator seems to be oblivious of the fact that a bribe, public or private, is a manifestation of a grave deed affecting the very root of the juridical and economic system, and certainly challenging the quality of the democratic values. The corruption should be viewed as a sys-

temic perturbation of such a critical degree that the system desists from functioning on the constitutional level hence incurring undisguised threat to the very existence of the state *along with the national security*. Again the inference is that without due juridical formulation of corruption contained in the Criminal Code considerably frustrated are both prosecution and prevention of this offence. The concept has to be **tenable, coherent and consistent** with the law-making precepts so that necessarily it can represent the source of reference for the law-enforcement authorities towards adequate legal sanctions. Furthermore, the issue is bifurcated because as yet there is no uniform concept of corruption applicable for the private and public sectors alike. Obviously, a private bribery is largely an economic, a business thing while public corruption engages a pivotal component of sociopolitical responsibility cause it is based on the institution of social representation which connotes accountability before the society. Failing this accountability, the society is entitled to remedy its moral and economic detriment in a legal way. And not only.

NOTE. Mostly, at such troubled a point the positive law as the bedrock of market-based society gives under, and the natural custom, as a more viable regulatory means premeditatedly ousted by the positivistic state out of socio-legal circulation, comes to the forefront again with its historically tempered mission: a revolution. Caught at this interplay between law and custom, society sees itself bound to have recourse to this irreproachable, though sanguinary, leverage which always proves a godsend in that it always guarantees the mutual settlement to all parties involved in this public transaction under the title “the state”. *“A revolution may be defined as the suspension of the custom of obedience. A new state is always established illegally” (W. Seagle, the History of Law, p. 23)*. This is exactly the point where legal assumes its illegal image.

The logical inferences from the above considerations are as follows:

1. Corruption thrives in societies where state is incapable of handling its genuine tasks (mostly representative institutions endorsed by the Fundamental Law)

2. The international community committed to fighting corruption should not be carried away with the illusion that fact-finding activities (bugging or similar recording of bribe-taking scenes and all) will somehow relieve the real-life societal run of things. The now very much in anticorruption community (AC), by so doing, will only benefit the existing pro-corruption culture because as long as the law stays unperceptive of this evil, the partisans of bribery, with each new scandal, will surely enjoy yet another free commercial. Why law does not beat corruption will be shown further on. For such is the mankind: it is easily addicted to achieving goals easily. However, this should be viewed as something more fateful than one could take at a face value, namely the state has yielded its regulatory leverages to unauthorized rulers, e.g. supranational corporations (again we confront with a feeble representative institution). Incidentally, how devastating the aftermath of their activities is, is amply evidenced in the respective section of a marvelous manual by *William Richter & Frances Burke, A Practical Guide to Management Ethics (pp 52-56)*. In other words, the state has lost its authority—that is the name of the game.

In this respect a scintillating observation is made by an eminent political scientist S. P. Huntington: *“While states remain the primary actors in world affairs, they are also suffering losses in sovereignty, functions and power. International institutions now assert the right to judge and to constrain what states do in their own territory. In some cases, most notably in Europe, international institutions have assumed*

*important functions previously performed by states, and powerful international bureaucracies have been created which operate directly on individual citizens. Globally there has been a trend for state governments to lose power also through devolution to sub-state, regional, provincial, and local political entities. In many states, including those in the developed world, regional movements exist promoting substantial autonomy or secession. State governments have in considerable measure lost the ability to control the flow of money in and out of their country and are having increasing difficulty controlling the flows of ideas, technology, goods, and people. State borders, in short, have become increasingly permeable.” (S. P. Huntington, *The Clashes of Civilizations and the Remaking of World Order*, 2003, p.35)*

Largely, this matter requires a more profound study of law, religion, ethics, political science, psychology, and possibly other interdisciplinary areas of knowledge because it is rather polifacetical and very sensitive. Yet how much more efficient the anticorruption campaign would be if, instead of torrential references to the make-believe success, it openly advocated Christian ethics.

Anyway, for yet another time corruption has scourged the civilized, primarily Christian world, for some time now. Christian nations, having forgotten for a while about their origin, have fallen into the pit of the “advanced” ignorance and “state-of-the-art” naivety with such a bang that now they have to go overboard to reshape the available technological boons into the good old religious precepts. Tough meat to chew—one should admit. Let’s bear in mind what even lay pundits argue: *“Religion is a central defining characteristic of civilizations, and, as Christopher Dawson said, ‘the great religions are the foundations on which the great civilizations rest’* (S. P. Huntington, *The Clashes of*

Civilizations and the Remaking of World Order, 2003, p. 47)

In fact, having set self-made perfectionist goals the Christian countries landed them rather quickly. But once they recovered from the delirium of that transient rush, they realized it was uncalled-for. Now the only feasible way of getting out of the hole is the restoration of the value system, *because the systemic crisis can mean but that of the values without which all of the formal institutions become emasculated.*

Types of Corruption. Vertical vs. Horizontal Corruption

The Internet is doubtless very instrumental in locating immense variety of definitions. Among the prominent ones are these.

“Corruption can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs”. Corruption can also be understood as systemic corruption or regime corruption – that is, the embedded corruption of an entire political and constitutive system. Even the legality of corruption can become a question as, “TI, Transparency International, further differentiates between ‘according to rule’ corruption and ‘against the rule’ corruption. Facilitation payments, where a bribe is paid to receive preferential treatment for something that the bribe receiver is required to do by law, constitute the former. The latter, on the other hand, is a bribe paid to obtain services the bribe receiver is prohibited from providing.” *“Frequently asked questions about corruption”, Transparency International, Accessed 12 May 2011, http://www.transparency.org/news_room/faq/corruption_faq.*

Various sources are full of voluminous and highly inefficient harangues on the vertical vs. horizontal corruption. The authors of such articles are doing an unrewarding work since they do not present a viable, down-to-earth solution to the matter under consideration. Instead

they revel in endless deliberations and debunking of inconsistencies between the effective legal norms and the ruling injustice, thus leaving the problem unsolved for the umpteenth time. Meanwhile the distinction between the two is more than obvious. The vertical corruption represents the power-based political administration and formally is easier to surveil and counteract. By contrast, the horizontal corruption which stands for the entire population, its morals, customs and habits, ancestral traditions, ethno-cultural proclivity, and stuff like that, is practically out of control. You cannot punish a nation because of its conviction that corruption is sort of a gift proving one's gratitude. A typical QUID PRO QUO. *NOTE: Prototype of bribery* could well be traced in archaic cultures where, in order to avoid a potential conflict, e.g. blood feud, the parties made up by paying composition in form of the blood money. Surmisingly, failure to come to terms was to lead to an imminent large -scale conflict not welcome with the kinship. Thus grown into the *sanctioned custom*, the application of composition or any other remedy was seen mandatory. Non-fulfillment thereof could be rated as *crime* or could lead to *ostracism*. (W. Seagle: The History of Law, pp. 24-26/228-230).

How about we tackle the problem from another perspective? If we come up with a graph labeling the bottom line "Horizontal Corruption" and the side line "Vertical Corruption", they will assuredly intersect at more than one point along the curve we have thus plotted. Yet whatever the results of this graphical survey, it will provide for statistical figures only, not the solutions. The latter lies at the Zero position of the system of axes and is totally neglected. So, as long as it stays ignored the issue would not be solved. Let's label the Zero a "Faith" or "Christian Doctrine", and this will put an end to the allegedly inextrica-

ble conundrum. As a matter of fact, social ethics issuing from the depths of the Christian mettle, should be viewed as the only remedy to this issue. And as far as the study is concerned, why don't we try a survey of sorts. Teaching of the impossibility to serve the two masters, Jesus Christ said: *"No servant can be the slave of two masters; for either he will hate the first and love the second, or he will be devoted to the first and think nothing of the second. You cannot serve God and Money"* (Matthew, 6:24). With these words Christ denies the simultaneous adherence to the satanic host and Power of God, Light and darkness, Righteousness and sin. That the Lord dwells on this idol (mammona) is noteworthy. This deity had a tremendous sway over the heathen civilizations of the Near East. It patronized unrighteous enrichment, understandably, at all costs. However, its real peril was that it *distracted people's attention* from the true God.

Pagan temple where evil spirit of mammona was once worshipped in broad daylight, in our days seems to have ensconced itself in the very heart of the state. By calling itself Christian the modern political system of the West in reality is but disguising its unenviable face pitted with poxes from no end of grave diseases. It means that basically nothing has changed since those historical times. What we witness can be interpreted this way: the contemporary Christian state is vicariously enjoying the "amenabilities", i.e. permissiveness of paganism by failing to nurture its Christian values. Here is one more citation from S. Huntington which cannot be closed with entirely, but which has a very useful mention in Christian terms: "The West won the world not by the superiority of its ideas or values or religion... but rather by its superiority in applying organized violence. Westerners often forget this fact; non-Westerners never do." (S. P. Huntington, *The Clashes of Civilizations and the Re-*

making of World Order, 2003,p.51). If not for values, i.e. Christian faith, how else could this war against pagans have been waged and won?

That any physical malady burgeons up on the spiritual level is an old truth; it will be unanimously stated by psychologists, therapists, neuropathologists, dentists and other staunch fighters for human health. But that **corruption**, as a societal evil, could have decimated entire states, few would believe. Greece or Spain are among a few evident samples of what is equally applicable to Ireland when it was on the verge of a similar plight a couple of years back, let alone the stock exchange crisis that scourged global economies in the not distant past. But if somebody still lets himself be carried away with the hope that Germany or Finland, or any other “business wonder” or “economic miracle” or “regional tiger”, new or old, could pattern the prosperity, -- please get disillusioned as soon as possible. So far the masterminds behind the global nefarious schemes have been precisely economically strong and politically impregnable states. They were drawing on the natural wealth, selling it in bulk or at retail, and investing revenues into their most exquisite and profligate diversions. Now yet another round of this process is about to close up. As Victoria Porell has it: “While grassroots efforts to fight corruption may have some success, to truly eradicate the problem it must begin where it is often the most deeply embedded, at the very top”. The sensational article “LA corrupcion generalizada se airea por tierrs alemanas” of 19 September, 2012 by Stefanie Claudia Müller bears out the above considerations: “The Spain of today is a realm of utter corruption where no less than in 2012, a group of oligarchs have gone on a wild spree, treating the country as their own farmstead, and jading their fellow citizens a little less hard than did their ancestors their servants back in Middle Ages”. It ends with rather discouraging phrase: “Once powerful

Spanish middle class is practically being annihilated”. The article contains a comprehensive statistical account on corruption-related developments in this developed country. Another exemplary country, the “engine” of Europe, Germany, according to information contained in the latest issue of “Die Welt” loses estimated EURO 250 billion a year. One more super-power is allegedly at risk. A study entitled “Russia’s national security as seen by experts” undertaken by the Sociology Institute of the Russian Academy of Sciences and the TSIRKON research group shows that corruption is seen as the potential threat to the country’s national security. The study was based on a poll of three large groups of experts: researchers, political analysts and lawyers; journalists, public figures and human rights campaigners; and civil servants and employees of law-enforcement bodies: “The poll has shown that the problem of corruption within the Russian authorities has become the most important one. The experts rated the threat from corruption as 6.1 on a 7-point scale.” They noted that corruption undermines national security in virtually every area, “reducing to zero (see frame of axis above) any measures taken to prevent threats in the economic, social and other spheres”. *‘Corruption as main threat to Russian security’, RIA Novosti news agency, Moscow, in Russian, 23 November 2010.*

How rife and threatening the passion for bribery in the US is can be deduced from the following passages. “Rep. Michael McCaul (R-Tex.), chairman of the Homeland Security subcommittee on oversight, investigations and management, set the tone for the hearing in his opening statement: “There have been many reports of federal employees wasting taxpayer dollars, and in some cases committing crimes, which erodes the trust American people have in our government. . . . We have also found criminal activity in our bureaucracies; Customs and Border

Protection (CBP) personnel collaborating with drug smugglers, Immigration and Customs Enforcement (ICE) personnel filing fraudulent travel claims and Transportation Security Administration (TSA) personnel stealing personal belongings of passengers.”

“According to information released at the hearing: 138 CBP agents have been charged with corruption since 2004; during that same period, more than 2,000 CBP employees have been charged in other criminal cases; an ICE agent pleaded guilty to 21 criminal counts in February; a former ICE intelligence chief is accused of embezzling more than \$180,000, and four other ICE employees have pleaded guilty in the scheme; and a recent 22-count indictment says Transportation Security Administration (TSA) employees in Los Angeles took bribes to allow drug couriers safe passage through airport security. (*Federal Diary: House subcommittee looks into Homeland Security corruption*” by Joe Davidson, *Washington Post*, May 18, 2012)

Small wonder people perceive corruption to be a criminal or statistical phenomenon, but not a spiritual one. They see the bud and the flower without getting to the root. Meanwhile; *“Make no mistake about this: God is not to be fooled; a man reaps what he sows. If he sows seed in the field of his lower nature, he will reap from it a harvest of corruption, but if he sows in the field of the Spirit, the Spirit will bring him a harvest of eternal life. So let us never tire of doing good, for if we do not slacken our efforts we shall in due time reap our harvest”* (Gal, 6:7-9).

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