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#### A Perspective on Bribes and Bribery

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## REFLECTIONS

| Articles  |   |
|---|---|
| Ann Gibson on A Perspective on Bribes and Bribery | 1 |
| Articles  |   |
| Core Tenets of the Trinity                        | 8 |
| Scripture Applied                                 |   |
| Lessons from Matthew 16                           | 9 |

#### **Book Notes**

| 1919: The Untold Story of Adventism's Struggle With Fundamentalism12 |
|--|
| Book Notes   |
| Design and Catastrophe: 51 Scientists Explore Evidence in Nature16   |
| The BRI on Social Media18  |

Index to Reflections......19

### ARTICLES

# A Perspective on Bribes and Bribery

By Ann Gibson

he Association of Certified Fraud Examiners notes that in 2020 corruption (defined as bribery, extortion, illegal gratuities, and conflicts of interest) was the most common fraud scheme in every global region of the world. The median loss for these schemes was \$200,000.1 Thus, to assume that the issue of bribery is somehow "out there," something practiced only in corrupt organizations, is naive. While more common in some areas of the world than in others,<sup>2</sup> bribery can be found in all societies. Because bribery and extortion are so widespread, there is a very high likelihood of encountering them when traveling or living in cultures not one's own. It is therefore important to understand what bribery is and to consider the guidance that Scripture may offer on this subject.

#### **Bribery and Extortion Defined**

Using legal language, John R. Boatright defines bribery as "a payment made with the intention to corrupt. More specifically, the payment is made with the intention of causing a person to be dishonest or disloyal or to betray a trust in the performance of official duties." Extortion, on the other hand, is when an official uses "his office to extract improper fees from a person who reluctantly yields to the official's demands or pressure." Often with extortion there is a threat of something bad happening if the individual does not comply, whereas with a bribe, there is a suggestion that one would receive desirable treatment or an advantage if they paid the requested sum. While there is a technical distinction between bribery (when the person or firm initiates the payments) and extortion (when an official,

by virtue of his/her position or office, demands a payment to complete an action), for ease of discussion in this paper, we will lump these two concepts together under the general term "bribery." 5

Bribery and extortion are illegal by all countries' standards and laws. There is no defense of bribery as a "local tradition" that should be respected. However, the definition of "bribery" differs across cultures. In countries where the culture is not steeped in a strong, commonly held legal tradition, any specific laws forbidding bribery may be ineffective, because recognizing a bribe as a bribe may be unclear to those who come from outside of the culture.<sup>6</sup>

For example, in European societies and the Western societies established with European cultural and legal traditions, the individual is viewed as the arbiter and thus responsible for right conduct. These societies are more legalistic and rule-oriented than societies in other parts of the world. From the perspective of these cultures, the rules assure the members of society that decisions are made that are impartial to everyone.

In other cultures (e.g., Asian cultures), moral obligation arises from a specific relationship, the arbitrator of the decision is the group, and the primary quality is loyalty. Ethical obligations depend on what each party owes the other in the relationship. Relationships create a need for reciprocity. Each party must take care to return all favors received so as to preserve a balance. As a result, what may look like a bribe to an individual coming from a rule-oriented culture may, in fact, be an action to return a favor in a relationship-based culture. Boatright's definition of

bribery emphasizes motivation and/or intention. Motivation and intention are difficult enough to determine in a culture where actions are expected to conform to written laws and well-understood legal norms. However, in cultures where relationships rather than the law are expected to be the ultimate ruler of whether or not an action is ethical and/or appropriate, motivation and intention are extremely difficult to judge. Additional observations about the effect of culture on one's understanding of whether or not bribery has occurred will be discussed later. But first, let us consider two types of bribes—the transactional bribe and the variance bribe.

#### **Transactional Versus Variance Bribes**

W. Michael Reisman defines the transactional bribe as "a payment routinely and usually impersonally made to a public official to secure or accelerate the performance of his prescribed function."

Such a bribe has the following characteristics: First, the payment's purpose is to assure quick action on the part of the official, not to engage the official in action other than what normally is part of the official's job. Second, the service requested is available to everyone who needs it—that is, to the general public rather than a unique service to one individual.<sup>8</sup>

An example of a transactional bribe is when a missionary goes to the customs office to pick up his/her personal goods from customs. The customs officer indicates that the goods may be available in five days, but if a small sum were paid, the goods could be available tomorrow. Such a requested exchange is sometimes called a facilitating payment or a "grease payment." The purpose is to "lubricate" the bureaucracy and get things done. In many countries where officials are poorly paid, the local culture expects that individuals will pay these officials the requested small sums to facilitate or expedite services, and thus supplement the official's low pay.9 These payments are not considered bribes under the Foreign Corrupt Practices Act, the law in the United States that forbids all United States corporations from engaging in bribery, irrespective of where they operate across the globe. That is not to say that there are no local laws against "grease payments" in the countries that expect them. It is just that such laws are seldom enforced and, under the legal definition of bribery, are not considered to be bribes, as there is no intent to corrupt or to ask the individual to betray a trust or to be dishonest.10

A variance bribe, however, is "not to facilitate or accelerate acts substantially in conformity with a norm but rather to secure the suspension or non application of a norm." Continuing the previous example, if the missionary's personal goods contained items that were forbidden to be brought into the country, or that could be brought in only at a considerable duty charge, and the missionary offered the customs official a sum of money in order to let the goods enter the country

illegally or without paying the duty, the bribe would be a variance bribe. A variance of the norm (or law) of the country would be requested in exchange for the payment of money. Reisman's distinctions between transactional bribes and variance bribes may be helpful as we look to Scripture for guidance on the subject of bribery.

#### **Bribery in Scripture**

Both experience and observation confirm that people *will* offer and *will* accept bribes, irrespective of the laws of the country. Proverbs 17:8 explains the reason succinctly: "A bribe is a charm to the one who gives it; wherever he turns, he succeeds." Proverbs 18:16 says, "A gift opens the way for the giver and ushers him into the presence of the great." In this world, as Solomon rightly notes, bribery appears to work—at least most of the time (see Prov 6:33–35; 22:16). Yet Scripture tells us that the righteous do not accept bribes (Ps 15:5; Isa 33:15), even though the wicked person's hands may be filled with them (Ps 26:10; Prov 17:23).

Scripture provides numerous examples and warnings regarding bribery. We are told that one of the reasons the elders of Israel went to Samuel and asked for a king was because Samuel's sons did not "walk in his ways," but rather sought "dishonest gain and accepted bribes and perverted justice" (1 Sam 8:3). Samuel himself apparently accepted this accusation against his sons because he noted in his farewell address that *he* had not accepted bribes (1 Sam 12:3). Judas, however, was willing to take a bribe to betray Jesus to the chief priests, even though he knew they were seeking to get rid of Jesus (Luke 22:4-6). The guards at Jesus' tomb were willing to be bribed by the chief priests to spread a false report about how Jesus' tomb came to be empty. Their report was especially important as they had been placed on guard to prevent anyone from stealing the body, and with the body missing, they were expected to explain.

The preacher in Ecclesiastes informs his readers that "extortion turns a wise man into a fool, and a bribe corrupts the heart" (Eccl 7:7). Old Testament prophets relentlessly accused the leaders of Israel of using bribes to pervert justice, especially justice toward the innocent and those who represented the vulnerable sector of society—the poor, the fatherless, the widow (Isa 1:23; 5:22–23; Amos 5:12; Mic 3:9–11; 7:1–3).

The most commonly quoted Scripture that speaks against bribery is Deuteronomy 16:18–20, where Moses tells Israel to appoint judges that will not pervert justice or show partiality, and will not accept a bribe, as a bribe blinds the eyes of the wise and twists the words of the righteous. The same thought is expressed in Leviticus 19:15 and repeated in Proverbs 17:23 and 18:5, where again the concern is with the perversion of justice and the show of partiality to either the rich or the poor. The issue of partiality and the denial of justice, particularly to the poor, is also addressed in Exodus 23:3, 6. Thus, the two most

often-cited scriptural reasons to avoid bribery are because 1) the bribe will pervert justice and 2) the bribe will make one partial to one party over other parties. Proverbs 17:15 states, "Aquitting the guilty and condemning the innocent—the Lord detests them both."

A third scriptural reason to avoid bribery is that a bribe may lead to false accusations. In the context of Exodus 23:3, 6, Exodus 23:7–8 states, "Have nothing to do with a false charge and do not put an innocent or honest person to death, for I will not acquit the guilty. Do not accept a bribe, for a bribe blinds those who see and twists the words of the righteous." The same close association of the possibility of false accusations and twisted truths with partiality and perversion of justice is found in Leviticus 19:16. A specific curse on bribery is given in Deuteronomy 27:25 because a bribe might be offered to one to kill an innocent person. The Seventh-day Adventist Bible Commentary, in commenting on this verse, notes that perhaps this caution was specifically warning judges who might be subjected to a bribe in connection with a murder case.<sup>13</sup>

Finally, in Deuteronomy 10, Moses outlines what God expects of Israel—to love Him and serve Him with all one's heart and soul and to observe all that the Lord has commanded. But in verse 17, Moses makes it very clear that doing all these things will not win God's favor (which has already been bestowed on Israel) because God accepts no bribes and shows no partiality. God does not accept bribes because His justice is perfect and He will not engage in partiality or permit humans to seek His favor for themselves over other humans He has created. It logically follows that if we wish to mirror the acts of God, then we too will not offer or accept bribes.

In summary, attempting to gain favor through the misuse of money or influence, or to act with the intent to corrupt the individual or to ask that individual to betray a trust or to be dishonest or disloyal, would be to engage in a variance bribe. To engage in variance bribes would dishonor the inherent dignity of the person as granted at creation and would violate Christian commands to seek justice and love mercy. It also would cause one to act in ways contrary to God's character. Therefore, these are actions that a Christian should not undertake.

But what about transactional bribery—those facilitating payments that "grease" transactions? Some note that such payments are expected because the government officials who are often the recipients of these payments are underpaid, with the expectation that they will supplement their salaries by such facilitating payments. Often these facilitating payments are equated with tips given to restaurant personnel in many Western societies, who also receive low wages because of the expectation that they can "make it up" through earning tips because of the excellent service they provide. Individuals coming from non-Western societies, however, often equate the common Western practice of tipping for service as a form of bribery.<sup>15</sup>

Recognizing whether an action is transactional bribery or variance bribery when the action occurs in a culture not one's own may be difficult, and caution should be exercised before jumping to conclusions.

Richard L. Langston points out that in Scripture the Hebrew word *shachad* is used to refer to bribery twenty-three times. In fifteen of these occurrences, the context clarifies that variance bribes are referred to. In five occurrences, the passages deal with unique circumstances, such as when one ruler gives a gift to another to gain assistance (1 Kgs 15:18–20; 2 Kgs 16:8), or when a gift to pacify a jealous husband is not given (Prov 6:35), or when a ruler refuses to let captives free through the paying of a gift (Isa 45:13). 16

This leaves only three verses [out of twenty-three verses] Deuteronomy 10:17; 16:19; and 2 Chronicles 19:7 where transactional bribes might be in view. The key idea that all three verses have in common is impartiality. In other words, when a transactional bribe causes someone to be partial in his administration of justice, then from a Scriptural standpoint it is a bribe, and hence condemned. If on the other hand it does not result in partiality, it is not necessary to classify it as a bribe according to the Scriptural boundaries.<sup>17</sup>

Bernard Adeney suggests that when considering whether a bribe is a transactional or a variance bribe, that:

(A) moral distinction may be made on the basis of whether a person has the freedom to give or not to give. If a small gift is freely given to obtain better service and there is no fear or threat involved, it is possible to consider it a tip. Presumably the service would be given in any case, but would probably take a little longer. The tip speeds up the process and benefits both parties. Little or no harm is done to the poor who either do not need the service or can obtain it with a little more time. On the other hand, if fear or force is involved, or if the expected delays are extreme, the freedom that characterizes a gift or a tip is removed. A gift or a tip is never compulsory.<sup>18</sup>

The present study suggests that the reader *also* take into consideration the following questions when attempting to distinguish between a transactional (i.e., a facilitating payment) and a variance bribe: Does the facilitating payment pervert justice? Does it encourage partiality to one party over others? Does it lead to false accusations against a person, even to the extent where the accused person might lose their life? Does it twist the truth about the situation in question? The quote from Adeney raises one more question: If the poor cannot afford to bribe, is a justice question raised

because the privileged rich can take advantage of the situation unfairly?

Finally, one additional question may be in order: does the action lead to dishonest gain? Building on the story of Samuel's sons (see previous discussion and 1 Sam 8:3), Richard Langston notes that bribery is forbidden because it is a form of dishonest gain. "The desire for personal gain by Samuel's sons influenced the elders of Israel to request a king and become more like the surrounding nations (1 Sam. 8:5). As a result, the people of Israel became less like the people of God." 19

#### The Influence of Culture

In business, the answer to the question of whether or not a bribe has been offered is: "It depends." "It depends" rests on whether there are basic social structural elements such as 1) respect for life; 2) basic trust in order to have a transfer of goods, services, and money, and for orders to be accepted and filled; and 3) honor of contracts and agreements made. Without these factors, business as conceived by capitalism cannot be conducted at all, let alone conducted ethically.<sup>20</sup>

For example, in Russia, a significant part of the culture is based on the philosophical perspective known as *avos*, which implies intervention in life as given by the divine beings, rather than as a result of human forces or choices.<sup>21</sup> The difference between this philosophy and Western philosophy can be illustrated by the action of engaging in bribery. Because Western philosophy emphasizes free will, free choice, and accountability as cultural foundations,<sup>22</sup> individuals are believed to be personally responsible for their actions. Therefore, if one chooses to engage in bribery, which is considered unethical (and illegal), *the individual* must have been unethical because he/she had freedom of choice and did not have to engage in such behavior.

A Russian, however, coming from the cultural background of *avos*, would say, "Because this is the way things are (having been given to us by the gods), we are not responsible. Permissions are required by individuals in a corrupt system or institution. The *system is corrupt*, so we must focus on keeping the relationship intact so we can get what we need. It is the institution that is corrupt, not the individual."<sup>23</sup> Therefore, in this context there cannot be personal responsibility or accountability for bribery because the individual could not influence the situation. In such a culture, a discussion as to whether the act of bribery by an individual is an ethical or unethical action poses unique challenges.

In addition, there are cultural practices that might be interpreted as bribery by some cultures, but not seen as bribery in other cultures. For example, it is almost impossible to do business in Japan without gift giving. To the Japanese, whose culture emphasizes group belonging and respect, gift giving is a sign of acceptance into the group. To those influenced by Western philosophy where the culture emphasizes individual responsibility and action, gift giving may appear to be a bribe. It may be impossible to fault a culture's emphasis on belonging and respect, just as it may be impossible to fault a culture's emphasis on individual responsibility and action. Therefore, when in Japan, in order to respect Japanese culture, it may be necessary to tolerate more gift giving than would be acceptable elsewhere. Motorola, a company with strong principles and therefore stated policies against gift giving and receiving, has faced and dealt with this problem in a creative way. In Japan only, limited gift giving and receiving is acceptable under specific guidelines: cost limits, gifts to be given only at certain times of the year, and any gift to a Motorola employee must be displayed in and remain with the office after the recipient departs.<sup>24</sup>

With respect to "gifts," Scripture offers some interesting illustrations. In 1 Samuel 9, Saul was looking for his father's donkeys, but could not find them. His servant suggested that they seek guidance from Samuel as to where they might find the animals. Saul was concerned, as they had nothing to give to the prophet as a gift, which, according to Ellen G. White, 25 was the custom when seeking assistance from a prophet. The servant told Saul that he had a quarter of a shekel, and Saul was satisfied and agreed that they should seek Samuel to find out where the donkeys could be found. It was at that time that Samuel anointed Saul privately to be king of Israel and shortly after, Saul learned that the donkeys were found and were safe.

But then there is the story of Naaman, who attempted to give a gift to Elisha after he was healed of his leprosy. Elisha refused the gift, as White says, <sup>26</sup> because he did not want Naaman to believe that what God had given him—that is, healing from leprosy—could have been purchased. When Elisha's servant ran after Naaman in order to receive some of the gifts for himself, Naaman's leprosy fell on the servant.

Special difficulties and pressures to make "lubricating" payments may arise in cultures where there is an expectation that one will hire a "middleman" to transact business-particularly the business of purchasing items. Agents are often used when a firm is unfamiliar with a country's conventions, rules, and regulations. In many Middle Eastern countries, companies must use agents because the culture requires that the company doing business must be properly introduced. Agents are generally used to bring firms and government officials together and to assist a firm in entering a market without violating local rules or customs. Often these cultures do not have a fixed price list to which the organization can refer when buying items, as would be true in the United States and many other Western societies. Thus, it is up to the negotiator to determine the price. In this context, the agent or middleman may become a conduit to provide bribes to officials or to offer bribes to facilitate the procurement of goods. In such situations the company and the bribed official are at arm's length, making it possible that the company may not even know that bribery has occurred.27

**Resistance to Bribery and Extortion** 

In their case study about the Motorola Corporation, E. B. Peach and K. L. Murrell tell the story of Motorola's decision to delay the opening of a plant in a country where local officials wanted a bribe/facilitating payment before they would issue the operating permit required to open the plant. It was tempting to pay rather than undergo an expensive delay in beginning production. However, Motorola chose to wait. The word spread that Motorola was unwilling to pay the requested money and ultimately, the required permits were issued.<sup>28</sup>

It is one thing to be a major company like Motorola and have the financial resources to wait out the local officials who seek "facilitating payments." But what if you are a local businessperson who does not have the clout of a multinational corporation or the financial resources to wait months until the local official issues the permit? Should a local entrepreneur be held to the same ethical standard as a multinational corporation?

Richard De George thinks that often they should not be held to the same standard because the multinational corporation has greater responsibilities in the situation and the local entrepreneur may not have the same options available to them.<sup>29</sup> Gene Ahner states,

The challenge of business in the face of bribery and corruption is to work toward convincing locals of the benefits of playing by the rules of good business. Perhaps there is a special role here for multi-national corporations who have greater resources, more power, and easier access to independent credit. Some degree of ethical commitment to fair exchange is the basis for a free-market economy to prosper. In some markets there is no way of avoiding payment of bribes, except by exiting the market. In fact, many companies will not even attempt to do business in a country ruled by corruption and bribery. Again, it is the common people who suffer most.30

The local entrepreneur must operate in a country, even one engaged in unethical practices such as bribery, because it is his/her own country. The local entrepreneur does not have the same resources, power, or wealth to stand up to local corruption as the multinational corporation has. The multinational corporation may be a desirable entity in the eyes of the government because it will bring jobs, taxes, and other benefits to the country, while the local entrepreneur may be too small to be seen as beneficial to the local officials. In many ways, the multinational corporation and the local entrepreneur do not operate in the same situation, and thus their responses may not be able to be the same. With more power comes more responsibility. Therefore, to immediately fault the local entrepreneur for his/her actions may show one's lack of understanding of the situation where social structures may be unmanageable from an

individual perspective. Langston notes that

it is often easier for those who have some social standing or financial resources to resist, than it is for those who are at the bottom of the socio-economic scale. Those at or near the bottom of the socio-economic scale in Third World countries often have so few resources upon which to fall back, that their very survival may be at stake if they try to resist.... In light of these realities, when God's people see or hear of a victim of extortion, they should look on him as the victim he truly is; and not be judgmental of him for not resisting.<sup>31</sup>

These are difficult cases to consider and confront. Jesus's cautionary words in Matthew 7:1–5 to not judge, and to check for the plank in one's own eye before attempting to remove the speck in one's brother's eye, seem appropriate for such instances.

#### **Seeking Wealth**

In many cases, the incentive to offer bribes is to obtain some good, opportunity, or service that will be of financial benefit, and which appears to be unavailable without the money or gift. The hope is that by bribing and obtaining the desired item, the briber will be better off financially and thus move closer to the goal of increased wealth. Proverbs warns its readers of the power of money and its ability to change who we are or who we wish to be. Specifically, the wisdom literature warns of the results of using fraud to gain wealth.

First, the misuse of money makes one dishonest and corrupts one's integrity.<sup>32</sup> Job 36:18 states, "Be careful that no one entices you by riches; do not let a large bribe turn you aside." Proverbs 20:17 warns, "Food gained by fraud tastes sweet to a man, but he ends up with a mouth full of gravel." Job agrees, noting that in such cases one will not enjoy the profits from one's trading (Job 20:12–18).

Second, the misuse of money makes one ruthless.<sup>33</sup> Proverbs 20:14 describes the sharp bargaining by the buyer who claims the goods are inferior, but who knows that a hard bargain has been struck and in fact leaves the scene to boast about his gain. Proverbs 28:8 reminds the reader that increasing wealth by exorbitant interest is forbidden and to engage in such activity results in loss (Job 27:16–17).

Third, misuse of money makes one proud,<sup>34</sup> "wise in his own eyes" (Prov 28:11). The wise man prays (Prov 30:7–9) that he might be kept from both poverty and riches so that he does not ask, "Who is the Lord?"

Fourth, Jesus warns against the misuse of money that can make one busy with the less important things of life.<sup>35</sup> In Luke 12:16–21, Jesus tells the story of the rich farmer who built new barns to store all his wealth so that he might enjoy his goods for many years. But the rich farmer failed to be rich toward God, and while

gaining temporary riches for a short period of time, was deprived of the riches that last.

Rather than using one's wealth to obtain goods or services through dishonest means, it is better for the Christian to take seriously Paul's warning to Timothy about the power of money. Paul says, "For the love of money is a root of all kinds of evil. Some people, eager for money, have wandered from the faith and pierced themselves with many griefs" (1 Tim 6:10). Timothy Keller writes.

The only true solution to the power of money over you is to see yourself rich in Christ. In him we are "rich toward God" (Luke 12:21; cf. 2 Corinthians 8:9). Riches on earth bring some short-lived status, but we are children of the King of the universe. Riches on earth bring some security, but "in all things God works for the good of those who love him, who have been called" (Romans 8:28). Riches on earth bring power, but we will rule with Christ (2 Timothy 2:12). Christ has paid the only debt that could destroy us (Luke 7:42–43), which makes all other debts inconsequential. In Christ you are truly rich.<sup>36</sup>

#### Is It Bribery?

Langston offers the following applicational questions when dealing with gifts and bribes in cultures other than one's own. These questions may be particularly helpful when encountering transactional bribes, or when trying to determine if the situation involves a variance or a transactional bribe.

- Is it pursuing justice or distorting justice? Is it hurting or taking away the rights of the innocent? Is it letting the wicked escape justice? Does it promote or obscure the carrying out of duties?
- 2. Is it undercutting impartiality and promoting favoritism? Is it impairing the judgment of those who are otherwise impartial? Are they making statements or pronouncements they otherwise would not have made? Does it result in favoritism toward some and unfavorable treatment of others?
- 3. Is it motivated by greed or dishonest gain? Is it associated with extortion in any way? Is it solicited or demanded? Is it given secretly and cunningly? What do righteous men (and women) do in this situation in this culture?<sup>37</sup>

Langston adds a special caution with respect to justice when considering transactional bribes. He notes, "Extreme care must be exercised in evaluating whether a particular payment would uphold or undercut justice, because we tend to see justice from our own partial view point. What is one man's justice is another man's injustice." <sup>38</sup>

For each of the situations described in the follow-

ing scenarios, use Langston's criteria to decide whether or not transactional or variance bribery has occurred. On what basis did you make your decision?

#### Scenario 1

The pastor and his driver bump their way over ancient roads in a war-torn country. They are stopped by armed militia but the pastor cannot tell if these are the police or the rebels. The driver hands a book to the head of the militia, who takes it to the nearby table, opens it carefully, and then returns it. The militia let the car pass. Perhaps ten miles further down the road, another checkpoint is encountered, with the same scene repeated—and then another. After they reach their destination, the pastor realizes that the book was not a mileage diary, but merely the method by which money was exchanged to ensure their safe passage. The pastor remembers seeing cars along the road, totally stripped of anything valuable, with no people in sight.

#### Scenario 2

The missionary is rushing to an appointment to renew his visa and drives his motorcycle a bit too fast through town. The policeman stops him and informs him that he must issue a speeding ticket to the missionary. However, the policeman says, if the missionary would pay a small fee (approximately \$1.00), the ticket would be "forgiven." The missionary knows the policeman's pay is inadequate to support his family, that the policeman expects those who are stopped for a traffic violation will pay the requested amount, and that to insist on receiving the ticket will result in days spent in court, explaining the situation to the judge.

#### Scenario 3

An international business organization wishes to bring its health care products into the country, but to do so, it must first establish a relationship with the local business that handles health care products for the region. The conversations appear to be going well, but no definite agreement has been reached. The parties adjourn for yet another day, and the international organization's negotiators wonder what it will take to be sufficiently accepted in the country in order to do business. At the next meeting, the local business manager arrives with an expensive gift, which he presents to the head of the international organization's negotiating team. He assures the chief negotiator that upon acceptance of the gift, they are ready to sit down and seriously discuss the offered contract.

#### Scenario 4

A local business organization wishes to build its new factory in a controversial location. The location is near a flood plain and current regulations regarding building in the area are extensive, in an effort to discourage development. The organization hires a professional lobbyist to work with local and regional government officials to obtain the necessary building permits and the required relaxation of flood plain

regulations so the factory can be built at the desired location. No monies are exchanged between the organization and the local government officials, although the lobbyist is paid according to the agreed-upon contract.

#### Conclusion

Whether one lives in or moves between a relationship-based culture and/or a culture defined by laws and individual responsibility, one recognizes that our world is fallen and our moral choices are not always perfect. As Christians, we understand the prohibitions of Scripture, particularly those outlined in the Ten Commandments that speak against lying, killing, working on Sabbath, and adultery. We might also add bribery to this list, given the strong words spoken against bribery in the Old Testament. Perhaps we break these commands because we are weak, unwise, caught off-guard, or hope that the action taken will prevent an even greater evil. Perhaps the situation seems unclear to us or unmanageable from a human perspective, and in our confusion or fear, we rely upon our own judgment and fail to trust God. But no matter what our rationale, we have broken God's moral law, and our actions are serious.

Jacob chose to deceive his father in order to obtain the birthright that belonged to his older brother, Esau. Jacob and his mother believed that God intended the birthright to come to Jacob, but they chose to "make it happen" rather than to wait for God's timing and direction. As a result of his deception, Jacob left home and fled to Mesopotamia to his mother's family. Twenty years later he determined to return to Canaan, but on the way he learned that Esau was coming to meet him with four hundred men. Terrified, he separated his own company into two bands so that if one was attacked, the other might escape. He himself went across the river Jabbok to pray for deliverance. While there he was attacked by an unknown assailant, whom he fought, as he believed it to be one of Esau's men who had found

him. It was not, and Jacob realized the assailant was more than human when he was overpowered.

White describes the scene that night, particularly stressing Jacob's state of mind as he reviewed his danger brought on by his sin against Esau. She notes,

When in his distress Jacob laid hold of the Angel, and made supplication with tears, the heavenly Messenger, in order to try his faith, also reminded him of his sin, and endeavored to escape from him. But Jacob would not be turned away. He had learned that God is merciful, and he cast himself upon His mercy. . . . It was by self-surrender and confiding faith that Jacob gained what he had failed to gain by conflict in his own strength. God thus taught His servant that divine power and grace alone could give him the blessing he craved. <sup>39</sup>

Jacob's path to forgiveness was his confession of his sin. His strength was the mercy of God. For us, when confronted with difficult and—from a human perspective—impossible situations, Jacob's experience shines as a beacon down the path of humility, forgiveness, and mercy. In an increasingly complex world, such a beacon can also lead us to hope and grace, and confidence in God as we negotiate difficult situations.

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<sup>&</sup>lt;sup>1</sup> https://www.acfe.com/report-to-the-nations/2020/Default.aspx Downloadable PDF: https://acfepublic.s3-us-west-2.amazonaws.com/2020-Report-to-the-Nations.pdf

<sup>&</sup>lt;sup>2</sup> Transparency International, Corruption Perception Index 2019 (2020), www.transparency.org/en/cpi/2019/analysis (accessed September 5, 2021), focuses on public funds, particularly with respect to bribery, in its survey of corruption in 180 countries. It notes that in 2019, Denmark, New Zealand, Finland, Singapore, Sweden, and Switzerland were the least corrupt, while Venezuela, Yemen, Syria, South Sudan, and Somalia were the most corrupt countries. However, two-thirds of the 180 countries scored below 50 (on a scale of 1 to 100, with 100 being the cleanest countries). The average score was 43/100. Unfortunately, many of the cleanest countries engage in corruption—particularly bribery and money laundering—in other countries, while being "clean" at home. For example, in 2019, Iceland (eleventh in the list of "clean" countries, with a score of 78/100) was cited for bribes paid to officials in Namibia in exchange for trawling rights (Jon Henley, "Bribery Allegations Over Fishing Rights Rock Iceland and Namibia," The Guardian, November 15, 2019, https://www. theguardian.com/world/2019/nov/15/bribery-allegations-over-fishing -rights-rock-iceland-and-namibia [accessed September 5, 2021]). By way of comparison, the United States ranked twenty-third in the list of "clean" countries, with a score of 69/100.

<sup>&</sup>lt;sup>3</sup> John R. Boatright, *Ethics and the Conduct of Business*, 6th ed. (Upper Saddle River, NJ: Prentice-Hall, 2009), 432.

<sup>&</sup>lt;sup>4</sup> Richard L. Langston, *Bribery and the Bible* (Singapore: Campus Crusade Asia, 1991), 17.

<sup>&</sup>lt;sup>5</sup> E. B. Peach and K. L. Murrell, "Establishing and Maintaining an Ethical Posture in a Global Multi-Cultural Environment: Motorola, a Case Study" (presented at the Academy of Management Annual Conference, Chicago, IL, August 9, 1999).

<sup>&</sup>lt;sup>6</sup> Rajib Sanyal, "Determinants of Bribery in International Business: The Cultural and Economic Factors," *Journal of Business Ethics* 59 (2005): 139–145.

<sup>&</sup>lt;sup>7</sup> W. Michael Reisman, Folded Lies: Bribery, Crusades, and Reforms (New York: Free Press, 1979), 69.

<sup>&</sup>lt;sup>8</sup> Ibid., 70–71.

<sup>&</sup>lt;sup>9</sup> C. Van Rijckeghem and B. Weder, "Bureaucratic Corruption and the Rate of Temptation: Do Wages in the Civil Service Affect Corruption, and by How Much?," *Journal of Development Economics* 65 (2001): 307–331.

<sup>&</sup>lt;sup>10</sup> Boatright, 432.

<sup>11</sup> Reisman, 75.

 $<sup>^{12}</sup>$  All biblical quotations are from the NIV84, unless otherwise indicated.

<sup>13</sup> Francis D. Nichol, ed., Seventh-day Adventist Bible Commentary,

vol. 1, Genesis to Deuteronomy (Washington, DC: Review and Herald, 1953), 1049.

- 14 Bernard Adeney, Strange Virtues: Ethics in a Multicultural World (Downers Grove, IL: InterVarsity, 1995), 150.
- <sup>15</sup> Students' comments in business ethics classes taught by the author at Andrews University between 2002 and 2019.
- 16 Langston, 22.
- 17 Ibid., 23.
- <sup>18</sup> Adeney, 151.
- 19 Langston, 28.
- $^{\rm 20}$  Richard T. De George, "Entrepreneurs, Multinationals, and Business Ethics," in International Business Ethics (South Bend, IN: University of Notre Dame Press, 1999), 271-280.
- <sup>21</sup> Eileen Morgan, Navigating Cross-Cultural Ethics: What Global Managers Do Right to Keep from Doing Wrong (London: Routledge, 1998), 65.
- 22 Ibid.
- <sup>23</sup> Ibid., 68.
- <sup>24</sup> R. S. Moorthy et al., Uncompromising Integrity: Motorola's Global Challenge (Schaumburg, IL: Motorola University Press, 1998), 18-24.

- <sup>25</sup> Ellen G. White, Patriarchs and Prophets (Mountain View, CA: Pacific Press, 1958), 608-610.
- <sup>26</sup> Ellen G. White, Prophets and Kings (Mountain View, CA: Pacific Press, 1943), 250-252.
- <sup>27</sup> Boatright, 434.
- <sup>28</sup> Peach and Murrell.
- <sup>29</sup> De George, 271–280.
- <sup>30</sup> Gene Ahner, Business Ethics: Making a Life, Not Just a Living (Maryknoll, NY: Orbis, 2007), 200.
- 31 Langston, 44-45.
- <sup>32</sup> Timothy Keller, God's Wisdom for Navigating Life (New York: Viking Press, 2017), 295.
- <sup>33</sup> Ibid., 297.
- 34 Ibid., 299.
- 35 Ibid., 298.
- 36 Ibid., 305.
- 37 Langston, 32-33.
- <sup>38</sup> Langston, 64. White, Patriarchs and Prophets, 201–203.
- <sup>39</sup> White, Patriarchs and Prophets, 201-203.

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