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“WHY BRIBE”

**“Can bribes be avoided? Extortion be resisted?
Do businessmen try? Do companies care?”**

by

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It is said, that in life, all extremes create their own contradictions and for that, in the end, they will in the end cease to exist in the order of things.

Thus, there is no society that can exist if all its citizenry tell the full and total truth all the time and any time to everyone, anywhere and everywhere. Correspondingly, no society can be, if all its citizenry lie all the time, every time, everywhere and anywhere.

For all societies, the question is where is the balance point between these two extremes because it is only at the balance point that the contradiction ends and the society can function and thrive? So, can a society exist, survive and thrive at 49% of the time = telling the truth and then for 51% of the time = lies. Or is it better say at 99.9999% of the time = telling the truth and .0001% = to lie?

To bribe is isomorphic to lie.

On this basis, can there ever be a society, let alone a world, in which bribery simply does not exist? Certainly, the notorious case involving Archbishop Paul Marcinkus of the Vatican Bank is witness that the possibility of a society in which there is no bribery and no corruption lends support to the conclusion there can never be a society in which there will be no bribery and no corruption.

Yet today, in the wilderness border region of Afghanistan and Pakistan lurks a man called Osama bin Ladin. There is a bribe, a.k.a a reward of US\$25,000,000.00 for anyone who will give the information that will lead to his capture. This is an incredibly tantalizing bribe. However, since this bribe was posted in 2001, there has not been one nibble to date. Are we to conclude that here is a society in which its indigent people cannot ever be seduced? Clearly it would be a very interesting socio-psychological project to explore the epistemology of this singular and unique event.

Of course the phenomenon of bribery violates our ideal of how things should be. People are to do the job for which they are either to do, in and of itself, or are paid to do and not try to garner additional money for their service.

However, this is earth, not heaven! There is no such thing as perfection on earth, certainly not anything that human beings can ever hope to achieve or attain.

If this is so, then what can we hope for?

What anyone can and must hope for are the creation of the necessary conditions that will constrain the problem of bribery since, there is much to suggest that if bribery has its way then it will surely spin and spiral out of control. It will reach whatever threshold it can rise to. If it does so, the consequences for the bribers and the bribed will be one of untold munificent benefits to the cost of the rest of society.

In this context, what is intolerable is a top down culture of bribery in a society. We feel that it is not entirely proper to name sovereign nations in this essay who fall into this bracket. However, they are there.

Additionally, what has to be created is an anti-bribery culture in a society. For this to be possible, government has to pay its apparatchik well. Some may think in Canada that the police officers, teachers, dustbin, doctors, nurses, firemen are overly paid. However, the consequence is that we all know that you cannot bribe them, plus they also do their work to the best of their abilities.

Next, government has to formally criminalize bribery. It has to enact well-formed laws against bribery; and then government has to apply these laws with rigour, unless to do so “endangers the national interest.” In saying this, is the implicate recognition that absolutes are for the Gods, not for us humans. For us, all things are relative. If we hold to absolutes then consider the case of the Al-Yamamah deal between Saudi Arabia and Britain. This deal generated an estimated US\$85 billion dollars to the British economy. Questions were raised about the kind and extent of financial shenanigans that took place across this contract. Initially to placate the righteous, an inquiry was set up. Finally this same inquiry shut itself down, because to pursue its mandate would have “endangered the national interest.” That it would do so, is nothing but an admission that there were financial shenanigans going on. This deal was contracted under the aegis and direction at the highest government levels of Britain and Saudi Arabia. However, may we and are we to conclude that therefore, Margaret Thatcher, King Fahd and Prince Bandar well placed their palms for their baksheesh?

In Canada, physicians and surgeons are paid on a fee-for-service basis. They are not salaried. Government servants and politicians are paid by salary. However, given the vagaries of their work, one has to wonder if politicians and high civil service mandarins are put to performing certain services that strictly are not truly encompassed in their job description. If this is accurate, the question arises whether they may not be compensated for what they do beyond their job description. The alternative is to hold fast and absolutely to the position, “You are salaried = you are not allowed any extras.” If this is so, then the politician or the civil servant can say, “Then I won’t perform the service, even though it is critical to the national interest.” Such a stance may not be legal, moral or even ethical. However, if it is held to, then a country could suffer.

When the U.S. congress passed the Boland Amendment, the Nicaraguan Contras were at risk of withering on the vine. To ensure their survival and their continuing struggle against Daniel Ortega and the Sandinistas, the questions taken up by the then Reagan U. S. Administration, albeit illegally, was where and how to get them the money and arms. However, to begin with, the Saudi’s stepped in to help by offering to give to the Contras via a off shore Cayman Island account of US\$1 million a month which was to increase to US\$2 million a month. In the subsequent Iran-Contra investigation it was clearly stated by Bud McFarlane’s testimony, “that this country (Saudi Arabia) would gain a considerable amount of favour, and frankly, they thought it was the right thing to do; they would provide the support when congress cut it off.” It would seem that even a very rich nation as Saudi Arabia is not above looking for baksheesh-in-kind.

In the 1980s, Communism was a growing threat in Italy. The CIA set its sights to thwart the possible election of the Communists to power. To ensure this, a plan was devised and financed by the Saudis:

Following the agreements to the plan by Thatcher, Reagan and Fahd, Bandar flew directly to Rome with a suitcase full of money. He drove into the Vatican, where, at the Vatican Bank, a priest came out to meet him and took the suitcase containing \$10 million.

William Simpson: *The Prince, The Secret Story of the World's Most Intriguing Royal, Prince Bandar bin Sultan*, Regan, An Imprint of HarperCollins Publishers, ISBN-10: 0-06-089986-7, 2006, page 100.

The evidence is that the Italian Communists never came to power in Italy. So, does baksheesh work? And can baksheesh work for the greater good? If it is not used, can there be an unwanted downside?

Here again we note another example where in a huge bribe did not work. Thus:

In 1972, twenty years before the conclusion of Operation of Desert Storm, Saudi Arabia's oil minister, Zaki Yamani, met with President Nixon and made him an offer to meet all of America's oil needs in exchange for American support in reaching a just and equitable solution to the Palestinian problem. Nixon declined.

William Simpson: *The Prince, The Secret Story of the World's Most Intriguing Royal, Prince Bandar bin Sultan*, Regan, An Imprint of HarperCollins Publishers, ISBN-10: 0-06-089986-7, 2006, page 241.

And the epistemology of this also truly needs exploration and investigation, something we would certainly be willing to do if we had the funding.

To argue that bribery helps to secure influence and alliances is in our view insufficient. If indeed it can be achieved influence and alliances, then the influence and alliance purchased by bribery can only be, at best, tenuous. Therefore we say that this argument is superficially plausible but is intrinsically and logically ill-formed and defective.

Then there is the argument that if deals can only be concluded by bribery, then valuable jobs at home can be safeguarded. Who can say that there is neither strength nor merit in this last argument for bribery?

Absolutes and universals are for Gods. Therefore, we do not say that just because everyone else does it, is not the argument that at a formal level, a nation is not to criminalize bribery. In fact, it is our view that it is critical that, at a formal level, all nations denounce bribery. Thus, in a report for the Campaign Against Arms Trade (CAAT), Chrissie Hirst wrote, "It is common knowledge that large contracts cannot be won from Saudi Arabia without payments which can be described as bribes or commissions." She went on to say that many Middle Eastern countries have laws that govern the paying of commissions to agents or middlemen.

Nonetheless, Saudi Law "does not permit commissions or brokerage fees on arms imports or other public sector contracts."

In the end, for all us, is the continuing battle between the ideal of our hearts and minds vs the frailties of our weak flesh and propensities. Somewhere, hopefully we will find the balance.

So, as for the answers to the questions:

Can bribes be avoided? No! However, you always say, “No!”

Extortion be resisted? Yes and No. It depends on your character.

Do businessmen try? Not all automatically submit to bribing to begin with.

Do companies care? Yes because it will increase their costs.

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