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# Emanuela Ceva and Maria Paola Ferretti, "Political Corruption: The Internal Enemy of Public Institutions"

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**Emanuela Ceva and Maria Paola Ferretti.** *Political Corruption: The Internal Enemy of Public Institutions*. Oxford University Press 2021. 217 pp. \$29.95 USD (Hardcover ISBN 9780197567869).

In *Political Corruption* Emanuela Ceva and Maria Paolo Ferretti provide analyses of some of the main theoretical dimensions of political corruption understood as the corruption of public officials and public institutions, including schools, hospitals and the like (21). The monograph has five chapters addressing the following issues (respectively): the definition of political corruption; the relationship between individual and institutional corruption; what is wrong with political corruption; responsibility for political corruption; combating political corruption. I restrict myself here to a discussion of issues in the first four chapters, since the last chapter consists in large part of familiar suggestions for combating corruption, e.g., reinforcing officeholders' commitments to their duty and to one another, as well as whistleblowing.

Political corruption is a widespread phenomenon of great and increasing concern, both in the so-called developing world, in authoritarian states (such as China) and in liberal democracies, such as the U.S. (e.g., in the context of the Trump presidency). While there is a vast empirical social science literature on corruption, there is a paucity of philosophical work. That said, in recent times a number of influential monographs and other works have been published, notably Dennis Thompson's *Ethics in Congress* (Brookings Institution 1995), Lawrence Lessig's *Republic Lost* (Twelve 2012) and Seumas Miller's *Institutional Corruption* (Cambridge University Press 2017). *Political Corruption* is a useful contribution to this relatively small, but growing, body of literature. The authors offer critical discussions of the above works in particular and, in doing so, they elaborate their own distinctive theoretical position. Key theoretical notions that they rely on are those of a mandate, office accountability and interactive injustice. These three notions are related in the following manner. The powers (institutional rights and duties) of public office are entrusted via a mandate. An obvious instance is that of an elected official who exercises the powers of her office by virtue of a mandate from her constituents. Office accountability is the accountability of office holders to one another in any given institution, e.g., of legislators to their colleagues and other occupants of political offices. Political corruption consists in a deficit of office accountability (Chapter 1 Section 2). Thus, the authors' notion of political corruption is fundamentally based on intra-institutional relationships between officeholders. Moreover, political corruption is a relational kind of wrong consisting in the interactive injustice of officeholders violating their primary duty of office accountability to other officeholders (Chapter 3). Thus, what is intrinsically wrong about political corruption is the injustice done by one or more office holders to fellow office holders. These intra-institutional notions of political corruption and of what is wrong with it are reflected in the subtitle to their monograph: *The Internal Enemy of Public Institutions*.

In Chapter 1 the authors define political corruption in terms of two individually necessary and jointly sufficient conditions: 'There must be a public official who (1) acts in her institutional capacity as an officeholder (*office condition*) (2) for the pursuit of an agenda whose rationale may not be vindicated as coherent with the terms of the mandate of her power of office (*mandate condition*)' (19). Let us consider each of these conditions in their definition beginning with (1). Political



corruption does involve a public official who acts in her institutional capacity. This condition was introduced by Miller but disputed by, for example, Lessig. What of condition (2), the mandate condition? This is where the authors break new ground.

The mandate condition concerns the motive or reason guiding the office holder's action; the action is performed for the pursuit of an agenda with a rationale. The officeholder's action considered in itself might or might not be an exercise of a constitutive institutional right or duty of the office in question. But what is this rationale that would render the action corrupt? The rationale in question is one that 'may not be vindicated as coherent with the terms of the mandate of her power of office.' The key notion here is that of coherence with the *mandate* of the powers of office. Here the powers of office are the institutional rights and duties constitutive of an office, e.g., the right of legislators to vote on legislation or the duty not to take bribes. In summary, corruption involves the performance of an action or actions, the motivating reason for which does not cohere with the mandate authorizing an office holder's rights and duties qua office holder.

Were it not for the invocation of 'the mandate' this definition of corruption might simply mean that an action performed by an office holder (qua office holder) is corrupt if and only if the motivating reason is other than to act for the sake of her institutional duty. As such, it would be problematic, since an officeholder who always does her duty in her current position but often only for the sake of personal self-interest (e.g., she wants to remain 'squeaky clean' until such time as she gets promoted to a senior position that will enable her to engage in large-scale fraud undetected) is not performing any corrupt actions in her current position. The authors do not go down this specific track, preferring to rely on the notion of a mandate (and office accountability). However, their definition of corruption, based as it is on the motivating reason for the agent's corrupt action, is vulnerable to the same objection. Indeed, it seems that any definition of corruption that is so based will be vulnerable to some form of this objection. As we just saw, the above-described officeholder who always does her duty is not performing any corrupt actions in her current position. However, in her current position she is acting for the sake of an agenda whose rationale may not be vindicated as coherent with the terms of the mandate of her power of office. Therefore, by the lights of the authors' account she is engaged in corruption in her current position. This is counterintuitive.

In Chapter 2 the authors discuss the issue of individual and institutional corruption and come down on the side of what they term the continuity thesis. Roughly speaking, according to this thesis if an institution is corrupt then there must be some individual members of that institution who are corrupt. In doing so they join Miller against Lessig. The authors go on to distinguish what they refer to as summative, morphological, and systemic corruption. Summative corruption is essentially corruption resulting from an aggregate of discrete acts of individual misconduct which result in corruption (64). Morphological corruption takes place when the corrupt action of one officeholder causes other officeholders to act (possibly non-culpably) in ways different from how they should act (66). Note that in such cases the authors claim that 'even if not all, or not even the majority, of the members of an institution act in a corrupt manner, their activity as a group is corrupt' (66). This is a controversial claim and, in any case, does not seem to sit well with the authors' continuity thesis. Causal relatedness to the corrupt actions of others does not entail culpability for their actions, for the

consequences of their actions, or even for the consequences of the conjunction of their actions and one's own.

In Chapter 3 the authors address the question, 'What is wrong with corruption?' In doing so they offer a distinctive theory. According to the authors political corruption is inherently wrong (as opposed to wrong by virtue of its consequences) because it is 'a specific form of interactive injustice consisting in a violation of the duty of office accountability' (122). Thus, it turns out that political corruption is inherently wrong because it is unjust. More specifically, political corruption involves an action by an institutional member which is unjust to his colleagues since each member owes it to every other member to do his duty. Accordingly, interactive justice goes hand in glove with office accountability. On this view a teacher who fails students who do not provide her with sexual favors, and gives high marks to those who do, is performing corrupt actions by virtue of her unjust treatment of her teaching colleagues. The authors argue that the normative source (relevant to the inherent wrongness of corrupt actions) of the principle of impartiality in the practice of the assessment by teachers of their students' work lies in the role-based relations that the teacher has with her fellow teachers (and other school staff) (98). This teacher's action is not corrupt by virtue of the injustice done to the students (although the authors agree that it would be unfair to the students), but rather by virtue of the injustice done to the teacher's colleagues. This is strongly counter-intuitive. Surely, the primary form of institutional corruption involved here lies in the corruption of the teacher-student relationship (and its harmful consequences).

In Chapter 4 the authors turn their attention to the issue of responsibility for political corruption. They contrast their view with that of Miller. Miller outlines an account of institutions in terms of layered structures of joint action performed by the occupants of interdependent roles, which are structured in a manner so as to realize the purposes of the particular institution in question. This account of institutions as layered structures of joint action goes hand in glove with Miller's conception of collective responsibility as joint responsibility. However, corrupt activity is not *necessarily* joint action, let alone the joint activity of an organization comprised of interdependent roles in the service of a common purpose – although, of course, it *might* be, as in the case of the mafia. According to the authors, 'Miller's account of joint responsibility does not capture most cases of corrupt institutional practices' (135). For instance, the authors' Willy Brandt airport example is not captured by Miller's account because none of those involved 'acted with the shared intention of causing the failure of the airport project.' But this argument simply confuses Miller's account of institutions with his account of corrupt activity. On Miller's account of corruption, the failure of the airport project may well be a *consequence* of multiple, inter-related, individual and joint acts of corruption – in which case the relevant culpable individuals and groups should be held individually and jointly responsible for their corrupt actions - but he is not committed to the proposition that there was an organization which had as a collective end to ensure the airport project failed.

So, what is actually going on here? Specifically, what is the authors' view of responsibility and how does it in fact contrast with Miller's? Here the authors invoke their notion of interactive injustice and the obligations each office holder in an institution owes to every other office holder. According to the authors, 'In virtue of the interrelatedness of institutional roles, officeholders are retrospectively

responsible for the ways in which their conduct interplays with the conduct of their fellow occupants and for the wrongful structure of institutional relations thus constituted. In this specific sense, we can thus say that any individual office holder who partakes in a corrupt system can be held morally responsible for that interactive injustice irrespectively of the size, quality and impact of her individual contributions to the wrong' (160). Thus, if an institution is suffering from systemic corruption then *all* institutional members are morally responsible for this corruption by virtue of the interrelatedness of their roles. This is consistent with what the authors had to say about morphological and systemic corruption but it is a very strong claim that should be rejected. Surely *only* those who intentionally (or negligently) perform actions (whether those actions are corrupt or not) are morally responsible for these actions (individually or jointly morally responsible, depending on whether the actions in question are individual or joint ones). This is, of course, consistent with the following propositions: (1) Members of an institution who do not themselves engage in corrupt action might, nevertheless, be morally responsible for failing to combat it by, for instance, not reporting it; (2) *All* members of an institution might be morally responsible, perhaps jointly responsible, for contributing to the institution's anti-corruption system the purpose of which is to combat corruption – after all, an anti-corruption system is itself an institutional entity.

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