

# **Missionaries and Bribes**

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## Preface

I knew from my work in caring for missionaries that they might experience inner conflict and/or frustration when they encountered situations in which they believed a bribe was expected. I also knew that they might experience dissonance and/or guilt after the bribe situations whether or not they paid that bribe.

I set out to write a brochure to help missionaries decide whether or not to pay a bribe as well as how to cope with the feelings of conflict, frustration, dissonance, or guilt after the decision was over and the action was taken. However, the brochure soon became two brochures, and then they became this book.

The purpose of this book is not to convince anyone to arrive at a particular conclusion or take a specific action, but it is to provide information to help people come to their own conclusions as they strive to obey the Spirit in deciding what to do. It is written primarily for individual missionaries to consult when they face bribe situations because few mission agencies have policies or guidelines to help make such decisions. The book is written for missionaries serving on the field rather than administrators at headquarters, so it is written in readable, nontechnical English. I believe the information is correct, and I have attempted to write it in intuitive form.

Chapters 1 and 9 are my personal experiences in writing the book (Chapter 1) and the tentative conclusions I have reached (Chapter 9). Chapters 2 through 8 give information on specific topics related to bribes. The Appendices give perspectives of other people and links to further information. The individual chapters and each appendix stand alone and may be read in any order.

No index is included because this is in a digital format. The reader can use a word search to find where specific topics are mentioned throughout the book.

I owe much to the people I mention in chapter 1 relative to the topics and events I mention there. I also owe much to people who read part or all of the manuscript as it was written. Mark Elliott, Bob Moore, Vic Hamilton, Bert Jones, Allison Koch, Art Nonneman, and Yvonne Moulton all made comments on the manuscript. I considered all of the suggestions each person made and followed most of them. Of course, I did not make all the changes they suggested, so I take full responsibility for any errors in the book.

# Chapter 1

## My Odyssey

Mark (Skip) Elliott, editor of the *East-West Church & Ministry Report*, completed a presentation about his recent trip to Siberia and Central Asia. Sitting around the table with others during the discussion, I was intrigued when Skip said, “Since there was so little about bribery available, I asked a few people to write articles for the East-West Report and published them.”

I missed most of the rest of the discussion because that comment sent me off on another train of thought. I knew that many missionaries agonized over whether or not they should give bribes. Knowing that missionaries frequently discuss it, I immediately decided to write something about missionaries and bribery.

Rather than writing in third person as usual, I am writing this beginning chapter in first person. This chapter is a description of my journey to the position which I hold at this time. Other people have reached different positions, and I may change my position at some time.

### **On-Line**

Minutes after reaching home, I found the three articles in the 1997 *East-West Church & Ministry Report*. They have titles ranging from “Bribery: Out of the question” to “A case for

bribery: Giving versus taking”

(<http://www.eastwestreport.org/articles/ew05101.htm>). A few minutes later I found another article, one written for short-term healthcare missions

(<http://csthmbestpractices.org/ConsensusDocuments/Bribery1.2.pdf>). Although I tried several search engines and various forms of “bribe” and “missionary,” I found little else available on the Internet. Several blogs by missionaries mentioned bribery, but I found nothing systematized, such as organizational policies or guidelines.

### **In Periodicals**

Knowing that I had read something in a periodical about missions and bribery, I pulled out my old issues of *EMQ* (*Evangelical Missions Quarterly*). Beginning with the 2011 issues I had received and combing back through the table of contents in each issue, I found nothing during the last decade. Then the January 1999 issue had “Bribery: Where are the lines?” in large letters on the cover as the theme of the issue!

Disappointment followed when I discovered that the articles in that issue were exactly the same ones I had found online that were published in 1997. I did find references to a 2-page bribery article in a 1974 issue of *Christianity Today*, but that article was not even available in the archives on the *Christianity Today* website. People have just not written much about bribery either in print or on-line.

### **In the Bible**

Knowing that the Bible does say something about bribery, I opened Quick Verse on my computer and started to search. Looking at various versions, I was surprised to find that the number of times words referring to “bribe” appeared varied widely. The King James Version (KJV, 1611) uses the words bribe, bribes, and bribery a total of only six times. The New



King James Version (NKJV, 1982) uses “bribe” words 25 times, more than four times as often as in the original KJV. The popular New International Version (NIV, 1984) uses “bribe” words 29 times, nearly five times as often as the KJV. The words translated as “bribe” are also often translated as “gift” or “reward.” Obviously the historical period and the culture of the translators have a great effect on what the Bible says.

The New Testament does not discuss bribery in the same sense as the Old Testament. In fact, “bribe” words do not even occur in many versions. The KJV and the NKJV, like most other translations, use the word “money” in Acts 24:26. The Greek word used there is translated elsewhere in the New Testament as “money” or “riches”; however, the NIV translates it as “bribe.”

### **Bible reference works**

I then checked my Bible reference works. None of them even mentioned bribery. I later found more about Bible reference works in a paper that David Montgomery had written for an independent study in 1995 ([Appendix H](#)). Telling why he chose to study bribery, he said, “My interest was further aroused when I realized the incredible paucity of material written on this subject.” Here is what David found in 1995:

- *Tyndale Bible Dictionary*, no mention.
- *Baker's Dictionary of Christian Ethics*, no mention.
- *Concise Dictionary of Christian Ethics*, no mention.
- *Anchor Bible Dictionary*, no mention.
- *International Standard Biblical Encyclopedia*, 12 lines.
- *Interpreter's Bible Dictionary*, 23 lines (mostly quoted verses).
- *Zondervan Pictorial Bible Dictionary*, 25 lines (mostly quoted verses).

I was curious about this last finding. I checked again, and my 1967 copy of the *Zondervan Pictorial Bible Dictionary* with more than 5,000 entries had no mention of bribery.

David Montgomery went on to say, “When I realized that even the missiology journals and literature contained no examinations of the issue my mind was made up: this must rank as one of the most overlooked issues in the area of contemporary ethics and biblical studies. He called bribery “the skeleton in the Christian cupboard.” He went on to say that he found only two major works on the theme. One was an unpublished D. Miss. Project, and one was *Bribes*, a secular book by John [Noonan](#). Though he wrote 700 pages with 1000 footnotes, Noonan said, “Theologians have had little to say.”

Finally, David Montgomery ([Appendix H](#)) noted that the American Theological Library Association’s CD-Rom available then included hundreds of thousands of entries, but only four of them were articles about bribery. The first was limited to the Ancient Near East; the second was popular and general; the third was limited to Deuteronomic texts, and the fourth was speculative and unrelated to ethical issues.

### **Other reference works: Dictionary and Thesaurus**

I thought I knew what bribe meant, but I checked it out in my Webster’s unabridged dictionary. To my surprise one definition was, “Anything given or promised to induce a person to do something against his wishes.” Of course, another definition included something about doing “a wrong or illegal act.”

I pulled my Roget’s Thesaurus off the shelf and looked up “bribe” in the index. For bribe as a noun, it referred me to “gift,” and for bribe as a verb it referred me to “tempt” and “reward.”

Realizing that my dictionary and thesaurus were rather dated, I checked on-line. The Merriam-Webster Dictionary/Thesaurus (<http://www.merriam-webster.com/dictionary/bribe>) gave two definitions of “bribe.”

- “Money or favor given or promised in order to influence the judgment or conduct of a person in a position of trust.”

- “Something that serves to induce or influence”  
It also gave two examples:
- I offered the children a *bribe* for finishing their homework.
- That judge refused a huge *bribe* to dismiss the charges against the wealthy defendant.

### **Bible Professors/ Scholars**

I asked university/seminary professors, ones who translate the Bible and write commentaries, about the great differences between versions of the Bible. I found that the Hebrew word most often translated as “bribe” is *shochad* which basically means: “a gift given to encourage someone to do something he or she would otherwise not do.” They said that it is used three ways in the Old Testament.

- Gift as a reward, such as catching a thief.
- Gift as tribute to someone who will help fight against a third party if attacked.
- Gift as a bribe to influence a judge’s verdict.

In some passages the meaning is obvious from the context. However, in others, such as in Proverbs, there is little context so translators have to “guess” at it. In those cases they may choose different meanings.

The modern English word “bribe” seems to be nearly the same as the Hebrew word *shochad* used in the Old Testament. Both words can mean either good or bad things.

### **Missionaries**

I talked with, read interviews with, and read the writings of missionaries of varying ages, from different agencies, and serving in different parts of the world. None of them wanted to use bribes. All of them wanted to avoid bribes if possible. However, they were divided into those who would never use a bribe and those who had used or would use a bribe as a last resort in some circumstances.

- Bribery out of the question. These missionaries had settled the issue, and if they sensed a bribe was expected, they refused to pay it even if it meant they could not get a visa to enter the country, get medicines into the country, had to leave their ministry, and so forth.
- Bribery as a last resort. Those who would use or had used a bribe always had a set of criteria on which they would judge whether to pay the bribe or not. These criteria varied from person to person, but paying a bribe was to be avoided if possible.

## Observations

While reading, listening, and discussing, I have made the following observations.

- Bribery is the elephant in the room that most missionaries know is there and talk about it “privately.” However, very few write openly about it.
- Missionaries in some cultures agonize over it and may feel uncomfortable or guilty if they give a bribe.
- The Bible does not specifically prohibit giving a “bribe” regardless of which translation is used. However, the Bible always forbids accepting a bribe.
- Scholars differ on what is meant by some passages. One may translate the word as a gift, another as a reward, and yet another as a bribe.
- I did not find any missionaries who really wanted to give bribes or who gave them as a “regular” part of their work.
- Long-term, older, missionaries with wide experience are more likely to be open to giving bribes in some situations.
- Short-term, younger, missionaries with less experience are more likely to be closed to ever giving bribes.

## Major Documents

During the last couple of years several multinational and ecumenical documents pertaining to world evangelization have been released. I thought that these might shed some light on what one should do relative to bribes.

The Third Lausanne Congress on World Evangelization met in Cape Town, South Africa during October 2010. This brought together 4,200 evangelical leaders from 198 countries, and extended to hundreds of thousands more, participating in meetings around the world and online. This meeting culminated in the “Cape Town Commitment: A Confession of Faith and a Call to Action.” Crafted over the course of three years by evangelical theologians from all continents, the Cape Town Commitment is the third major evangelical statement on missionary belief and practice produced by the Lausanne movement

(<http://www.lausanne.org/en/documents/ctcommitment.html>).

This long document contains many statements about truth, love, and statements such as, “We commit ourselves to be scrupulously ethical in all our evangelism. Our witness is to be marked by ‘gentleness and respect, keeping a clear conscience.’” However, a search of the document which is to be about missionary practice and the last part of the title is “a call to action” never uses the word “bribe.”

Less than a year later (June 2011) the World Council of Churches (WCC), the Pontifical Council for Inter-Religious Dialogue (PCID) of the Roman Catholic Church, and the World Evangelical Alliance (WEA) jointly issued “Christian Witness in a Multi-Religious World: Recommendations for Conduct.” The three bodies, with a combined membership of some two billion, represent nearly 90 percent of the world’s Christians (<http://www.internationalbulletin.org/system/files/2011-04-194-churches.html>).

This document is claimed to represent a broad consensus on appropriate missionary conduct “according to gospel

principles” when sharing the Christian faith. This document also has statements such as “Christians are called to conduct themselves with integrity, charity, compassion and humility, and to overcome all arrogance, condescension and disparagement.” However, a search of the document which is to be about conduct of Christian witness never discusses the word “bribe.”

### **Getting permissions**

Finally, after I had decided that I would need a book to say what needed to be said about bribery, I realized what a sensitive issue it is. I had decided that it would be best to include some well-done items by people coming to different conclusions. I found an item on-line that I thought was well-done. A note at the end of the article said, “Reproduction permitted for non-commercial use only.”

As a courtesy I sent an email with the subject line, “Letting you know...” to the contact information on the website. I explained what I planned to do and ended with: “XX XXXX’s article (attached) is excellent, and I am planning to include it as one of the appendices. Thank you for making your material available for reproduction for noncommercial use. I will do basically the same with this e-book when it is complete. It will be available to anyone free of charge.”

In a few hours I received a reply: “Thank you for your kind words and desire to use XX XXXX’s article. We would prefer, however, that you not use it. It’s an old article--a transcript that was never edited for anything beyond a commentary on YYY’s site. In fact, it’s so old that I’ve removed it from our website. And we would ask that you not include it in your work. I’m sorry if this presents any inconvenience.”

My compliment about the author’s work and courtesy to let the website know that I was planning to use it as they had given permission actually resulted in there being one less good article available on-line for people to read.

## Getting Examples of Policies

One of the things I wanted in the appendices of this book was a few good examples of policies agencies had about missionaries and bribes. Since I had attended the annual Conference on Mental Health and Missions for the last 17 years, I decided to ask attendees who served with sending agencies if they were willing to let me use their bribe policies.

I sent emails to 66 people serving with 66 different agencies and asked two questions: 1. Do you have a policy? 2. Will you allow me to use your policy as an example? Some of these people knew me personally, some had been at my presentations or display, and the rest had at least been at the conference when I was there. To maximize returns, I sent individual emails with personal remarks about past contact with them.

More than 50% of the people I contacted responded, but only one of them had a policy. This sample included very large and very small agencies of many different evangelical groups, but just as there was nothing on-line, there was nothing about bribery specifically in their policy manuals. This seems to be a classic example of “don’t ask, don’t tell.”

## A Christian Ethics Example

I began looking for something that would help me know how other missionaries had dealt with similar ethical dilemmas. I found that Brother Andrew who wrote the popular book, *God’s Smuggler*, had also written a book dealing with the ethics of smuggling.

Tyndale Publishing House, an evangelical Christian publisher, published his *The Ethics of Smuggling* in 1974. The forward was written by Corrie ten Boom. Unfortunately, the more than 100-page book offered little help. Here are a few quotes:

- Brother Andrew said, “Jesus said we *must* take the gospel into every country. If any of these countries resist—whether the police, the government, the army, the culture, or even the religion—we still have the commission to go, regardless!” (p 35).
- “If I stand at the Communist border and have my car loaded with the Scriptures, then I am under no obligation whatsoever to tell them the truth, because they are in the service of the devil.” (p. 43).
- “We are not facing an *ethical* issue but a *loyalty* issue. If we are true followers of the Lord Jesus Christ, we simply go into *all* the world because he sends us. We need no welcome, we need no invitation, we need no permission from the government, we need no...” (p. 137—last page of the book).

### A Definitive Work on Bribes

I noticed a book titled *Bribes* was mentioned by several authors writing about bribery, and realized that it was an important work. The author was John [Noonan](#) who was a law professor at the University of California at Berkley and US Appeals Court Judge, 9<sup>th</sup> Circuit in California. The book was published by Macmillan and the University of California (Berkley) press. I expected to find a thoroughly secular book, and since it was a quarter of a century old, I was able to get a used copy for \$0.88 plus postage.

The large paperback arrived with more than 700 pages of text and another 100 pages of notes following that. Following the notes was a “Table of Scriptural Citations” with 270 Scripture references, 150 from the Old Testament and 120 from the New Testament. In addition to his legal credentials, Judge Noonan had a PhD in Philosophy from Catholic University of America and had taught at the University of Notre Dame Law School. He had also written books on many topics, including religious freedom and the development of moral



theology! He did not stop at what was legal, but he sought the Truth that is beyond legal argumentation.

### **Asking 10,000 People**

I put an item in “Brigada Today.” This item requested mission agency policies about bribes as well as other information about bribes, indicating that I would be delighted to receive guidelines, position papers, and any other written information. This could come from an agency or from an individual’s personal thinking.

This item was sent to the 10,000 subscribers interested in missions, and it was posted on <http://www.brigada.org/> where people who did not subscribe could access it at any time. This resulted in 15 responses, but no bribery policies. However, the people who responded made several good suggestions including some references I had not found.

### ***Bribery and the Bible***

One of the responses to the Brigada item asked if I was familiar with *Bribery and the Bible*, a book published in Singapore more than 20 years ago. I had read where people referred to it, but I could not find a reasonably priced copy. I wrote back to the man who suggested it to ask if it was available on-line or if he had a copy for sale; I would gladly pay for it. He asked for my address and sent me a copy free of charge. I found it to be a great book, and I found references to people here in Wilmore, Kentucky.

I located the author, still in Singapore, and contacted him to ask if the book was on-line or if I could include three chapters from it as an appendix to this book. He said that he had recently made a PDF copy and hoped to post it on-line, that I could use the three chapters, and that two of his faculty members had studied in Wilmore as well as two of his former students were studying in Wilmore at that time.

## **Sitting on my table**

When the manuscript was “finished,” I sent it to several people for comments and suggestions and set the manuscript aside for several weeks. During the last year, my reading, writing, and thinking had concentrated on writing a book for singles and writing this book on bribery. I had neglected keeping up reading other things. About a month after setting the manuscript aside, I took several books and the unread issues of three periodicals with me as Bonnie and I spent a few days at Fairhaven Ministries in eastern Tennessee. My intention was to update the member care database on [missionarycare.com](http://missionarycare.com).

As I sat in our chalet, I “discovered” that the theme of the July 2011 Issue of *Evangelical Missions Quarterly* was “Ethical Challenges,” and one of the articles was “Missionary Ethics and the Practice of Bribery.” As I read the excellent article by [Jason Richard Tan](#), my first thought was, “If I had just found this article which appeared a couple months before I started this book, I would not have done all this work.” On second thought, I realized that if I had found it, I would never have made this exciting odyssey.

I contacted Dr. Tan to see if many people had contacted him to thank him for bringing up this difficult and controversial topic so that people could discuss it. He had received only one email! Likewise only one “letter to the editor appeared in *Evangelical Missions Quarterly*, and that was nine months later in the April, 2012 issue! Bribery is still not a hot topic for discussion.

## **Summary**

Little about missionaries and bribes is readily available on-line, in printed periodicals, or in published books. The Bible is not silent on the issue of bribery, but Christians have written little about it. Missionaries living in countries where bribery is

common discuss it among themselves, but only a few have put their thoughts in writing.

Most mission agencies have no policy or guidelines about bribery. Therefore, missionaries have to make decisions about bribes on their own or with the advice of a few colleagues in the absence of much relevant thinking and information.

## Chapter 2

### What is a “bribe”?

People have their own definitions of words. Sometimes these definitions may be the same as, or very similar to, those of other people speaking the same language. At other times they may be rather different. For example, in some parts of the USA people use the words “pop” or “soda” to refer to soft drinks and think of a “coke” as referring to Coca-Cola, a specific soft drink. However, in other parts of the country “coke” is a synonym to “pop” or “soda” and refers to soft drinks in general.

Sometimes the denotations (explicit definition) may be the same, but the connotations (suggested overtones) quite different. For example, calling someone a “statesman” evokes a very different connotation than calling him or her a “politician” even though the denotations (explicit definitions) of both words refer to someone who is a leader in government.

Most missionaries seem to have a rather negative connotation to the word “bribe” and a rather positive one to the word “gift” even though both of these words refer to something given to someone else. To find out the definitions of such words, people usually consult a dictionary or lexicon. This chapter considers the definitions (denotation) of “bribe” today and in the past.

## Meanings of “bribe” in English Today

*Webster’s New Twentieth Century Dictionary*

*Unabridged* has the following meanings for the noun “bribe.”

1. a price, reward, gift, or favor bestowed or promised to induce one to commit a wrong or illegal act.
2. anything given or promised to induce a person to do something against his or her wishes.

These are the two definitions given in my printed copy of the dictionary. No examples are in the dictionary, but here are a couple that missionaries might consider offering for each meaning.

1. offering a police officer money not to write a ticket for your speeding violation.
2. offering your children a small chocolate (m&m) from “home” if they will eat all the vegetables on their plates.

Note that “bribe” has two meanings. One of the meanings involves something immoral, unethical, or illegal. The other meaning involves none of those and may even be for the good of the person involved.

That printed dictionary is from the last century. Perhaps the meaning has changed now that we are in the second decade of the 21<sup>st</sup> century. The following are definitions from on-line sources.

\*\*\*\*\*

<http://www.merriam-webster.com/dictionary/bribe>

1. money or favor given or promised in order to influence the judgment or conduct of a person in a position of trust
2. something that serves to induce or influence

Examples of *BRIBE*

1. I offered the children a *bribe* for finishing their homework.

- 2. That judge refused a huge *bribe* to dismiss the charges against the wealthy defendant.

\*\*\*\*\*

<http://dictionary.reference.com/browse/bribe>

- 1. money or any other valuable consideration given or promised with a view to corrupting the behavior of a person, especially in that person's performance as an athlete, public official, etc.: *The motorist offered the arresting officer a bribe to let him go.*
- 2. anything given or serving to persuade or induce: *The children were given candy as a bribe to be good.*

\*\*\*\*\*

<http://www.thefreedictionary.com/bribe>

- 1. something, such as money or a favor, offered or given to a person in a position of trust to influence that person's views or conduct.
- 2. something serving to influence or persuade.

*(The American Heritage® Dictionary of the English Language, Fourth Edition copyright ©2000 by Houghton Mifflin Company. Updated in 2009. Published by Houghton Mifflin Company. All rights reserved.)*

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<http://www.thefreedictionary.com/bribe>

- 1. a reward, such as money or favour, given or offered for this purpose
- 2. any persuasion or lure

*(Collins English Dictionary – Complete and Unabridged © HarperCollins Publishers 1991, 1994, 1998, 2000, 2003)*

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<http://www.yourdictionary.com/bribe>

1. anything, esp. money, given or promised to induce a person to do something illegal or wrong
  2. anything given or promised to induce a person to do something against his or her wishes
- (*Webster's New World College Dictionary*)

Even now, well into the 21<sup>st</sup> century, note that “bribe” has two meanings. One of the meanings involves something immoral, unethical, or illegal. The other meaning involves none of those and may even be for the good of the person involved.

### **Development of the meaning of “bribe”: Etymology**

Sometimes considering the origin and development of a word helps understand it today. Perhaps “bribe” had only a negative meaning in the past, and that is why it has a negative connotation to many people today.

*Webster's New Twentieth Century Dictionary Unabridged* gives the following etymology of bribe: “[OFr. *Bribe*, a piece of bread, usually that given to beggars; a gift, present; LL. *Briba*, a scrap of bread.]” That is, the word “bribe” came from the Late Latin *briba* through the Old French *bribe* into the English bribe.

There are probably few negative connotations attached scraps of bread, especially those given to help people in need. Of course, findings in etymology may have led to new discoveries, so here are some from current on-line sources. Although all on-line dictionaries give definitions, not all give an etymology.

\*\*\*\*\*

<http://www.merriam-webster.com/dictionary/bribe>

Middle English, morsel given to a beggar, bribe, from Anglo-French, morsel. First Known Use: 15th century

\*\*\*\*\*

<http://dictionary.reference.com/browse/bribe>

1350–1400; Middle English < Middle French: remnant of food given as alms, said to be < an expressive base *\*bri ( m ) b-* denoting something small

\*\*\*\*\*

<http://www.thefreedictionary.com/bribe>

[Middle English, from Old French, *piece of bread given as alms.*]

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<http://www.thefreedictionary.com/bribe>

**bribe** [brarb]

*n*

[from Old French *briber* to beg, of obscure origin]

*Collins English Dictionary – Complete and Unabridged* © HarperCollins Publishers 1991, 1994, 1998, 2000

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<http://www.etymonline.com/>

Online Etymology Dictionary:

late 14c., "thing stolen," from O.Fr. *bribe* "bit, piece, hunk; morsel of bread given to beggars" (14c.), from *briber*, *brimber* "to beg," a general Romanic word (Gamillscheg marks it as *Rotwelsch*, i.e. "thieves' jargon"), of uncertain origin. Shift of meaning to "gift given to influence corruptly" is first attested 1530s.

Note that the use of the term before it came into the English language was all positive. The Online Etymology Dictionary states that the first use of it with a negative connotation was when it came into the English language in the 16<sup>th</sup> century.

In summary, note that two definitions of bribe are always given. One is "anything given to people to persuade them to do something they would not ordinarily do." The other is anything given to people in authority to persuade them to do something wrong."

## Two kinds of bribes

In *Folded Lies: Bribery, Crusades, and Reforms* Michael [Reisman](#) (1979) distinguishes between transactional bribes and variance bribes. The crucial thing is whether or not a norm has been violated. This distinction is exactly what we found when looking at the two definitions of bribe above. One definition involved getting a person to do something illegal or unethical, and the other definition just involved influencing the person's behavior.

**Transactional Bribes.** [Reisman](#) defines a transactional bribe as "a payment routinely and usually impersonally made to a public official to secure or accelerate the performance of his

prescribed function” (p. 69). For example, a missionary has brought in the three signed and stamped forms required for clear title to his vehicle, but the clerk keeps requesting additional forms and signatures. The missionary turns in the sixth form with a five-dollar bill attached—and gets the title promptly.

The five dollar bill is a transactional bribe. Note that the clerk did not violate any law, but only produced the title sooner. He would have sped it up for anyone who included the money, and he could have done it sooner. Since such transactional bribes are given to make the bureaucracy run faster, they are often called “grease money.”

**Variance Bribes.** [Reisman](#) defines a variance bribe as one “not to facilitate or accelerate acts substantially in conformity with a norm but rather to secure the suspension or non application of a norm” (p. 75). In the previous example, if the missionary had turned in only two of the required forms and was missing one (perhaps one showing that he had paid the tax), and the clerk issued the title anyway, the five dollars was a variance bribe. The clerk issued a title he should not have issued.

This distinction between transactional and variance bribes will be helpful in discussing scriptural references to bribes. This will become more apparent as we look at extortion because many “transactional bribes” are actually extortion rather than bribes.

### **Meaning of “extortion” in English today**

One may be puzzled to find extortion being defined in a book about bribery. However, bribery and extortion may occur together—and they have similarities as well as differences. In fact, what is really extortion is sometimes called bribery. Therefore, both must be defined.

Both bribery and extortion have a goal of persuading a person to make a particular decision or to act in some particular

way. The similarity ends there. The “end” is the same, but the “means” are different.

The means are as different as reward and punishment or positive and negative. A bribe is given to influence thinking and behavior by offering some benefit (reward) so that the person paying the bribe gains something. Extortion tries to influence thinking and behavior by threatening some negative outcome (punishment) so that the person paying the extortion fears loss. In other words, bribery offers favors or gifts, but extortion demands with a threat. Bribery is when I give you money for a certain outcome; extortion is when I threaten something harmful to you unless you give me money.

*Webster’s New Twentieth Century Dictionary Unabridged* has the following meaning for “extortion.”

“The act of extorting; the act or practice of wresting money, etc. from a person by force, threats, misuse of authority, or by any undue exercise of power; sometimes applied to the exaction of too high a price.”

Here are some definitions from the Internet.

<http://www.merriam-webster.com/dictionary/extortion>

the act or practice of extorting especially money or other property; *especially*: the offense committed by an official engaging in such practice

<http://dictionary.reference.com/browse/extortion>

1. *Law* . the crime of obtaining money or some other thing of value by the abuse of one's office or authority.
2. oppressive or illegal exaction, as of excessive price or interest: *the extortions of usurers.*

One type of extortion that some missionaries fear is kidnapping for ransom. Wikipedia defines ransom as “the practice of holding a prisoner or item to extort money or

property to secure their release

<http://en.wikipedia.org/wiki/Ransom>. This does happen, but it is not as common among missionaries as among corporations simply because mission agencies do not have as much money to pay ransoms. In fact, some agencies issue their missionaries cards stating that the agency will not pay such extortion.

Note that all of the definitions are nearly the same. The etymology of extortion is also rather straightforward. In summary, extortion is demanding something from people by threatening some negative outcome if the demand is not met. As noted at the beginning of this section, bribery offers favors or gifts, but extortion demands with a threat. Bribery is when I give you money for a certain outcome; extortion is when I threaten something harmful to you unless you give me money.

In “Missionary Ethics and the Practice of Bribery” in the July 2011 issue of *Evangelical Missions Quarterly*, [Jason Richard Tan](#) tells of Ann Judson. When her husband, Adoniram Judson, early missionary to Burma, was in prison, Ann tried to keep him alive by giving prison officials money to allow her to bring him food. Tan says, “Was Ann Judson guilty of committing bribery? Of course not. If this is the case, then most instances of bribe or bribery that Western missionaries are decrying are actually instances of extortion, perceived or otherwise” (Tan, 2011, p. 279).

Tan (2001) goes on to say, “Defining an act as either bribery or extortion makes an enormous difference. In the concept of a bribe, the blame is placed on the client who initiates a transaction in order to compel a person to violate his or her duty. This is clearly against Biblical values. On the other hand, the concept of extortion shifts the blame to the power holder, the person given a public trust to dispense his or her duty fairly.”

## Meaning of “gift” in English today

It may seem even more puzzling to find “gift” being defined in a book on bribery. The reason it is defined here is that the Hebrew word most often translated as “bribe” is often also translated as “gift” (or present or reward). People need to know the differences between bribes, extortion, and gifts.

*Webster’s New Twentieth Century Dictionary Unabridged* has several definitions, but the following meaning for the noun “gift” is the one that is related to extortion and bribe.

“That which is given or bestowed. Anything which is voluntarily transferred by one person to another without compensation; a donation; a present.”

Here are some definitions from the Internet.

<http://www.merriam-webster.com/dictionary/gift>

Something voluntarily transferred by one person to another without compensation.

<http://dictionary.reference.com/browse/gift>

Something given voluntarily without payment in return, as to show favor toward someone, honor an occasion, or make a gesture of assistance; present.

Note that all of the definitions are nearly the same. The etymology of gift is also rather straightforward.

Tan (2011) points out that in times past, and in many places today, “the world operated on a gift economy” which was based on relationships and reciprocity. However, with the advent of the modern bureaucratic system, “impersonal decision makers” are given a public trust to run the system. This system removes the need for gifts and tips. When people operating in the framework of these two systems interact, they lack

understanding and acceptance of each other. Western missionaries must be careful about using the word “bribe” to condemn Majority World customary transactions as immoral.

In summary, a gift is something which is voluntarily transferred by one person to another without compensation. Note that unlike bribes, gifts involve no demands or expectations and are given voluntarily.

### Meanings of “bribe” in Hebrew in the Old Testament

Several Hebrew words in the Old Testament are translated as “bribe.” This is not the place for an exegesis of texts containing those words, but there is a paper which does that in [Appendix H](#).

However, we can look at the way one word is translated which will help understand the meaning of “bribe” in the Old Testament. The Hebrew word most often translated as “bribe” is *shochad* which basically means “a gift given to encourage someone to do something he or she would otherwise not do.”

In *Bribery and the Bible* Richard Langston (1991, p. 25) <http://www.missionarycare.com/ebook.htm> notes that *shochad* is used in five ways.

- A gift accepted by any administrator of justice that adversely affected the administration of justice.
- A gift that man offers to God to get God to be partial to him in some way.
- A gift given by one ruler to another ruler so that he would do something to help the first ruler against a third party.
- A gift given by an adulterer to the offended husband to pacify his jealousy for the adultery.
- A gift offered to a ruler so that he would free captives.

Table 1A and Table 1B in [Appendix A](#) show how *shochad* is translated in all 23 of the places where it appears in the Old Testament. And it shows this for 12 translations made over a period of 400 years. These tables tell us about the meanings of *shochad* as we consider the following points.

First, note that *shochad* appears 23 times in the Old Testament. The tables give the English words used in twelve different versions, so one can see how it was translated 276 times. It was translated as some form of “bribe” 175 (63%) times and as some other word 101 (37%) times. So, like the English word “bribe,” *shochad* has more than one meaning.

Second, notice that in 1 Kings 15:19 no version of the Old Testament translated it as “bribe.” It was always translated as “gift” or “present.” Furthermore, in 2 Kings 16:8 and in Isaiah 45:13 eleven of the twelve versions translated it as something other than bribe. The only version that used the word “bribe” in these verses was Young’s Literal Translation. As a “literal” translation, he apparently felt bound to use the same word each time it appeared (although he did not do so in 2 Kings 16:8).

Third, three translations (NIV, TNIV, and YLT) translate *shochad* as “bribe” 20 or more times, giving it mostly negative connotations. However, the other nine translations translate it with other words having positive connotations, words such as gift and reward. Like the word “bribe” in English, *shochad* in Hebrew has both positive and negative meanings.

Fourth, The New International Reader’s Version never uses the word “bribe.” This version was written to make the NIV “easier to read and understand.” The International Bible Society said “We wanted to make sure we were giving you the actual Word of God.” It goes on to say that the NIRV is a simplification of the NIV, but it is not clear why they removed the word “bribe” from the translation. For more information, visit <http://www.biblica.com/nirv/>.

### **Differences in the translation of *shochad* over time**

With the exception of the NIRV, note the general increase of translating *shochad* as “bribe” over time. In 1611 the KJV used “bribe” 4 times, in 1884, the DNT used it 9 times,

and everything after 1900 used it 15 or more times (except the NIRV).

The same change occurs when one looks at revisions over time. The KJV used bribe 4 times and the NKJV used it 18 times. The American Standard Version in 1901 used bribe 15 times, and a century later the English Standard Version in 2001 used bribe 19 times. (The ASV was revised to become the Revised Standard Version, and then revised again to become the ESV.)

The connotation of the word “bribe” changed over the years as it moved from Latin and French (positive) to the English (where it became negative). Although the process is not identical, the translated meaning of *shochad* has changed from being primarily positive (gift, present, reward) to being primarily negative (bribe).

### ***Shochad* as Transactional and/or Variance Bribes**

In *Bribery and the Bible* Richard Langston (1991) <http://www.missionarycare.com/ebook.htm> examined the 23 times that *shochad* appears in the Bible to see if it was referring to a transactional bribe or a variance bribe or both. He found that 15 of the passages definitely referred to variance bribes. After a careful analysis of all 23 times *shochad* appears, he found that only three verses (Deuteronomy 10:17; 16:19, and 2 Chronicles 19:7) refer to transactional bribes.

He concluded, “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. On the other hand, if it does not result in partiality, it is not necessary to classify it as a bribe according to Scriptural boundaries” (p. 27). That is, it is extortion rather than bribery.

This chapter has presented material in an intuitive, understandable format. For those who want an exegesis and full consideration of the material, two of the appendices provide that. Please see [Appendix E](#) and [Appendix H](#).



## Summary

Two definitions of “**bribe**” are nearly always given in English. One is “anything given to people to persuade them to do something they would not ordinarily do.” The other definition is “anything given to people in authority to persuade them to do something wrong.”

People working cross-culturally may pay **transactional bribes** in which they give officials money to do what those officials should do without payment. Those same people may pay **variance bribes** in which they get people to do something illegal.

**Extortion** is demanding something from people by threatening some negative outcome if the demand is not met. Bribery offers favors or gifts but extortion demands with a threat. Bribery is when I give you money for a certain outcome; extortion is when I threaten something harmful unless you give me money. Many transactional bribes are really extortion.

A **gift** is something which is voluntarily transferred by one person to another without compensation. Note that, unlike bribes, gifts involve no demands or expectations and are given voluntarily.

Like “bribe” *Shochad*, the Hebrew word most often translated as bribe, also has several meanings. In addition to bribe, it is also often translated as gift or reward. So, like the English word “bribe,” *shochad* has more than one meaning, meanings similar to those of transactional and variance bribes.

## Chapter 3

# What does the Bible say about bribes?

The Bible has much to say about bribes. It includes several instances in which bribes are offered and accepted as well as instances in which bribes are wanted but not offered. The word “bribe” occurs in some translations as many as 29 times, and several different Hebrew words are, at times, translated as “bribe.”

Table 2A and Table 2B in [Appendix A](#) include many of the same verses as are in Tables 1A and 1B discussed in Chapter 2. Tables 2A and 2B include the twenty times that nearly all of the versions translated *shochad* as “bribe” plus an additional nine times when other words were translated as “bribe.” Some of the comments made about Tables 1A and 1B in the last chapter apply here as well.

First, note that the NIV and TNIV in Table 1A use the word “bribe” more than any other of the translations. Again, the NIRV in Table 1A, also translated by the International Bible Society, never uses the word “bribe” for any word. The word “bribe” does not appear anywhere in the NIRV.

Second, note that YLT in Table 1A uses the word “bribe” only 22 times. The reason for this is that in his literal translation Young essentially always translates a Greek or

Hebrew word into the same English word. Therefore, he translates these Greek and Hebrew words in the ways they are more commonly translated.

Again, notice the increasing use of the word “bribe” over the years. The King James Version translated in 1611 uses it only six times. Darby’s New Translation translated in 1884 uses it only eleven times. The rest of the translations all translated after 1900 use “bribe” nineteen or more times.

### **Bribes in the Old Testament**

The Old Testament has passages about bribes in a dozen different books. Several Hebrew words are translated into English as bribe, and these are in used to describe both transactional bribes and variance bribes, with both positive and negative connotations.

Some of the passages of Scripture mention bribes in the Old Testament in the context of a person of higher position judging someone of lower status. Five times the Bible points out that accepting bribes blinds eyes or stops ears, five times that accepting bribes perverts words or perverts justice, five times that it harms innocent people, and the Bible also mentions a variety of other things.

Other passages in the Old Testament point out that a bribe may be a “precious stone” that prospers its owner, and that it pacifies anger. The Bible also suggests bringing a gift when meeting with an important person and giving a gift in private when meeting an official.

As noted in Chapter 2, most of the times that bribery is mentioned in the Old Testament it is a variance bribe. In *Bribery and the Bible* Langston <http://www.missionarycare.com/ebook.htm> (1991) suggests three key questions to ask when faced with a bribe situation in life,

- Is it pursuing justice or distorting justice?
- Is it undercutting impartiality and promoting favoritism?

- Is it motivated by greed or dishonest gain?

All three key questions are followed by “auxiliary” questions that elaborate on the key questions, and these additional questions are available in Langston (1991) <http://www.missionarycare.com/ebook.htm>.

[Appendix B](#) lists all 29 of the verses that mention bribes in three versions in the public domain: the King James Version, Darby’s New Translation, and the American Standard Version. Having them all before you in one place may help you see commonalities.

### **Bribes in the New Testament**

Although the Old Testament has many passages about bribes, the New Testament says little about them. Several Hebrew words are translated as “bribe,” but no Greek word referring to bribes is used in the New Testament.

Looking at the Tables presented in [Appendix A](#), note that the word “bribe” is found in the New Testament in only one verse and only in versions published after 1975.

The New International Version translated the Greek word *chrema* as “bribe” and since then some other versions have done the same. The Greek *chrema* appears six other times in the New Testament, and three of those times it is translated as “money” (Acts 4:37; Acts 8:18; and Acts 8:20). It also appears three other times where it is translated as “rich” or “riches” (Mark 10:23, Mark 10:25; and Luke 18:24) even in the translations that use “bribe” in Acts 24:26. Thus *chrema* is a general term for wealth, not a word that means “bribe.”

In summary, the Old Testament has much to say about bribes including a word, *shochad*, that is most often translated as “bribe.” However, although several bribery situations are described in it, the New Testament does not use the word “bribe”, except a few versions in one verse in Acts.

## **What does the Bible say about accepting bribes?**

New International Version (NIV) of the Old Testament has many passages about it. Here are a few condemning bribery:

- Exodus 23:8, “Do not accept a bribe, for a bribe blinds those who see and twists...”
- Deuteronomy 27:25, “Cursed is the man who accepts a bribe to kill...”
- 1 Samuel 8:3, “...They turned aside after dishonest gain and accepted bribes and perverted justice.”
- Proverbs 17:23, “A wicked man accepts a bribe in secret to pervert the course of...”
- Ecclesiastes 7:7, “...A bribe corrupts the heart.”
- Ezekiel 22:12, “...men accept bribes to shed blood...”
- Amos 5:12, “...You oppress the righteous and take bribes....”

The Bible repeatedly commands God’s people not to accept bribes, and it repeatedly condemns people who do. This condemnation of bribes is clearly stated throughout the Old Testament which always says it is wrong to accept a bribe. Taking bribes leads to partiality, corruption and injustice.

## **What does the Bible say about refusing bribes?**

People who refused to accept bribes received God’s approval.

- Deuteronomy 10:17, “For the LORD your God...shows no partiality and accepts no bribes.”
- 2 Chronicles 19:7, “...with the LORD our God there is no injustice or partiality or bribery.”
- Psalms 15:5, “...does not accept a bribe... He who does these things will never be shaken.
- Proverbs 6:35, “...He will refuse the bribe, however great it is.”

- Isaiah 33:15, “He who walks righteously...and keeps his hand from accepting bribes...”  
Refusing bribes is always right.

### **What does the Bible say about giving bribes?**

The Bible does not say it is wrong to give a bribe. In fact, it has several passages encouraging giving bribes. These passages in the NIV are sometimes called “problematic verses” by individuals who say we should never give bribes. These people then go on to “explain” the verses.

- Proverbs 17:8: A bribe is a charm to the one who gives it; wherever he turns, he succeeds.
- Proverbs 21:14: A gift given in secret soothes anger, and a bribe concealed in the cloak pacifies great wrath.

### **Extortion**

As noted in Chapter 1, bribery and extortion may occur together—and they have similarities as well as differences. In fact, what is really extortion is sometimes called bribery. In review, both bribery and extortion have a goal of persuading a person make a particular decision or to act in some particular way. The similarity ends there. Again, the “end” is the same, but the “means” are different. The means are as different as reward and punishment or positive and negative. Bribery offers favors or gifts, but extortion demands with a threat. Bribery is when I give you something for a certain outcome; extortion is when I threaten harm unless you give me something.

### **Extortion in the Old Testament**

As was the case with bribes, what the Bible says about extortion depends on the version consulted. Tables 3A and 3B in [Appendix A](#) show the number of times “extortion” words occur in a dozen versions. The New International Reader’s

version never uses either “bribe” or “extortion.” The Contemporary English Version uses “bribe” many times, but it never uses “extortion.”

The New International Version, Today’s New International Version, the New Living Translation, and the Message all use “extortion” frequently in the Old Testament but only once in the New Testament. Whenever extortion is mentioned in the Old Testament, it is condemned. Langston <http://www.missionarycare.com/ebook.htm> (1991) came to eight conclusions about extortion in the Old Testament (see Langston pp. 40-43 for specific verses supporting these conclusions).

- Extortion is explicitly identified as a sin.
- Extortion is specifically prohibited by Old Testament Scripture.
- Extortion is frequently and closely associated with robbery.
- Extortion is closely associated with the denial of justice.
- Widows, orphans, the poor, and aliens are often the targets or victims of extortion.
- Extortioners may experience short-term gains, but the long term consequences will not be good.
- Even when extortion becomes common practice, God holds the individual who practices it guilty.
- Bribery and extortion are closely associated in several places in Scripture.

### **Extortion in the New Testament**

Tables 3A and 3B in [Appendix A](#) show that The King James Version, Young’s Literal Translation, and The American Standard Version use the term “extortion” more often in the New Testament than they do in the Old Testament. Except for the New King James Version (which uses “extortion” equally in both testaments), the word “extortion” has nearly disappeared in the New Testament translations during the last century.

## **What does the Bible say about extorting?**

The Bible condemns extortion.

- Ecclesiastes 7:7. Extortion turns a wise man into a fool...
- Ezekiel 18:18. ...his father will die for his own sin, because he practiced extortion...
- Ezekiel 22:12. ...make unjust gain from your neighbors by extortion.
- Matthew 23:25. Woe to you. For you cleanse the outside of the cup and dish, but inside they are full of extortion and self-indulgence.
- 1 Corinthians 5:11. I have written to you not to keep company with anyone named a brother, who is sexually immoral, or covetous, ..., or an extortioner—not even to eat with such a person.
- Luke 3:13. Extort no more than that which is appointed you.

## **What does the Bible say about paying extortion?**

The Bible views the extorted person as a victim. Nowhere in Scripture is the victim told not to give in to the extortioner. No verse indicates that the person who yields to extortion is guilty of sin.

The Bible does urge governmental authorities who are responsible for administering justice to defend the victims and punish those who are extorting them.

## **What does the Bible say about giving gifts?**

In many cultures people are expected to bring a gift when meeting someone, particularly when meeting an important person. This practice is culturally appropriate, accepted as normal, and expected by nearly everyone. In fact, this was the case in Old Testament times, especially when meeting someone



very important. For instance, Proverbs 18:16: “A gift opens the way for the giver and ushers him into the presence of the great.”

A good example of this is found in 1 Samuel 25. Nabal was a wealthy, but surly and mean, landowner near Carmel. When David’s men asked Nabal for supplies, he nastily refused—ridiculing David. David set out to take revenge but met Abigail, Nabal’s wife, on the way. Abigail bowed to the ground and asked forgiveness for her husband saying, “Let this gift, which your servant has brought to my master, be given to the men who follow you” (1 Samuel 25:27).

Rather than rebuking Abigail or refusing her gift, David praised God for sending her and thanked her for stopping him. “Then David accepted from her hand what she had brought him...” (1 Samuel 25:35). He granted Abigail’s request and told her to go in peace. Ten days later Nabal died, and soon David asked her to become his wife! Rather than being condemned, Abigail became a queen.

Even though it appears to be a bribe, this gift was not an evil bribe, just a culturally appropriate gift! In previous chapters we noted how even the New International Version translated *shochad* as “gift” in 1 Kings 15:19 and 2 Kings 16:8. These were culturally appropriate gifts, not bribes. Here are some examples of gifts, or the lack of them, from the books of Samuel and Kings.

- 1 Samuel 9:7: Saul said, “If we go, what can we give the man? The food in our sacks is gone. We have no gift to take to the man of God.”
- 1 Kings 10:25: About Solomon, “Year after year, everyone who came brought a gift—articles of silver and...”
- 2 Kings 8:8: King Ben-Hadad said, “Take a gift with you and go to meet the man of God.”
- 2 Kings 20:12: The son of Baladan king of Babylon sent Hezekiah letters and a gift, because he had heard of Hezekiah’s illness.

These were just appropriate cultural courtesies, not bribes to do something inappropriate.

## Summary

The Old Testament has much to say about bribes including a word, *shochad*, that is most often translated as “bribe.” However, although several bribery situations occur in it, the New Testament does not use the word “bribe” except in a few versions in one verse in Acts.

The Bible repeatedly commands God’s people not to accept bribes, and it repeatedly condemns people who do. This condemnation of bribes is clearly stated throughout the Old Testament which always says it is wrong to accept a bribe. In addition, refusing bribes is always right. Unlike accepting bribes, the Bible does not say it is wrong to give a bribe. In fact, it has several passages that encourage giving bribes.

Although the Bible mentions extortion less frequently than it does bribes, both the Old Testament and the New Testament have passages about it. Some versions have more verses about extortion in the Old Testament, and other versions have more in the New Testament.

The Bible always condemns extorting from others, and the Bible always views the extorted person as a victim. Nowhere in Scripture is the victim told not to give in to the extortion nor does it indicate that the person who yields to extortion is guilty of any sin.

Of course, the Bible does not condemn the giving of gifts, as long as the “gifts” are not intended as bribes. People even brought gifts to Jesus himself.

## Chapter 4

# What does the law say about bribes?

Since bribes have been around for thousands of years, the Bible has much to say about them. In addition, governments have passed many laws about them. These have been passed by cities, states, provinces, and even nations. Probably most missionaries are not interested in how these laws about bribery evolved, but for any who are interested, John T. [Noonan](#)'s 1984 book, *Bribes* is a “must read.”

Noonan exemplifies a rare combination of scholarship, service, and Christian commitment. He earned a BA degree and an LLB (law) degree from Harvard University as well as MA and PhD (philosophy) degrees from Catholic University of America. He is best known for his teaching law at the University of California at Berkley (1966-1986) and for his serving as a judge on the United States Court of Appeals for the Ninth Circuit in California (1985-1896).

As he received the Doctor of Humane Letters degree from the Dominican School of Philosophy and Theology, the speaker said, “You have been generous in your service to your nation and your Church...as a consultant for Pope Paul VI’s Commission on Problems of the Family, and for the U. S. Catholic Conference’s committees on moral values, law and

public policy, law and life issues, and social development and world peace. You have authored fourteen books on such diverse subjects as abortion, bribery, usury, contraception, divorce, euthanasia, family law, legal ethics, religious freedom, and the development of moral theology... You have, indeed, ‘employed the methods of legal argumentation’ but you have not stopped at the law; rather, you have never ceased to seek the Truth that is beyond legal argumentation.”

His book, *Bribes*, (published by the University of California Press, Berkeley) includes more than 700 pages about the history of bribes in these four sections:

- Kings, Judges, and Offerors (3000 B.C—A.D 1000)
- Recurrent Reformation (1000-1530)
- The Englishing of the Tradition (1530-1800)
- American Approaches (1776-1984)

Each section has four to six chapters, and he cites hundreds of passages of scripture from both the Old and the New Testaments.

### **Bribery Law in the United States of America**

The final paragraph of the body of [Noonan](#)’s book is about the Foreign Corrupt Practices Act (FCPA) passed by the USA congress in 1977:

One aspect of the FCPA was absolutely unique. Its prohibitions applied only to payments intended to influence a country other than the United States. For the first time in the history of the world, a measure for bribery was introduced into law that was universal as far as those subjected to the law were concerned. For the first time, a country made it criminal to corrupt the officials of another country. America’s ambassadors—that is, its businessmen—were to show American purity throughout the globe. Secular requirements had never so comprehensively embraced and extended the bribery ethic. (p. 680)

In the 1970s investigations found more than 400 U.S. corporations had admitted making payments totaling over 300 million dollars to foreign officials, politicians, and political parties. These ranged from the sales of aerospace equipment by Lockheed to the importing of bananas by Chiquita. Congress was concerned not only about the bribery of foreign officials but also about confidence in the integrity of the American business system.

The Foreign Corrupt Practices Act (FCPA) included both civil and criminal penalties for both corporations and individuals. Companies have paid millions of dollars in fines and individuals have served years in prison. Writing about the FCPA in 1984 in *Bribes*, John [Noonan](#) noted that it passed Senate 89 to 0 and the House 349 to 0; no member of Congress wanted to vote in favor of corruption.

Noonan's *Bribes* was published in 1984. By that time Congress had become concerned that the FCPA would put American businesses at a disadvantage compared to those in other countries who routinely paid bribes, and some could deduct the bribes as routine business expenses. In 1988 Congress asked for negotiations to begin with the Organization of Economic Cooperation and Development (OECD) to encourage the USA's major trading partners to pass similar laws. In less than a decade this was completed in 33 countries.

In 1997 the United States and 33 other countries signed the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. The United States ratified this Convention and enacted implementing legislation in 1998.

Although it prohibits most bribery, The FCPA contains an explicit exception for "facilitating payments" for "routine governmental action." The following paragraph is copied directly from the "Lay Person's Guide to the FCPA."

There is an exception to the anti-bribery prohibition for payments to facilitate or expedite

performance of a "routine governmental action." The statute lists the following examples: obtaining permits, licenses, or other official documents; processing governmental papers, such as visas and work orders; providing police protection, mail pick-up and delivery; providing phone service, power and water supply, loading and unloading cargo, or protecting perishable products; and scheduling inspections associated with contract performance or transit of goods across country. Actions "similar" to these are also covered by this exception.

<http://www.justice.gov/criminal/fraud/fcpa/docs/lay-persons-guide.pdf>

This document is also available in [Appendix I](#).

Basically the governments of member nations recognize that tips, fees, or gifts in such situations are customary in many cultures, and they do not forbid their payment. The Department of Justice will penalize a business or its employees for bribes, but not for "facilitating payments." Note that these payments are another term for [Reisman](#)'s "transactional bribes," a part of normal, everyday life in some cultures. They "facilitate or expedite performance of 'routine governmental action.'"

These payments are not considered bribery in the same way that Reisman's "variance bribes" are. They are not included in the anti-bribery prohibitions. Remember that generally "transactional bribes" are really extortion.

Of course, just because they are not illegal does not mean that they are good. It means that they may be necessary at times, but are a "last resort" rather than a first response. At about the same time that the latest changes in the FCPA were made, the Organization for Economic Co-operation and Development (OECD) made their recommendations. These are available at <http://www.oecd.org/dataoecd/4/18/38028044.pdf>

The Revised Recommendation on Combating Bribery in International Business Transactions was adopted by the Council of the Organisation for Economic Co-operation and Development (OECD) on 23 May 1997. Here are two quotes from this document.

First the OECD acknowledges that the facilitation payments are legal:

Small “facilitation” payments do not constitute payments made “to obtain or retain business or other improper advantage” within the meaning of paragraph 1 and, accordingly, are also not an offence. Such payments, which, in some countries, are made to induce public officials to perform their functions, such as issuing licenses or permits, are generally illegal in the foreign country concerned (p. 15).

Second, the OECD recommends that businesses not use them even though they are legal.

**RECOMMENDS**, in view of the corrosive effect of small facilitation payments, particularly on sustainable economic development and the rule of law that Member countries should:

- i) undertake to periodically review their policies and approach on small facilitation payments in order to effectively combat the phenomenon;
- ii) encourage companies to prohibit or discourage the use of small facilitation payments in internal company controls, ethics and compliance programmes or measures, recognising that such payments are generally illegal in the countries where they are made, and must in all cases be accurately accounted for in such companies’ books and financial records. (p. 22)

An information sheet including all of the countries that are members of the OECD is available at <http://www.oecd.org/dataoecd/52/24/2406452.pdf>.

## **Bribery Law in the United Kingdom**

The British Parliament passed the Bribery Act 2010 which has been described as "the toughest anti-corruption legislation in the world." This legislation is stricter than that of the FCPA in the USA. The full implications of this act have not been fully explored yet since the act just went into effect in July 2011. The Ministry of Justice has published a "Quick Start Guide" to the act (<http://www.justice.gov.uk/downloads/legislation/bribery-act-2010-quick-start-guide.pdf>), and the following quotes are from that guide.

The Act is concerned with bribery. Very generally, this is defined as giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so. So this could cover seeking to influence a decision-maker by giving some kind of extra benefit to that decision maker rather than by what can legitimately be offered as part of a tender process.

Facilitation payments, which are payments to induce officials to perform routine functions they are otherwise obligated to perform, are bribes. There was no exemption for such payments under the previous law nor is there under the Bribery Act. As was the case under the old law, prosecutors will carefully consider all the facts and surrounding circumstances of cases which come to their attention to assess whether a payment amounts to a bribe and, if so, whether a prosecution is in the public



interest. You can continue to pay for legally required administrative fees or fast-track services. These are not facilitation payments. The full text of the Quick Start Guide is in [Appendix J](#).

The Government has also produced detailed guidance about the Act and the procedures that organisations can put in place to prevent bribery, as well as a set of illustrative case studies which you may find of further assistance (available here: [www.justice.gov.uk/guidance/bribery.htm](http://www.justice.gov.uk/guidance/bribery.htm)).

The first person to be convicted of violating the Bribery Act 2010 received a sentence of three years in prison—the maximum is ten years. One may also be fined, and there is no limit on the size of the fine. Therefore, the law is not to be taken lightly. Only time will reveal its full implications.

<http://www.thelawyer.com/opinion-first-conviction-proves-bribery-act-has-sharp-teeth/1010398.article/>

For a general, non-technical article about the law see [http://en.wikipedia.org/wiki/Bribery\\_Act\\_2010](http://en.wikipedia.org/wiki/Bribery_Act_2010)

Of course, other nations, not members of the OECD, may have other laws related to bribes. Both individual missionaries and agencies must familiarize themselves with the laws about bribery in their passport countries as well as in the nations in which they serve.

## **Extortion**

Extortion, forbidden in the Bible, is against the law in most, if not all, countries. Extorting from others is generally illegal, but paying extortion is generally not illegal.

Suppose a gang tells a storekeeper that his or her store might be burned down if the storekeeper does not pay \$50 each month for “protection.” What the gang is doing is extortion,

and clearly contrary to Scripture as well as being illegal. Imagine the quandary the storekeeper would be in if there was a jail sentence for paying the extorted amount. That businessman would have to choose between having his store burned down for not paying the extortion and being sent to jail for paying it.

The FCPA passed in the USA in 1977 did not make paying extortion (facilitation payments) in other countries a crime. However the UK's Bribery Act 2010 does make paying such extortion (facilitation payments) a crime. Apparently UK businessmen have to choose between not getting a permit to do business in another country and potentially going to jail, or paying a fine, in his passport country if he pays the extortion.

## Summary

In the 1970s investigations found that hundreds of U.S. corporations admitted making payments totaling millions of dollars to foreign officials, politicians, and political parties. In a rare show of unity the U. S. Congress unanimously passed the Foreign Corrupt Practices Act (FCPA) in 1977.

This law included both civil and criminal penalties for both corporations and individuals even when the bribery took place in other countries. Companies paid millions of dollars in fines and individuals served years in prison. By 1998 thirty-three other countries had passed similar laws and together signed agreements to combat bribery in business transactions.

Although this law prohibits most bribery, it contains an explicit exception to the bribery prohibition for "facilitating payments" for "routine governmental action." It gives examples of such things as obtaining permits, licenses or other official documents; processing governmental papers, such as visas, and so forth. Thus, the law agreed on by 33 nations forbids variance bribes, but not transactional bribes. Of course, just because they are legal does not mean that they are good.

Other countries and organizations have urged inclusion of transactional bribes as well. Parliament recently passed the

United Kingdom's Bribery Act 2010. This law specifically defines facilitation payments as bribes and violation may result in imprisonment up to ten years and unlimited fines.

No similar laws exist for extortion. Demanding money from people under threat seems to be illegal in virtually all nations. Extortion is practiced in many nations, but it is officially viewed as a crime.

## Chapter 5

### Reasons people cite to give or not give bribes

In Chapter 7 of *Strange Virtues: Ethics in a Multicultural World* (1995) Bernard [Adeney](#) describes a case study of a situation in which “Bill” was stopped by a police officer for going the wrong way on a street. Bill protested that the sign was obscured so that he could not see it. At the police station the officer suggested that the whole thing would be forgotten if Bill paid a fine of about \$1.20. Although he was technically guilty, Bill protested and requested to go through proper channels in court. The officer agreed but said that he would have to hold Bill’s driver’s license until the case was settled, but Bill could come back in a week to get his license back.

When Bill returned the next week he was told that the license had been transferred to another department across town. When Bill finally found the other office, the officer there said that he could talk to the captain who would probably settle the issue for \$2.40. Again Bill said he wanted to go through proper channels. He was told to return the next week...Twelve weeks later Bill still did not have his license, and the amount suggested to settle the case had reached \$120.00. Should Bill pay or continue to appeal?

Bernard Adney presented the case study to Christians in various countries. Although they gave a variety of answers, the majority of Christians from all countries said that Bill should have paid the money at the beginning. Some suggested a double standard saying that as a missionary Bill should not pay, but national Christians would pay because they had no choice. When asked for their reasons, people gave the following (p. 145):

- “The situation involves a conflict of values—the values to be gained by paying are greater than the values lost by compromise.”
- “Since the police are paid so poorly, the money should be thought of as a tip for services rendered rather than a bribe.”
- “Bribery is an accepted mechanism for legal transactions in this context. Westerners have no right to impose their own legal norms on a context in which small-scale bribery has almost the status of customary law.”
- “Corruption should be fought, but you must choose your enemy. If you refuse to compromise at such a trivial level, you will waste all your time struggling with the victims of the system and have no time to address the real villains—the structures of the system and those who enforce them at a high level.”
- “Unless Bill has friends in high places he has no choice. He must pay, and he should be considered a victim of petty extortion, not a criminal.”

Missionaries come to different conclusions about whether or not they should ever give bribes. No one likes to give bribes. Some people take the position that missionaries should never give bribes for any reason. However other people say that bribes are sometimes needed and may be given under some circumstances.

Following are lists of reasons people have used to justify the giving or refusing to give bribes. These lists are not selected to be “good” reasons, nor are they meant to be a comprehensive

list of all the reasons that could be given. They are just lists that people have expressed orally or in writing.

### **Reasons some people cite to give bribes**

Here are arguments in favor of giving bribes under some circumstances. Some missionaries may find many of these reasons to be valid, but others may find these reasons all invalid.

- The Bible does not forbid it. The Bible forbids accepting bribes, but it never forbids paying a bribe.
- The Bible encourages giving bribes in some passages. In fact, it encourages giving gifts to important people in some cultures.
- Small-scale bribery is an accepted mechanism for legal transactions in many cultures.
- In their passport countries many missionaries pay the county clerk a fee for issuing their license plates. Why not pay the clerk for registering a vehicle in the host country?
- In their passport countries missionaries pay a notary public for their signature on legal documents. Why not pay for such a signature in their host country?
- A “bribe” is really just a tip. In their passport countries missionaries give tips to those who serve their food.
- A “bribe” is really just a gift. In their passport countries missionaries give Christmas gifts to those who deliver their mail.
- A “bribe” is really just a donation. In their passport countries missionaries give donations to politicians who support causes such as right-to-life, marriages between men and women only, etc.
- In many cultures missionaries can accomplish little without providing some financial incentive.
- Missionaries may not be able to get a visa to enter the country where God has called them to serve.

- The bribe provides additional income so the underpaid workers can support their families. At best they may be receiving a small salary, and many of them may not have been paid at all for months.
- Not paying the customary bribe results in resentment toward Christians just as not leaving a tip would in their passport countries.
- Nationals may view missionaries as culturally insensitive if they do not give such gifts.
- Nationals may view missionaries as stingy with their wealth if they do not give customary bribes.
- What a Westerner calls a bribe is really a necessary mechanism for sharing the wealth in poor countries.

### **Reasons other people cite to not give bribes**

Just as some missionaries have reasons that support the giving of bribes, other missionaries cite other reasons never to give bribes. Here are some arguments for not giving bribes.

- The Bible forbids giving bribes.
- When you pay, you help corrupt the one you bribe.
- Such bribery may have unintended social consequences, keeping a culture unstable.
- Refusing to pay the bribe may eventually lead to the culture abandoning bribes altogether.
- Paying shows a lack of faith in God to accomplish his purposes.
- Giving bribes sears the conscience of the giver.
- Consider what giving of bribes does to those who pay.
- Even though it is culturally accepted, giving bribes is still immoral (dishonest). It is not appropriate for God's representative to bribe.
- Once you give, people expect you to give again. You will have to live with the consequences of paying the bribe.

- Refusing to pay a bribe the first time may decrease the probability of being asked again.
- Your getting something using a bribe may mean that others will not be able to get it. For example, if your child gets into school, it may mean a teammate's child does not.
- Your getting something using a bribe may slow down service to others. For example speeding up your visa may slow others down.
- Your supporters may not have intended for their contributions to be used as bribes and doing so is unethical.
- Your supporters may lose confidence in you if they find out you paid a bribe.
- Some missionaries have left their agencies because other missionaries in their agency who paid bribes were not disciplined.
- Bribery may cause dissention on your team if others have different convictions about it.
- Your paying a bribe means that other missionaries will be expected to pay one as well.

## Summary

Missionaries come to different conclusions about whether or not they should ever give bribes. Here are some arguments in favor of giving bribes under some circumstances.

- Small-scale bribery is an accepted mechanism for legal transactions in many cultures.
- A “bribe” is really just a tip, a gift, or a donation.
- In many cultures missionaries can accomplish little without providing some financial incentive. In fact,
- They may not be able to get a visa to enter the country where God has called them to serve.
- The bribe provides additional income so the underpaid workers can support their families



Here are some reasons against giving bribes under any circumstances.

- When you pay, you help corrupt the one you bribe.
- Such bribery may have unintended social consequences, keeping a culture unstable.
- Paying shows a lack of faith in God to accomplish his purposes.
- Giving bribes sears the conscience of the giver.
- Your supporters may lose confidence in you if they find out you paid a bribe.
- Bribery may cause dissention on your team if others have different convictions about it.

## Chapter 6

### Other Considerations

Deciding whether or not to give a bribe is not simply a matter of lining up arguments for both sides and coming to some conclusion.

Here are some other things to consider.

- Intermediaries you hire may pay the bribes for you. Some missionaries pay “expeditors” to get their belongings through customs for a fee. Often a substantial part of the fee is for bribes along the way.
- Missionaries tell their supporters that they do not pay bribes. However, if they hire local nationals to handle negotiations for them, included in the fee may be funds to be used as bribes.
- Humanitarian aid may be seen as a bribe. Depending on who gets the aid and how it is given, such aid may be perceived as a bribe even if it was not intended to be one.
- Humanitarian aid may function as a bribe to get something even if missionaries do not intend it that way.
- There is a big difference between viewing things in the light of God’s Word and viewing them from the perspective of your passport culture.

## Gift Giving

Giving gifts is expected far more often in some countries than in others. For example, in the USA, people often visit newcomers to introduce themselves and take a small gift to a new person or family who moves in on their street. It is customary to take a loaf of bread or rolls, a box of chocolates, or some flowers from the garden. After that initial contact gifts are not expected on a regular basis, but they may be given for special occasions such as Christmas.

In other countries small gifts are taken whenever one pays a visit. Tips are given to nearly everyone who does anything for you. Trust is developed through giving and receiving gifts. Relationships are established and strengthened through the giving and receiving of gifts.

*Shochad*, most frequently translated as “bribe,” is also translated as “gift” or “present.” Gifts seem to be expected frequently in the Old Testament. Of course, the New Testament begins with the Magi presenting gifts to the Christ child.

## Language Proficiency

People cannot really understand another culture until they can spontaneously think in that culture’s language. For example, I have studied French, German, and Greek enough to pass required tests. However, I do not really understand any of these cultures because I translate other languages into English, think about nearly everything in English, and then translate back into the other language.

This is important relative to bribery because the culture and the language may not have the concept or the word equivalent to bribery. Or it may have a concept quite different from our concept. When you ask nationals whether or not bribery is acceptable, you may not know how to ask them; they may not understand what you are asking; they may not know how to reply; or you may misunderstand their reply. When you

ask other missionaries, all of the above may be true, plus their answer has already been through a Western “filter.”

When you learn the language by studying a textbook written by someone from your own culture, remember that the culture you are learning has already passed through a Western “filter” so that some of your understanding may not be accurate or complete. Learn as much as you can yourself from nationals, then from experienced missionaries.

Remember that nonverbal communication is often much more important than sounds, tones, and rhythms of what you speak. How close you stand, where you look, your posture, your gestures, and many other things all communicate. Watching a conversation between someone from the USA and someone from Latin America can be entertaining, especially if they are standing facing each other as they talk. The Latino is likely to feel uneasy if the North American has set the distance between them, so the Latino moves closer. This makes the North American uncomfortable, so he or she backs up—which makes the Latino move closer...

Much of this nonverbal communication is done with people not being aware of it at all. As one missionary put it, “He was saying ‘Yes’ with his words, but he was saying ‘No’ in ten other ways.” People not highly proficient in a language may be speaking verbally quite well in the language of their host country but speaking nonverbally in the language of their passport country.

### **Linguistic Relativity Hypothesis**

People who speak only one language usually consider language to be a vehicle of thought, a neutral medium through which we express what we think. However, those who are fluent enough to think in two or more languages know that the language in which people think has an influence on what they think. Any truly bilingual person can give examples. Here is an example.

In the 1970s one of my students was from Taiwan but had grown up bilingual, learning both Chinese and English as a young child. She was fluent in both languages so that she could think in either language. She said that whether or not she agreed to go on a date with a young man depended on which language he asked for the date. If he asked in English, she would say, “Yes.” However, if he asked in Chinese, she would say, “No.” It was acceptable for a young woman to go out alone with a young man in her English speaking culture; however, it was not acceptable in her traditional Chinese speaking culture.

Linguist Benjamin Whorf popularized this linguistic relativity hypothesis in the middle of the 20<sup>th</sup> century, noting that the languages people learn influence their conceptions of reality. Language is a structure that affects what people think, say, and do. Different languages give people different perceptions of reality. Language and culture are inseparable. For more information see [http://en.wikipedia.org/wiki/Linguistic\\_relativity](http://en.wikipedia.org/wiki/Linguistic_relativity).

## **Peace child**

The best way to learn the meaning of things is to study the language primarily through many everyday conversations with nationals. Remember that the language is not just a tool for communication; it also conveys the culture.

Even when learning the language from nationals, one may miss parts of the culture for years. Don [Richardson](#) in *Peace Child* (Regal Books, 1974) missed a very important part even after long periods of ten hours each day of being exposed to the Sawi language. This included spending time with language informants, visiting in homes, listening in the manhouse, traveling in the jungle and to other villages, and listening to the Sawi chat by the river in the evening.

He had developed great respect for the Sawi and learned that they also believed in a supernatural world and that

interaction between that supernatural world and human beings was very important. He had discovered that each verb had 19 tenses in its indicative mood alone! He had also learned that the most important events occurred in the manhouse, so he decided to tell the Gospel story there.

Over a period of time Don Richardson told them how the infinite, loving God had created them in a bountiful world, about evil coming into the world, about the promise of a deliverer, the wondrous appearance of Jesus and his life on earth. This was mostly met with signs of disinterest, such as yawns, making a bowstring out of a vine, and little conversations between people sitting next to each other.

However, they all became genuinely interested as he described Judas' betrayal of Jesus. Judas was a friend of Jesus for three years; he traveled with Jesus, ate with Jesus, and was even trusted with the group's money. Yet, by himself, this trusted follower betrayed Jesus without the other disciples even being suspicious. Here is how Don [Richardson](#) described it.

“At the climax of the story, Maum whistled a birdcall of admiration. Kani and several others touched their fingertips to their chests in awe. Still others chuckled. At first I sat there confused. Then the realization broke through. *They were acclaiming Judas as the hero of the story!*” (p. 177)

Even with all that language study he had not picked up that the most admirable thing one could do was to pretend to be a friend and literally fattening someone up for the slaughter. Then “the fed became food.” (p. 179)

## Cultural Differences

Missionaries have known for many years that great cultural differences existed between countries relative to the prevalence of bribery. Transparency International is well-known for its Corruption Perceptions Index measuring the perceived levels of public sector corruption in 183 countries and

territories around the world. Of course, the amount of bribery is part of this index.

Transparency International now also has a Bribe Payers Index. Data for this index is gathered from business executives for each of the 28 countries with which they have a business relationship. The current Bribe Payers Index is available at [http://bpi.transparency.org/in\\_detail/](http://bpi.transparency.org/in_detail/). In the 2011 edition the least bribery was found in the Netherlands and Switzerland; the most bribery was found in Russia and China. The United States was number 10. This report gives a quantitative measure of the level of bribery found by at least 100 business executives doing business in each country, rather than reports of individuals telling what they have heard about or experienced.

### **Different Conclusions**

Remember that deciding whether or not to pay a “bribe” (extortion?) to get something done is one of those situations in which people come to different conclusions. Gregory Nichols’ article, “A case for bribery: Giving versus taking,” appears in the 1997 *East-West Church & Ministry Report* ([Appendix E](#)) and in the 1999 *Evangelical Missions Quarterly*. In those same issues John Williams has an article titled “Bribery: Out of the question.” Nichols made a case for bribery in some situations, but Williams said bribes should never be paid.

People come to different conclusions about bribes just as they come to different conclusions about drinking alcohol. The Bible clearly condemns drunkenness (Isaiah 5:11; Habakkuk 2:15; 1 Corinthians 6:10; Ephesians 5:18), and the Bible clearly condemns accepting bribes (See Chapter 4).

However, the Bible does not condemn all drinking of alcohol. In fact, wine was part of the worship of God from the beginning (Genesis 14:18; Exodus 29:40), Jesus himself turned the water into wine at a wedding (John 2:1-11), and Paul recommended that Timothy drink some because of his frequent intestinal problems (1 Timothy 5:23). As a result, Christians

come to different conclusions about drinking alcohol: Some frequently drink socially (not getting drunk); others drink only on special occasions such as weddings; still others drink only as a part of worship (communion); and still others do not drink even in that sacrament. The Salvation Army does not practice that sacrament at all.

Likewise, the Bible does not condemn the giving of bribes. In fact, it encourages the giving of bribes and gifts (*shochad*) in a variety of situations (See Chapter 4). As a result, Christian missionaries come to a variety of different conclusions about the use of bribes. Some encourage their use when it is necessary (See [Appendix D](#) and [Appendix E](#)), but others conclude that bribes are never correct (See [Appendix G](#) and [Appendix H](#)).

Just as Christians may disagree about the use of alcohol, they may disagree about the paying of bribes (extortion) as they carry the gospel into difficult places.

## Summary

Deciding whether or not to give a bribe is not simply a matter of lining up arguments for both sides and coming to some conclusion.

Here are some other things to consider.

- Intermediaries you hire may pay the bribes for you out of what they charge.
- Humanitarian aid may function as a bribe even if you did not intend it that way.
- Appropriate gift giving varies widely between cultures.

Even if you ask nationals about bribery customs, you may not be proficient enough in the language to ask the right question or to understand the answer. Your nonverbal behavior may not communicate to them, and you may miss what their nonverbal behavior is saying to you.

Even when learning the language from nationals, one may miss parts of the culture for years. Don Richardson



illustrates that in *Peace Child* when the Sawi saw Judas as the hero when they heard the story of redemption.

Finally, remember that Christians reading the same scriptures often come to different conclusions about a variety of topics. For example, some Christians totally abstain from alcohol, others drink it only at communion, others cook with it, and still others drink socially. Likewise, some missionaries do not pay anything that seems to be a bribe while others pay transactional bribes (extortion).

## Chapter 7

### What should one do—and not do?

Since the whole bribe situation is so uncertain, what should people do? Related to that, what should they not do? This chapter offers suggestions that may make individuals less likely to be asked for a bribe, things they should not do, things they should do, and a series of questions to help individuals decide.

#### **Take preventive measures**

The best thing missionaries can do is to try to avoid being asked for bribes. One important thing they can do is cultivate relationships in culturally accepted ways. This may include some of the following.

- Write thank you notes to express your gratitude whenever the person does something to help you or your agency.
- Invite the person to appropriate meetings of your group, such as gatherings at which you give awards and accolades to your own people and recognize the person as well.
- Give the person appropriate gifts, such as an item from your passport country, attractive plaques or plates with engraved expressions of gratitude.

- When administrators from your agency visit, introduce nationals to them, noting your appreciation for the person before the officials.
- Invite nationals to banquets and introduce them publicly. Have other missionaries express their personal thanks as well.
- Of course, you do not want to overdo these things.

Even after people do everything they can to avoid being “asked” for a bribe, they may still find themselves in that quandary. One of the most common circumstances is when they find themselves in a new situation with a person they have not met previously, such as nationals at immigration or customs. There has been no opportunity to build relationships and no chances to show appreciation. Another such situation is when nationals holding the power are just “ornery,” greedy, or prejudiced against the missionary enterprise. Such individuals simply do not respond positively to expressions of gratitude or offers of friendship.

When these situations occur, people are often left with two choices, both of which seem to be wrong: (1) pay the bribe (extortion), or (2) suffer the consequences, which may mean that other people experience disease or death. These quandaries are reminiscent of the “values clarification” exercises of the 1960s, but they may be real life decisions reached by missionaries. For example, a customs agent may delay food or medicine entering the host country. The nationals the missionary came to serve may suffer the consequences of hunger or disease, either of which may result in death if the delay is long enough.

### **What else should I do?**

- Learn all you can about the culture from what you can find in print and on the Internet. Some sources tell how “tips”

are viewed in the culture, and even how much money is expected to “make the problem go away.”

- Ask local non-Christian nationals about how they view any practices that you think may be questionable.
- Ask believers the same kinds of questions to find out differences from those who make no profession of faith.
- Ask experienced missionaries their views on those same practices. Ask what they do and why they do it.
- Ask other expats the same questions. Business men and women living in that culture are likely to have lots of experience with such things.
- Learn how people in your host culture ask for bribes. How can you tell that someone is letting you know that they expect a “tip” for doing what you expect them to do as part of their job?
- Use a bribe as the last resort, not as the first response. Although bribes may be permissible, they are not the preferred way to negotiate. When you give a bribe, you are setting a precedent for what is expected of you and of other expats, including missionaries, in that culture.
- Cultivate strategic friendships by giving small gifts and notes of appreciation on a regular basis rather than waiting for a time when it would be viewed as a bribe in payment for some particular action. You probably would not send good chocolates and a note thanking officials in your passport country, but it may be very helpful in your host country.
- Pray. Ask God to help you.
- Read the Word on bribery.
- Read available material—much of it is in this book.
- Develop a tentative “position” so that when a bribe (extortion) situation arises, you have a plan to begin with and are familiar with major issues. The author’s tentative position is in Chapter 9.

- Be open to changing your position in light of new information and guidance from the Spirit.
- If you really want to delve into the topic, get the [Noonan](#) book. It is written by an expert in not only law but also in Christian philosophy and theology. Part I of his book is “Kings, Judges, and Offerors (3000 B. C. –A. D. 1000)” and Part II is “Recurrent Reformation (1000-1530).”

### **What should I not do?**

- Do not accept bribes because the Bible always condemns that.
- Do not de-Christianize other missionaries who do give bribes (pay extortion). Even if the practice contradicts your convictions and/or your cultural values, the Bible does not forbid it.
- Do not give a bribe to cover up something unethical or to keep you from being punished for a crime. If you have broken the law, accept your punishment.
- Do not give bribes (pay extortion) without careful consideration. Giving them is not the preferred way of getting things done.

### **Questions that may help reach a decision**

Here is a series of short questions to guide individuals through four stages. These stages may help people make a decision about any given situation.

#### ***Stage 1: Is it a bribe, a gift, or extortion?***

Remember that bribery offers favors or gifts but extortion demands with a threat. A gift is something which is voluntarily transferred by one person to another without compensation. ([See Chapter 2](#). What is a “bribe?”)

- If it is a gift and you want it, accept it and express your thanks.

- If it is a bribe or extortion, go on to question 2.

***Stage 2: Is this sinful?***

Whether or not a bribe is sinful depends on whether one is accepting the bribe or paying the bribe. Likewise, whether or not extortion is sinful depends on whether one is demanding the extortion or paying the extortion. ([See Chapter 3](#). Is this sinful?)

- If you are extorting, the Bible condemns it. Do not do it.
- If someone is extorting you, the Bible does not condemn paying it, go on to question 4.
- If you are receiving a bribe, the Bible condemns it. Do not do it.
- If you are asked to pay a bribe, go on to question 3.

***Stage 3: Is this legal?***

Whether or not a bribe is legal depends on the kind of bribe it is. ([See Chapter 4](#). Is this legal?)

- If it is a variance bribe, it is illegal and the Bible condemns it. Do not do it.
- If it is a transactional bribe, it is not illegal. Go on to question 4.

***Stage 4: Are there other considerations?***

If you are a victim of extortion or asked to pay a transactional bribe (really extortion) the Bible does not forbid it, and it is not against the law. In this case, people must make a choice based on other considerations. ([See Chapter 6](#). Other considerations)

As presented above these four stages may be very helpful to those who think about things verbally. However, some people think about things spatially, in visual terms, so Figure 1 may be more useful to help them think about whether or not something is a bribe (extortion) and whether they should pay it.

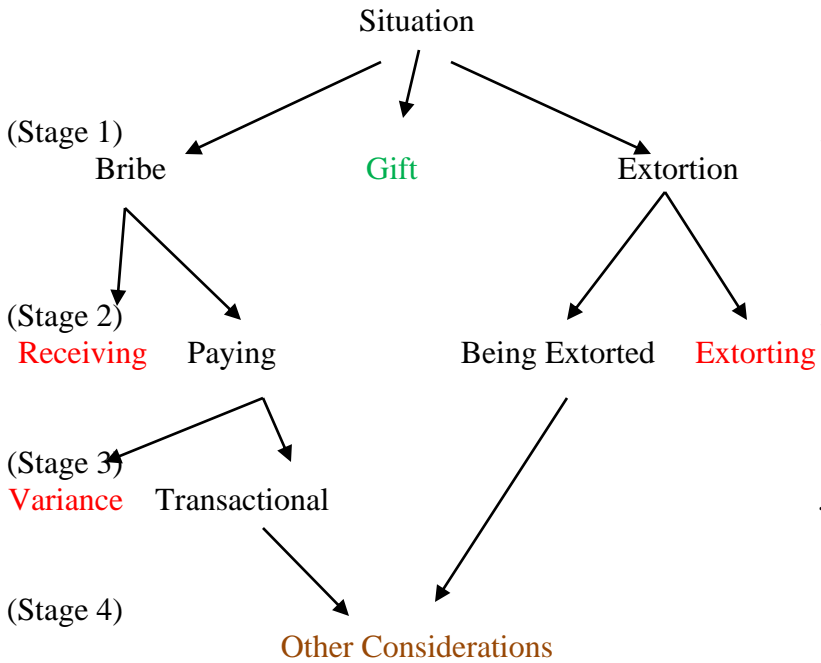


Figure 1. Four stages that may help people decide whether a bribe may be needed in a situation they face.

## Summary

The best thing one can do is to take preventive measures to avoid being asked for bribes. One can cultivate relationships in culturally accepted ways such as writing thank you notes or giving people appropriate gifts.

If asked for a bribe, one can do a variety of things, such as reading the Word on bribery, asking God for wisdom, reading available material, consulting with missionary colleagues and nationals.

Of course, there are some things one should not do. For example, do not accept bribes, do not de-Christianize other

missionaries who do give appropriate bribes, and never give a bribe to cover up something wrong.

Here is a series of four questions that may be helpful.”

- Stage 1: Is it a bribe, a gift, or extortion?
- Stage 2: Is this sinful?
- Stage 3: Is this legal?
- Stage 4: Are there other considerations?



## Chapter 8

### My tentative conclusions

I began by telling you that I would end the book giving you my position. Here it is. Assuming that everyone agrees that it is never right to accept a bribe, the question becomes whether or not it is ever appropriate to give a bribe (pay extortion). During the months of uncovering new information, my position changed several times on the basis of what I discovered. I call my conclusions tentative because I realize that my position may change again, but this is where I am at the conclusion of writing this book.

#### Basic Conclusion

**Giving something to an official to *disobey* a law or to give you preferential treatment is wrong, but giving something to a corrupt official to get him or her to *obey* or *apply* a law may be acceptable at times.**

I owe most of this conclusion to David Hosaflook ([Appendix D](#)), and he attributed it to an “elder missionary friend.” David stated it as, “Bribing an official to *disobey* a law or to give you preferential treatment is wrong; but tipping a corrupt official to get him to *obey* or *apply* a law may be necessary from time to time.”

I found various “versions” of this when I wrote to people serving with dozens of mission agencies asking for a copy of their bribery policy. Although I received only one policy, several people wrote back giving their own personal views. Here are some examples.

- “We distinguished between a ‘financial incentive to encourage a government worker to do his job’ and an actual ‘bribe’ to get him to do something illegal. The former is more like a ‘tip’ and was theoretically acceptable.”
- “Bribery is paying someone to commit an illegal action for your personal benefit. Giving a gift in order to expedite a correct and necessary legal activity that would otherwise take forever is a matter of good stewardship ☺.”
- “What might seem like a bribe to us as Americans, might be seen as simply ‘payment for service’ in the eyes of the national. Sometimes, one is actually stuck and there is no way to get the visa (or whatever!) without paying the guy who is handling the paper work even though you know this isn’t the ‘official’ way.”
- “We clearly live by a standard by which we do not use or accept bribes. But, the same source of our ethics also states that we are to give gifts to decision makers.”
- “What the Western system may view as a blatant bribe, many foreign cultures see as a way to thank the official for doing his duty. The cultural practices of the vast majority of nations require special payments for usual services.”

The one policy about bribes I received also was very similar when it said, “We instruct our people not to give bribes. There may be times when they are charged extra fees at the initiation of a government official, police officer, etc. When the missionary has done what is appropriate and legal and then receives a demand to pay additional fees, it is at the missionary’s discretion whether to pay or not.”

Here are a couple of examples.

- Do *not* bribe the customs agent at the airport to clear a container containing items not allowed into the country.

- If necessary, tip the customs agent at the airport to clear a legal container of vaccines into the country so children will not get sick or die.
- Do *not* bribe the immigration officer to give you a visa if you do not have all the requirements for that particular visa.
- If necessary, tip the immigration officer to give you a visa to serve in the country if you have met all the requirements for the visa.

I emphasize again that this is my conclusion living in the United States of America during the early 21<sup>st</sup> century. I probably would have come to a different conclusion if I were living in the United Kingdom and/or if I were living at a different time in history. This is a complex question with no single answer for all situations at all times.

### **Sometimes it just seems good**

Missionaries may face the quandary of paying the bribe or watching people die. This can be a very difficult decision, but Luke Greer in *Evangelical Missions Quarterly* (July 2009, 326-333) notes that “God’s subtle action in Acts 15 also provides an accurate picture of how he often chooses to direct his workers.” He titled his article, “Sometimes it just seems good” and points out something that people are unlikely to realize when reading many recent translations of the Bible.

Acts 15 is primarily about an issue that arose between Paul’s first and second term of missionary service. The issue was whether or not people who were not Jews could be saved without being circumcised. The apostles and elders met at headquarters in Jerusalem to consider the question. James proposed a solution after presentations by Paul, Barnabas, and Peter as well as much discussion. Note the verses that followed his proposal (English Standard Version).

- Verse 22: “Then **it seemed good** to the apostles and the elders, with the whole church, to choose men from among them and send them to Antioch with Paul and Barnabas....”

- Verse 25: “Then **it seemed good** to the apostles and the elders, with the whole church, to choose men from among them and send them to Antioch with Paul and Barnabas.”
- Verse 28: “For **it has seemed good** to the Holy Spirit and to us to lay on you no greater burden than these requirements.”
- Verse 34 (in a footnote): “But **it seemed good** to Silas to remain there.”

In its preface, the English Standard version (2001) notes that it is an “essentially literal” translation that seeks to capture the precise wording of the original text—in the tradition of the American Standard Version (1901) and the Revised Standard Version (1952). The same Greek word “dokeo” appears in all four of these verses and it is translated “seemed good” by all three of these “literal” translations. I would not argue that is the best phrase to use, but it is the one that is used by far the most often. The important point is that the same word (or phrase) should appear in all verses.

Note that in three out of the four occurrences in this chapter, it was not a single person saying it “seemed good,” but it was a group saying so. Here are those included verse by verse.

- Verse 22: “To the apostles and the elders, with the whole church”
- Verse 25: “To the apostles and the elders, with the whole church.”
- Verse 28: “To the Holy Spirit and to us.” (I could not find anyone who adequately explained how they knew it seemed good to the Holy Spirit.)
- Verse 34: “To Silas.”

Usually missionaries have a group of people with whom they can consult about paying a bribe and can see if others agree with the decision. However, sometimes, such as when pulled over by a police officer, going through immigration, or going through customs, an individual has to make the decision alone, such as Silas did.

Sometimes when dealing with very significant issues and we are not sure what to do, the Spirit leads us through doing what “seems good.” Sometimes, my prayer to God is something like, “Lord, I am not really sure what to do, but this seems to be the best in this situation at this time. I want to let your Spirit guide me. Please stop me if I am doing something to displease you. If I do something that is not pleasing to you, please forgive me.”

### **Sometimes God approves**

Giving a bribe may be analogous to telling a lie, and sometimes God approves of even that. Although many passages of Scripture forbid lying, and often God acts swiftly to punish people for lying, sometimes those people get God’s approval. Here are some examples from Exodus

**First**, Shiphrah and Puah, Hebrew midwives who disobeyed the king, feared God, and lied to the king.

- 1:16. King, “If it is a boy, kill him.”
- 1:17. Midwives let the boys live.
- 1:18. King, “Why have you let the boys live?”
- 1:19. Midwives, “Hebrew women give birth before the midwives arrive (lie).”
- 1:20 God’s reaction: “So God was kind to the midwives.”

**Second**, Moses, leader of the Hebrews.

- 3:10. God, “I am sending you to pharaoh to bring my people the Israelites out of Egypt.”
- 5:1. Moses and Aaron, “This is what the Lord God of Israel says: “Let my people go, so that they may hold a festival to me in the desert (lie).”
- 5:2. Pharaoh. “I will not let Israel go.”
- 5:3. Moses and Aaron, “Now let us take a three-day journey in to the desert to offer sacrifices to the Lord our God, or he may strike us with plagues or with the sword (lie).”

- What does God do? He supports Moses through the next half century.

**Third**, Rahab, a prostitute in Jericho (Joshua 2). Two spies stayed in her house. Knowing that they were Israelites, she had hidden them up on her roof. When the King's messenger asked about the men, she said, "Yes, the men came to me, but I did not know where they had come from (1<sup>st</sup> lie v. 4). At dusk, when it was time to close the city gate, the men left (2<sup>nd</sup> lie v. 5). I don't know which way they went (3<sup>rd</sup> lie v. 5). Go after them quickly. You may catch up with them (4<sup>th</sup> lie v.5)."

What happens to Rahab? Is she punished by God?

- James 2:25. "In the same way, was not even Rahab the prostitute considered righteous for what she did when she gave lodging to the spies and sent them off in a different direction?" She was cited as an example of righteousness.
- Hebrews 11:31. "By faith the prostitute Rahab, because she welcomed the spies, was not killed with those who were disobedient." She was listed as one of the "heroes of the faith."
- Matthew 1:5-6. "Salmon the father of Boaz, whose mother was Rahab, Boaz the father of Obed, whose mother was Ruth, Obed the father of Jesse, and Jesse the father of King David." She became the great-great grandmother of King David, and an ancestor of Jesus.

God obviously approved of her even though she told lies in her attempt to save the men.

Gary North, Christian economist and prolific author has written on many topics including economics, history, and theology. Many of his books and articles are free on-line. His article, "In Defense of Biblical Bribery" is available on-line as Appendix 4, Pages 836-846 in *The Institutes of Biblical Law* (1973) by Rousas John Rushdooney at <http://www.scribd.com/doc/50922529/The-Institutes-of-Biblical-Law-Volume-1>.

North's case for "Biblical bribery" is made not on the basis of word studies of the Hebrew and Greek words that are translated bribery or extortion, but on the basis of other events in scripture. Many of his arguments come from a study of Rahab the harlot who is commended for her actions throughout the rest of scripture.

## **Summary**

In this chapter, I have given you my position as it is at this time. Some of you will look at the information and come to other positions, and that is fine with me. My purpose in writing this book is to present the facts so that the Holy Spirit can use the facts to help missionaries come to a conclusion that pleases God.

I also realize that sometime the Holy Spirit leads people to just do what "seems good." I also realize that sometimes God gives his approval to things that seem to contradict what he has said in his word.

I wish all the readers of this book the best as they make difficult decisions about what to do in those "impossible" situations in which they feel uneasy no matter what they do. Remember that God is a god of love and grace who looks on the heart rather than on the specifics of the decision made.

## References

If the source was available on-line, a link to it was given in the text. Following is a list of printed sources that are not available free of charge on-line.

Adeney, Bernard T. (1995). *Strange Virtues: Ethics in a Multicultural World*. Downers Grove, IL: InterVarsity Press.

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Richardson, Don (1974). *Peace Child*. Ventura, CA: Regal Books.

Tan, Jason Richard, (2011). Missionary ethics and the practice of Bribery. *Evangelical Missions Quarterly* July, Vol. 47, No. 3, pp. 278-282. (Available on-line at <http://www.emisdirect.com/emq/issue-316/2558> if you have an on-line subscription to EMQ or are willing to purchase one there)



## Appendices

Several helpful items are in the appendices that follow.

- [Appendix A](#) contains tables of verses in which “bribe,” “extort,” and “*schochad*” are used.
- [Appendix B](#) contains all of the verses which have words translated as “bribe” in one or more public domain versions. These are helpful in studying what the Bible says about bribes.
- [Appendix C](#) is a description of the research I did in an attempt to find some good examples of bribe policies used by mission agencies. It contains a complete description of the method used and the results of the research.
- [Appendix D](#) is from a blog on the Internet. This blog is by someone living in a country where bribes are a way of life. The author presents some excellent thoughts about bribes.
- [Appendix E](#) and [Appendix F](#) were first published in the *East-West Church & Ministry Report* in 1997, and then also published in *Evangelical Missions Quarterly* in 1999. They both have excellent discussions about conditions under which bribes may be used.
- [Appendix G](#) is a revision of an article that was also published in *Evangelical Missions Quarterly* in 1999. This article takes a strong position against giving bribes.
- [Appendix H](#) was written as part of an independent study at Regent College, Vancouver, 1995, and posted on the Internet later. J. I. Packer included a revision of part of it in his book, *The Way of Wisdom* in 2000.

- [Appendix I](#) is the antibribery provisions of The Lay-Persons Guide to the Foreign Corrupt Practices Act, the law passed by congress in the late 20<sup>th</sup> century.
- [Appendix J](#) is the Quick Start Guide to The Bribery Act 2010 by Parliament in the United Kingdom. The law went into effect July 1, 2011.

## Appendix A

### Tables of when “bribe” and “extort” are used

When studying what the Bible says about a particular topic, it is often useful to have all of the verses from various translations in a table so that comparisons are easily made. The following tables are in this appendix.

Tables 1A and 1B give the words used to translate *schochad* into English in 12 versions of the Bible.

Tables 2A and 2B give the times “bribe” occurs in 12 versions of the Bible.

Tables 3A and 3B give the times “extortion” occurs in 12 versions of the Bible.

Table 1A

Words used to translate *schochad* into English in six versions of the Bible

Reference	KJV	NKJV	NIV	TNIV	NIRV	YLT
Ex 23:8	Gift	Bribe	bribe	bribe	Money	bribe
Ex 23:8	Gift	Bribe	bribe	bribe	It	bribe
Deut 10:17	Reward	Bribe	bribe	bribe	Money	bribe
Deut 16:19	Gift	Bribe	bribe	bribe	Money	bribe
Deut 16:19	Gift	Bribe	bribe	bribe	It	bribe
Deut 27:25	Reward	Bribe	bribe	bribe	Money	bribe
1 Sam 8:3	bribes	Bribes	bribes	bribes	Money	bribe
1 Kin 15:19	Present	Present	Gift	Gift	Gift	Reward
2 Kin 16:8	Present	Present	Gift	Gift	Gift	bribe
2 Chr 19:7	Gifts	Bribes	bribery	bribery	Money	bribe
Job 15:34	bribery	Bribery	bribes	bribes	Money	bribery
Psa 15:5	Reward	Bribe	bribe	bribes	Money	bribe
Psa 26:10	bribes	Bribes	bribes	bribes	Money	bribes
Prov 6:35	Gifts	Gifts	bribe	bribe	Money	bribes
Prov 17:8	Gift	Presents	bribe	bribe	Money	bribe
Prov 17:23	Gift	Bribe	bribe	bribes	Favors	bribe
Prov 21:14	Reward	Bribe	bribe	bribe	Favor	bribe
Isai 1:23	Gifts	Bribes	bribes	bribe	Money	bribe
Isai 5:23	Reward	Bribe	bribe	bribes	Money	bribe
Isai 33:15	bribes	Bribes	bribes	bribes	Money	bribe
Isai 45:13	Reward	Reward	Reward	Reward	Reward	bribe
Ezek 22:12	Gifts	Bribes	bribes	bribes	Money	bribe
Mic 3:11	Reward	Bribe	bribe	bribe	Money	bribe
“bribe”	4	18	20	20	0	22
Year	1611	1982	1978	2005	1996	1901

KJV = King James Version;

NKJV = New King James Version;

NIV = New International Version;

TNIV = Today’s New International Version;

NIRV = New International Readers Version;

YLT = Young’s Literal Translation

Table 1B

Words used to translate *schochad* into English in six versions of the Bible:

Reference	ASV	ESV	DNT	CEV	NLT	TMSG
Ex 23:8	bribe	bribe	bribe	bribe	bribe	Bribe
Ex 23:8	bribe	bribe	bribe	bribe	bribe	Bribe
Deut 10:17	Reward	bribe	Reward	bribe	bribe	Bribe
Deut 16:19	bribe	bribe	bribe	bribes	bribe	Bribe
Deut 16:19	bribe	bribe	bribe	bribes	bribes	Bribe
Deut 27:25	bribe	bribe	Reward	Money	Payment	Bribe
1 Sam 8:3	bribe	bribes	bribes	bribes	bribes	Bribes
1 Kin 15:19	Present	Present	Present	Present	Gift	Gift
2 Kin 16:8	Present	Present	Present	Gift	Payment	Gift
2 Chr 19:7	bribes	bribe	Presents	bribe	bribes	Bribery
Job 15:34	bribery	bribery	bribery	Greedy	bribery	Bribes
Psa 15:5	Reward	bribe	Reward	bribes	bribed	Bribe
Psa 26:10	bribes	bribes	bribes	bribe	bribes	Bribe
Prov 6:35	Gifts	Gifts	Gifts	Payoff	Payoff	Bribes
Prov 17:8	bribe	bribe	Gifts	bribes	bribe	Gift
Prov 17:23	bribe	bribe	Gift	bribe	bribes	Bribes
Prov 21:14	Present	bribe	Present	bribe	bribe	Present
Isai 1:23	bribes	bribe	Presents	bribes	bribe	Bidder
Isai 5:23	bribe	bribe	bribe	bribes	bribes	Bribes
Isai 33:15	bribe	bribe	bribes	Bribes	bribes	Bribes
Isai 45:13	Reward	Reward	Reward	Payment	Reward	Hire
Ezek 22:12	bribes	bribes	Gifts	Money	Hired	Hhire
Mic 3:11	Reward	Reward	Reward	bribes	bribes	Bidder
“bribe”	15	19	9	16	17	15
Year	1901	2002	1884	1995	1996	2002

ASV = American Standard Version;

ESV = English Standard Version;

DNT = Darby’s New Translation;

CEV = Contemporary English Version;

NLT = New Living Translation;

TMSG = The Message

Table 2A  
Times “bribe” occurs in six versions of the Bible

Reference	KJV	NKJV	NIV	TNIV	NIRV	YLT
Ex 23:8	Gift	Bribe	bribe	bribe	Money	bribe
Ex 23:8	Gift	Bribe	bribe	bribe	It	bribe
Deut 10:17	Reward	Bribe	bribe	bribe	Money	bribe
Deut 16:19	Gift	Bribe	bribe	bribe	Money	bribe
Deut 16:19	Gift	Bribe	bribe	bribe	It	bribe
Deut 27:25	Reward	Bribe	bribe	bribe	Money	bribe
1 Sam 8:3	bribes	Bribes	bribes	bribes	Money	bribe
1 Sam 12:3	bribe	Bribe	bribe	bribe	Money	bribe
2 Chr 19:7	Gifts	Bribes	bribery	bribery	Money	bribe
Job 15:34	bribery	Bribery	bribes	bribes	Money	bribery
Job 36:18	Ransom	Ransom	bribe	bribe	Money	Atone
Psa 15:5	Reward	Bribe	bribe	bribes	Money	bribe
Psa 26:10	bribes	Bribes	bribes	bribes	Money	bribes
Prov 6:35	Gifts	Gifts	bribe	bribe	Money	bribes
Prov 15:27	Gifts	Bribes	bribes	bribes	Paid off	Gifts
Prov 17:8	Gift	Presents	bribe	bribe	Money	bribe
Prov 17:23	Gift	Bribe	bribe	bribes	Favors	bribe
Prov 21:14	Reward	Bribe	bribe	bribe	Favor	bribe
Prov 29:4	Gifts	Bribes	bribes	bribes	Paid off	Gifts
Ecc 7:7	Gift	Bribe	bribe	bribe	Favors	Gift
Isai 1:23	Gifts	Bribes	bribes	bribe	Money	bribe
Isai 5:23	Reward	Bribe	bribe	bribes	Money	bribe
Isai 33:15	bribes	Bribes	bribes	bribes	Money	bribe
Ezek 16:33	Hirest	Hired	bribing	bribing	Money	bribe
Ezek 22:12	Gifts	Bribes	bribes	bribes	Money	bribe
Amos 5:12	bribes	Bribes	bribes	bribes	Money	Ransom
Mic 3:11	Reward	Bribe	bribe	bribe	Money	bribe
Mic 7:3	Reward	Bribe	bribes	bribe	Money	Recomp
Acts 24:26	Money	Money	bribe	bribe	Money	Money
“bribe”	6	24	29	29	0	22
Year	1611	1982	1978	2005	1996	1901

KJV = King James Version; NKJV = New King James Version;  
 NIV = New International Version; TNIV = Today’s New  
 International Version; NIRV = New International Readers Version;  
 YLT = Young’s Literal Translation

Table 2B  
Times “bribe” occurs in six more versions of the Bible

Reference	ASV	ESV	DNT	CEV	NLT	TMSG
Ex 23:8	bribe	bribe	bribe	bribe	bribe	bribe
Ex 23:8	bribe	bribe	bribe	bribe	bribe	bribe
Deut 10:17	Reward	bribe	Reward	bribe	bribe	bribe
Deut 16:19	bribe	Bribe	bribe	bribes	bribe	bribe
Deut 16:19	bribe	bribe	bribe	bribes	bribes	bribe
Deut 27:25	bribe	bribe	Reward	Money	Payment	bribe
1 Sam 8:3	bribe	bribes	bribes	bribes	bribes	bribes
1 Sam 12:3	Ransom	bribe	Ransom	bribe	bribe	bribe
2 Chr 19:7	bribes	bribe	Presents	bribe	bribes	bribery
Job 15:34	bribery	bribery	bribery	Greedy	bribery	bribes
Job 36:18	Ransom	Ransom	Ransom	Sneer	bribed	bribe
Psa 15:5	Reward	bribe	Reward	bribes	bribed	bribe
Psa 26:10	bribes	bribes	bribes	bribe	bribes	bribe
Prov 6:35	Gifts	Gifts	Gifts	Payoff	Payoff	bribes
Prov 15:27	bribes	bribes	Gifts	bribes	bribes	Exploit
Prov 17:8	bribe	bribe	Gifts	bribes	bribe	Gift
Prov 17:23	bribe	bribe	Gift	bribe	bribes	bribes
Prov 21:14	Present	bribe	Present	bribe	bribe	Present
Prov 29:4	Gifts	Gifts	Gifts	bribes	bribes	Exploit
Ecc 7:7	bribe	bribe	Gift	bribes	bribes	Brutality
Isai 1:23	bribes	bribe	Presents	bribes	bribe	Bidder
Isai 5:23	Bribe	bribe	bribe	bribes	bribes	bribes
Isai 33:15	Bribe	bribe	bribes	bribes	bribes	bribes
Ezek 16:33	bribe	bribing	Reward	bribe	bribing	bribe
Ezek 22:12	bribes	bribes	Gifts	Money	Hired	For hire
Amos 5:12	Bribe	bribe	bribe	bribes	bribes	bribes
Mic 3:11	Reward	Reward	Reward	bribes	bribes	Bidder
Mic 7:3	Reward	bribe	bribe	bribes	bribes	bribes
Acts 24:26	Money	Money	Money	bribe	bribe	bribe
“bribe”	19	24	11	24	26	21
Year	1901	2002	1884	1995	1996	2002

ASV = American Standard Version; ESV = English Standard Version; DNT = Darby’s New Translation; CEV = Contemporary English Version; NLT = New Living Translation; TMSG = The Message

Table 3A  
Times “extortion” occurs in six versions of the Bible

Reference	KJV	NKJV	NIV	TNIV	NIRV	YLT
Lev 6:2		Extorted				
Lev 6:4		Extorted	Extortion	Extortion		
2 Kin 15:20						
Psa 62:10			Extortion	Extortion		
Psa 109:11	Extortioner					
Prov 28:8		Extortion				
Prov 28:16				Extortion		
Eccl 7:7			Extortion	Extortion		
Isai 16:4	Extortioner	Extortion				Extortioner
Isai 33:15			Extortion	Extortion		
Jer 22:17			Extortion	Extortion		
Ezek 18:18			Extortion	Extortion		
Ezek 22:7						
Ezek 22:12	Extortion	Extortion	Extortion	Extort		
Ezek 22:25						
Ezek 22:29			Extortion	Extortion		
Amos 2:8						
Micah 6:12						
Hab 2:6			Extortion	Extortion		
Mat 23:25	Extortion	Extortion				
Luke 3:13						
Luke 3:14			Extort	Extort		
Luke 11:39						
Luke 18:11	Extortioners	Extortioners				
1 Cor 5:10	Extortioners	Extortioners				Extortioners
1Cor 5:11	Extortioner	Extortioner				Extortioner
1 Cor 6:10	Extortioners	Extortioners				Extortioners
2 Cor 9:5						
Total						
“extort”	8	10	10	11	0	4
Year	1611	1982	1978	2005	1996	1901

KJV = King James Version; NKJV = New King James Version;  
 NIV = New International Version; TNIV = Today’s New  
 International Version; NIRV = New International Readers Version;  
 YLT = Young’s Literal Translation



Table 3B  
Times “extortion” occurs in six more versions of the Bible

Reference	ASV	ESV	DNT	CEV	NLT	TMSG
Lev 6:2						
Lev 6:4					Extortion	Extortion
2 Kin 15:20					Extorted	
Psa 62:10		Extortion			Extortion	
Psa 109:11	Extortion					
Prov 28:8						Extortion
Prov 28:16						
Ecc 7:7	Extortion				Extortion	
Isai 16:4	Extortioner		Extortioner			
Isai 33:15						
Jer 22:17			Extortion			
Ezek 18:18		Extortion				
Ezek 22:7		Extortion				
Ezek 22:12		Extortion			Extorting	Extortion
Ezek 22:25					Extorting	
Ezek 22:29		Extortion				Extortion
Amos 2:8						Extortion
Micah 6:12					Extortion	
Hab 2:6					Extortion	Extortion
Mat 23:25	Extortion					
Luke 3:13	Extort					Extortion
Luke 3:14	Extort	Extort			Extort	
Luke 11:39	Extortion					
Luke 18:11	Extortioners	Extortioners				
1 Cor 5:10	Extortioners					
1 Cor 5:11	Extortioner					
1 Cor 6:10	Extortioners					
2 Cor 9:5	Extortion					
Total						
“extort”	12	7	2	0	9	7
Year	1901	2002	1884	1995	1996	2002

ASV = American Standard Version; ESV = English Standard Version; DNT = Darby’s New Translation; CEV = Contemporary English Version; NLT = New Living Translation; TMSG = The Message

## Appendix B

# “Bribe Verses” from Public Domain Translations

When studying what the Bible says about a particular topic, many people find it helpful to have all of the verses that mention the topic together in one document. The following pages contain all 29 verses containing the word “bribe” in at least one translation. These are from three versions now in the public domain: the King James Version (1611), Darby’s New Translation (1884), and the American Standard Version (1901).

They are just a beginning that readers can use to search their own printed concordances or digital Bible software for corresponding verses in their own favorite translations.

Note that the words translated as “bribe” in at least one version are in red to make them easy to pick out.

### Bribe words in the King James Version

Exodus 23:8. And thou shalt take no **gift**: for the **gift** blindeth the wise, and perverteth the words of the righteous.

Deuteronomy 10:17. For the LORD your God *is* God of gods, and Lord of lords, a great God, a mighty, and a terrible, which regardeth not persons, nor taketh **reward**:

Deuteronomy 16:19. Thou shalt not wrest judgment; thou shalt not respect persons, neither take a **gift**: for a **gift** doth blind the eyes of the wise, and pervert the words of the righteous.

Deuteronomy 27:25. Cursed *be* he that taketh **reward** to slay an innocent person. And all the people shall say, Amen.

1 Samuel 8:3. And his sons walked not in his ways, but turned aside after lucre, and took **bribes**, and perverted judgment.

1 Samuel 12:3. Behold, here I *am*: witness against me before the LORD, and before his anointed: whose ox have I taken? or whose ass have I taken? or whom have I defrauded? whom have I oppressed? or of whose hand have I received *any* **bribe** to blind mine eyes therewith? and I will restore it you.

2 Chronicles 19:7. Wherefore now let the fear of the LORD be upon you; take heed and do *it*: for *there is* no iniquity with the LORD our God, nor respect of persons, nor taking of **gifts**.

Job 15:34. For the congregation of hypocrites *shall be* desolate, and fire shall consume the tabernacles of **bribery**.

Job 36:18. Because *there is* wrath, *beware* lest he take thee away with *his* stroke: then a great **ransom** cannot deliver thee.

Psalm 15:5. *He that putteth not out his money to usury, nor taketh reward against the innocent. He that doeth these things shall never be moved.*

Psalm 26:10. In whose hands *is* mischief, and their right hand is full of bribes.

Proverbs 6:35. He will not regard any ransom; neither will he rest content, though thou givest many gifts.

Proverbs 15:27. He that is greedy of gain troubleth his own house; but he that hateth gifts shall live.

Proverbs 17:8. A gift *is as* a precious stone in the eyes of him that hath it: whithersoever it turneth, it prospereth.

Proverbs 17:23. A wicked *man* taketh a gift out of the bosom to pervert the ways of judgment.

Proverbs 21:14. A gift in secret pacifieth anger: and a reward in the bosom strong wrath.

Proverbs 29:4. The king by judgment establisheth the land: but he that receiveth gifts overthroweth it.

Ecclesiastes 7:7. Surely oppression maketh a wise man mad; and a gift destroyeth the heart.

Isaiah 1:23. Thy princes *are* rebellious, and companions of thieves: every one loveth gifts, and followeth after rewards: they judge not the fatherless, neither doth the cause of the widow come unto them.

Isaiah 5:23. Which justify the wicked for reward, and take away the righteousness of the righteous from him!

Isaiah 33:15. He that walketh righteously, and speaketh uprightly; he that despiseth the gain of oppressions, that shaketh his hands from holding of **bribes**, that stoppeth his ears from hearing of blood, and shutteth his eyes from seeing evil;

Ezekiel 16:33. They give gifts to all whores: but thou givest thy gifts to all thy lovers, and **hirest** them, that they may come unto thee on every side for thy whoredom.

Ezekiel 22:12. In thee have they taken **gifts** to shed blood; thou hast taken usury and increase, and thou hast greedily gained of thy neighbours by extortion, and hast forgotten me, saith the Lord GOD.

Amos 5:12. For I know your manifold transgressions and your mighty sins: they afflict the just, they take a **bribe**, and they turn aside the poor in the gate *from their right*.

Micah 3:11. The heads thereof judge for **reward**, and the priests thereof teach for hire, and the prophets thereof divine for money: yet will they lean upon the LORD, and say, *Is not the LORD among us? none evil can come upon us.*

Micah 7:3. That they may do evil with both hands earnestly, the prince asketh, and the judge *asketh* for a **reward**; and the great *man*, he uttereth his mischievous desire: so they wrap it up.

Acts 24:26. He hoped also that **money** should have been given him of Paul, that he might loose him: wherefore he sent for him the oftener, and communed with him.

## **Bribe words in Darby's New Translation**

Exodus 23:8. And thou shalt take no **bribe**; for the **bribe** blindeth those whose eyes are open, and perverteth the words of the righteous.

Deuteronomy 10:17. For Jehovah your God is the God of gods, and the Lord of lords, the great God, the mighty and the terrible, who regardeth not persons, nor taketh **reward**;

Deuteronomy 16:19. Thou shalt not wrest judgment; thou shalt not respect persons, neither take a **bribe**; for the **bribe** blindeth the eyes of the wise, and perverteth the words of the righteous.

Deuteronomy 27:25. Cursed be he that taketh **reward** to smite mortally [shedding] innocent blood! And all the people shall say, Amen.

1 Samuel 8:3. And his sons walked not in his ways, but turned aside after lucre, and took **bribes**, and perverted justice.

1 Samuel 12:3. Here I am: testify against me before Jehovah, and before his anointed. Whose ox have I taken? or whose ass have I taken? or whom have I defrauded? whom have I injured? or of whose hand have I received any **ransom** and blinded mine eyes therewith? and I will restore it to you.

2 Chronicles 19:7. And now, let the terror of Jehovah be upon you; be careful what ye do, for there is no iniquity with Jehovah, nor respect of persons, nor taking of **presents**.

Job 15:34. For the family of the ungodly shall be barren, and fire shall consume the tents of **bribery**.

Job 36:18. Because there is wrath, [beware] lest it take thee away through chastisement: then a great **ransom** could not avail thee.

Psalms 15:5. [He that] putteth not out his money to usury, nor taketh **reward** against the innocent. He that doeth these [things] shall never be moved.

Psalms 26:10. In whose hands are evil devices, and their right hand is full of **bribes**.

Proverbs 6:35. he will not regard any ransom, neither will he rest content though thou multipliest [thy] **gifts**.

Proverbs 15:27. He that is greedy of gain troubleth his own house; but he that hateth **gifts** shall live.

Proverbs 17:8. A **gift** is a precious stone in the eyes of the possessor: whithersoever it turneth it prospereth.

Proverbs 17:23. A wicked [man] taketh a **gift** out of the bosom, to pervert the paths of judgment.

Proverbs 21:14. A gift in secret pacifieth anger; and a **present** in the bosom, vehement fury.

Proverbs 29:4. A king by just judgment establisheth the land; but he that taketh **gifts** overthroweth it.

Ecclesiastes 7:7. Surely oppression maketh a wise man mad, and a **gift** destroyeth the heart.

Isaiah 1:23. thy princes are rebellious, and companions of thieves; every one loveth **presents**, and hunteth after rewards; they judge not the fatherless, and the cause of the widow cometh not unto them.

Isaiah 5:23. who justify the wicked for a **bribe**, and turn away the righteousness of the righteous from them!

Isaiah 33:15. He that walketh righteously, and speaketh uprightly; he that despiseth the gain of oppressions, that shaketh his hands from taking hold of **bribes**, that stoppeth his ears from hearing of blood, and shutteth his eyes from seeing evil:

Ezekiel 16:33. They give rewards to all harlots; but thou gavest thy rewards to all thy lovers, and **rewardedst** them, that they might come unto thee on every side for thy whoredoms.

Ezekiel 22:12. In thee have they taken **gifts** to shed blood; thou hast taken usury and increase, and thou hast overreached thy neighbours by oppression, and hast forgotten me, saith the Lord Jehovah.

Amos 5:12. For I know how manifold are your transgressions and your sins mighty: they afflict the just, they take a **bribe**, and they turn aside [the right of] the needy in the gate.

Micah 3:11. The heads thereof judge for **reward**, and the priests thereof teach for hire, and the prophets thereof divine for money; yet do they lean upon Jehovah, and say, Is not Jehovah in the midst of us? no evil shall come upon us.

Micah 7:3. Both hands are for evil, to do it well. The prince asketh, and the judge [is there] for a **reward**; and the great [man] uttereth his soul's greed: and [together] they combine it.

Acts 24:26. hoping at the same time that **money** would be given him by Paul: wherefore also he sent for him the oftener and communed with him.



**Bribe words in the American Standard Version**

Exodus 23:8. And thou shalt take no **bribe**: for a **bribe** blindeth them that have sight, and perverteth the words of the righteous

Deuteronomy 10:17. For Jehovah your God, he is God of gods, and Lord of lords, the great God, the mighty, and the terrible, who regardeth not persons, nor taketh **reward**.

Deuteronomy 16:19. Thou shalt not wrest justice: thou shalt not respect persons; neither shalt thou take a **bribe**; for a **bribe** doth blind the eyes of the wise, and pervert the words of the righteous.

Deuteronomy 27:25. Cursed be he that taketh a **bribe** to slay an innocent person. And all the people shall say, Amen.

1 Samuel 8:3. And his sons walked not in his ways, but turned aside after lucre, and took **bribes**, and perverted justice.

1 Samuel 12:3. Here I am: witness against me before Jehovah, and before his anointed: whose ox have I taken? or whose ass have I taken? or whom have I defrauded? whom have I oppressed? or of whose hand have I taken a **ransom** to blind mine eyes therewith? and I will restore it you.

2 Chronicles 19:7. Now therefore let the fear of Jehovah be upon you; take heed and do it: for there is no iniquity with Jehovah our God, nor respect of persons, nor taking of **bribes**.

Job 15:34. For the company of the godless shall be barren,  
And fire shall consume the tents of **bribery**.

Job 36:18. For let not wrath stir thee up against chastisements; Neither let the greatness of the **ransom** turn thee aside.

Psalm 15:5. He that putteth not out his money to interest,  
Nor taketh **reward** against the innocent. He that doeth these  
things shall never be moved.

Psalm 26:10. In whose hands is wickedness, And their right  
hand is full of **bribes**.

Proverbs 6:35. He will not regard any ransom; Neither will  
he rest content, though thou givest many **gifts**.

Proverbs 15:27. He that is greedy of gain troubleth his own  
house; But he that hateth **bribes** shall live.

Proverbs 17:8. A **bribe** is *as* a precious stone in the eyes of him  
that hath it; Whithersoever it turneth, it prospereth.

Proverbs 17:23. A wicked man receiveth a **bribe** out of the  
bosom, To pervert the ways of justice.

Proverbs 21:14. A gift in secret pacifieth anger; And a  
**present** in the bosom, strong wrath.

Proverbs 29:4. The king by justice establisheth the land; But  
he that exacteth **gifts** overthroweth it.

Ecclesiastes 7:7. Surely extortion maketh the wise man foolish;  
and a **bribe** destroyeth the understanding.

Isaiah 1:23. Thy princes are rebellious, and companions of  
thieves; every one loveth **bribes**, and followeth after rewards:  
they judge not the fatherless, neither doth the cause of the  
widow come unto them.

Isaiah 5:23. that justify the wicked for a **bribe**, and take away  
the righteousness of the righteous from him!

Isaiah 33:15. He that walketh righteously, and speaketh uprightly; he that despiseth the gain of oppressions, that shaketh his hands from taking a **bribe**, that stoppeth his ears from hearing of blood, and shutteth his eyes from looking upon evil:

Ezekiel 16:33. They give gifts to all harlots; but thou givest thy gifts to all thy lovers, and **bribe**st them, that they may come unto thee on every side for thy whoredoms.

Ezekiel 22:12. In thee have they taken **bribes** to shed blood; thou hast taken interest and increase, and thou hast greedily gained of thy neighbors by oppression, and hast forgotten me, saith the Lord Jehovah.

Amos 5:12. For I know how manifold are your transgressions, and how mighty are your sins—ye that afflict the just, that take a **bribe**, and that turn aside the needy in the gate *from their right*.

Micah 3:11. The heads thereof judge for **reward**, and the priests thereof teach for hire, and the prophets thereof divine for money: yet they lean upon Jehovah, and say, Is not Jehovah in the midst of us? no evil shall come upon us.

Micah 7:3. Their hands are upon that which is evil to do it diligently; the prince asketh, and the judge *is ready* for a **reward**; and the great man, he uttereth the evil desire of his soul: thus they weave it together.

Acts 24:26. He hoped withal that **money** would be given him of Paul: wherefore also he sent for him the oftener, and communed with him.

## Extortion words in the King James Version

Isaiah 16:4. Let mine outcasts dwell with thee, Moab; be thou a covert to them from the face of the spoiler: for the **extortioner** is at an end, the spoiler ceaseth, the oppressors are consumed out of the land.

Ezekiel 22:12. In thee have they taken gifts to shed blood; thou hast taken usury and increase, and thou hast greedily gained of thy neighbours by **extortion**, and hast forgotten me, saith the Lord GOD.

Psalms 109:11. Let the **extortioner** catch all that he hath; and let the strangers spoil his labour.

Matthew 23:25. Let the **extortioner** catch all that he hath; and let the strangers spoil his labour.

Luke 18:11. The Pharisee stood and prayed thus with himself, God, I thank thee, that I am not as other men *are*, **extortioners**, unjust, adulterers, or even as this publican.

1 Corinthians 5:10. The Pharisee stood and prayed thus with himself, God, I thank thee, that I am not as other men *are*, **extortioners**, unjust, adulterers, or even as this publican.

1 Corinthians 5:11. But now I have written unto you not to keep company, if any man that is called a brother be a fornicator, or covetous, or an idolater, or a railer, or a drunkard, or an **extortioner**; with such an one no not to eat.

1 Corinthians 6:10. Nor thieves, nor covetous, nor drunkards, nor revilers, nor **extortioners**, shall inherit the kingdom of God.

### Extortion words in Darby's New Translation

Isaiah 16:4. Let mine outcasts dwell with thee, Moab; be thou a covert to them from the face of the spoiler: for the **extortioner** is at an end, the spoiler ceaseth, the oppressors are consumed out of the land.

Jeremiah 22:17. But thine eyes and thy heart are only on thine **extortion**, and on the blood of the innocent, to shed it, and on oppression and on violence, to do it.

### Extortion words in the American Standard Version

Isaiah 16:4. Let mine outcasts dwell with thee; as for Moab, be thou a covert to him from the face of the destroyer. For the **extortioner** is brought to nought, destruction ceaseth, the oppressors are consumed out of the land.

Psalms 109:11. Let the **extortioner** catch all that he hath; And let strangers make spoil of his labor.

Ecclesiastes 7:7. Surely **extortion** maketh the wise man foolish; and a bribe destroyeth the understanding.

Matthew 23:25. Woe unto you, scribes and Pharisees, hypocrites! for ye cleanse the outside of the cup and of the platter, but within they are full from **extortion** and excess.

Luke 3:13. And he said unto them, **Extort** no more than that which is appointed you.

Luke 3:14. And he said unto them, **Extort** no more than that which is appointed you.  
And soldiers also asked him, saying, And we, what must we do?

And he said unto them, Extort from no man by violence, neither accuse *any one* wrongfully; and be content with your wages.

Luke 11:39. And the Lord said unto him, Now ye the Pharisees cleanse the outside of the cup and of the platter; but your inward part is full of **extortion** and wickedness.

Luke 18:11. The Pharisee stood and prayed thus with himself, God, I thank thee, that I am not as the rest of men, **extortioners**, unjust, adulterers, or even as this publican.

1 Corinthians 5:10. not at all *meaning* with the fornicators of this world, or with the covetous and **extortioners**, or with idolaters; for then must ye needs go out of the world:

1 Corinthians 5:11. but as it is, I wrote unto you not to keep company, if any man that is named a brother be a fornicator, or covetous, or an idolater, or a reviler, or a drunkard, or an **extortioner**; with such a one no, not to eat.

1 Corinthians 6:10. nor thieves, nor covetous, nor drunkards, nor revilers, nor **extortioners**, shall inherit the kingdom of God.

2 Corinthians 9:5. I thought it necessary therefore to entreat the brethren, that they would go before unto you, and make up beforehand your aforepromised bounty, that the same might be ready as a matter of bounty, and not of **extortion**.

# Appendix C

## Research: Bribe Policy Surveys

One of the things I wanted in the Appendix of this book was a few good examples of policies agencies had concerning missionaries and bribes. I had found very little on-line about missionaries and bribery. None of the missionaries with whom I had talked personally belonged to agencies that had a policy about bribes. I thought the best way to obtain bribe policies agencies had would be to survey a variety of agencies and individuals to ask permission to share their policies.

### **Survey 1. Mental Health and Missions**

Since I had attended the annual Conference on Mental Health and Missions (<http://www.mti.org/mhm.htm>) for the last 17 years, I decided to ask people who had attended the conference and who served with sending agencies if they were willing to let me use their bribe policies.

The Conference on Mental Health and Missions has been meeting annually since 1980, and it usually has 200-300 attendees each year. Attendees include primarily mental health professionals, member care providers serving with agencies, people working in counseling centers, and students interested in

member care. The program includes large plenary sessions, smaller workshops, a Research and Resource fair, and lots of time to meet people and network.

## Method

I knew that this was not a random sample of all mission agencies, but it included agencies varying in size from very large to very small, agencies from a great variety of theological perspectives, and agencies serving in countries around the world. Since I had attended the conference for so many years and always had a display in the Research and Resource fair, many people there knew me personally and would be more likely to respond to my survey than to one from a stranger.

Each year the program notebook included a list of all attendees and the agency or institution for which they work, as well as their contact information, including their email addresses. I went through the entire list for the 2009, 2010, and 2011 conferences and found 66 people serving with 66 different agencies (often there were several people from an agency, and I picked one I knew if I could). This sample included large and small agencies of many different evangelical groups. I did not select anyone working at a counseling center here in the USA, or anyone affiliated with a university here.

I sent a “personal” email to the 66 people. Each email began greeting them by name and mentioning ways they have known me, ways ranging from visiting my websites to having dinner with me at Mental Health and Missions. I briefly described this book and the fact that I wanted to include some good agency bribe policies in an appendix. I asked only two questions:

1. Do you have a written policy about bribes?
2. If you do, will you send me a copy?

I ended by mentioning that I may see them at the conference in November.



## Results

More than 50% of the people, 35 of the 66, surveyed responded. One agency had a policy; the other 34 that responded had no policy. Just as there was next to nothing on-line, there was virtually nothing about bribery specifically in their policy manuals. I received one policy, one proposed policy, and numerous spontaneous comments.

**The one written Policy I received:** “We instruct our people not to give bribes. There may be times when they are charged extra fees at the initiation of a government official, police officer, etc. When the missionary has done what is appropriate and legal and then receives a demand to pay additional fees, it is at the missionary’s discretion whether to pay or not. The missionary may refuse or question the request. However, there are times that personnel are extorted by officials who will not grant what should be given, and the missionary is faced with a difficult, complicated decision.”

**The one proposal I received:** “The business needs to seek local cultural and legal guidance on this issue. What the Western system may view as a blatant bribe, many foreign cultures see as a way to thank the official for doing his duty. The cultural practices of the vast majority of nations require special payments for usual services.” (Note that this is a statement in development and has not been adopted by the agency.)

Though not asked to respond other than “yes” or “no,” people also responded in the following ways.

**Policies encouraging honesty.** Some people reported that their agencies had policies urging good behavior, such as:

- “We don’t have a specific policy on bribes. Rather we have a generic policy on conduct.”
- “Our focus was on developing relationships (genuine) so that national folks with whom we did business knew who we as an organization were, what we did, why we did it.”

- “Open, honest friendships and relationships go a long way toward ‘greasing the skids...’”
- “We have broader written policies on conduct, dishonesty and wrongdoing that set a tone as to how individual missionaries might act in this situation.”

**Re-defining words.** Changing what bribe and gift mean, such as

- “We distinguished between a ‘financial incentive to encourage a government worker to do his job’ and an actual ‘bribe’ to get him to do something illegal. The former is more like a ‘tip’ and was theoretically acceptable.”
- “Bribery is paying to cover an illegal or inappropriate action you have committed. Bribery is paying someone to commit an illegal action for your personal benefit. Giving a gift in order to expedite a correct and necessary legal activity that would otherwise take forever is a matter of good stewardship ☺.”
- “However, a far more complicated question is what actually constitutes a bribe? What might seem like a bribe to us as Americans, might be seen as simply ‘payment for service’ in the eyes of the national. Sometimes, one is actually stuck and there is no way to get the visa (or whatever!) without paying the guy who is handling the paper work even though you know this isn’t the ‘official’ way.”
- “I remember one of our dorm parents used to take chocolate chip cookies and cakes to the local police office just ‘to say thanks’, since that was the office that did all of our residency paperwork. Could that be construed as a bribe? Or is that just a legal way to keep the skids greased?”

**Other Inquiries:** People serving with sending agencies suggested that I contact other types of services. I contacted agencies providing medical care, agencies providing education, relief agencies, and agencies providing member care to those serving cross-culturally, but I found no policy statements available from those either.

## Survey 2: Brigada Today

Although I had a wonderful response rate of more than 50%, I did not have several bribe policies to include as an appendix to this book. Therefore, I decided to do a more traditional survey to a much larger audience.

Since 1995 the weekly “Brigada Today” email journal (10,000 subscribers) has been informing Great Commission Christians about our great global quest: giving hope and help to those who need it most. Its goals are to (1) identify & promote helpful resources, conferences, websites, agencies, individuals, etc. (2) analyze & capsule in layman terms the current trends in global mission, along with their potential impact on the world of missions and (3) challenge & motivate evangelical Christians toward greater involvement in finishing the task of global evangelism.

### Method

The following item to appeared in Brigada Today:

"Missionaries and Bribes" Policies needed

Ron is writing a book about missionaries and bribes. He would like to have an appendix containing some good mission agency policies about bribes. He will include them without mentioning the name of the agency. If you are willing to share your policy with missionaries and other agencies, please...

Of course, he is also interested in other information about bribes and would be delighted to receive guidelines, position papers, and any other written information you have either from your agency or from your own personal thinking.

This item was sent to the 10,000 subscribers interested in missions, and it was posted on <http://www.brigada.org/> where people who did not subscribe could access it at any time.

## Results

I received 14 email responses and one additional response was posted as a comment on-line. However, the 15 responses included no bribery policies. Again, the people who responded made several good suggestions including some references I had not found. Here are some of those responses:

- There are issues for missionaries where the local law is somehow permissive of bribery, but increasingly expatriate community can be prosecuted in their home country for bribery in another country.
- Government officials have said to our face that if they delay their services long enough they know that the missionaries will eventually give in and pass something their way.
- After 10 years of living in Kenya, our policy is, “don’t do it, don’t do it, don’t do it!!!!” A bribe breaks down the moral fiber of the one asking AND of the one paying.
- I avoided bribes by talking, acting like a dumb American who didn’t realize they wanted money, and getting my daughter involved in the conversation.
- Ain’t easy taking an ethical stand in some places where the norm is not ethical by our standards.
- My comment is that there needs to be a distinction between bribery and extortion.
- When clearing customs or dealing with government officials or sometimes with businesses, usually the problem is how to deal with extortion.
- One pastor from our area was stopped by the police. When they wouldn’t let him go...and were strongly hinting that a bribe would solve the problem, he responded, “We have been taught that this is wrong....but I could give you a ‘love offering’”.

**Discussion**

These results need little discussion. I had hoped to get several good examples of bribe policies that would be helpful to missionaries or to mission agencies which had no policies. The fact that I received only one policy from a personal inquiry to 66 agencies and none from a survey sent to 10,000 individuals means that literally thousands of missionaries face the questions about what to do about bribes with little help from their agencies.

That makes this book even more important than I had anticipated when I began writing it. I trust that the book will be of assistance to missionaries as they face such situations, and perhaps also helpful to agencies which may want to develop their own policies about bribes.

# Appendix D

## Bribery on the Mission Field

David Hosaflook

May, 2009

<http://www.missionmash.com/2009/05/bribes-on-mission-field.html>

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Many cultures are bribe cultures, from the bottom to the top. People in those cultures often dislike the practice, but recognize it as a part of life, plain and simple (whether or not they partake). Should a missionary ever give a bribe? Here are some random thoughts:

- Learn about the culture and how people see bribes. Some countries give "tips" with no more sense of guilt than we give tips to waitresses. Ask locals about this! Ask the opinions of national believers and experienced missionaries or other expats.
- Learn how people in your culture ask for bribes. For example, in my country they offer you a "coffee" if they want

something done. Sometimes the "coffee" is a lot more expensive than Starbucks!

- I would always judge the issue of "tips" based on *principle*, not *price*. There is no price you can put on principle.
- Most of the Albanian believers in our churches decided early-on in their Christian journeys that they will not be like the world in this area. I've never preached about the evils of bribery; the Word of God and the Spirit make it pretty plain. If national believers just coming to faith are making this conclusion, how then could their missionary partake in illegal bribery?!
- So am I saying there is "legal bribery"? Well, that depends on what you mean by a bribe. My online dictionary says that bribing is "*to persuade someone to act in one's favor, typically illegally or dishonestly, by a gift of money or other inducement.*" I am OK with persuading someone to act in my favor. I am not OK with doing it illegally or dishonestly.
- A missiologist friend of mine recommended that I read *Strange Virtues: Ethics in a Multi-Cultural World* by Bernard Adeney. I haven't read it yet, but its introduction, which can be read by the "search inside this book" section on the amazon.com link above, makes an incredible point by telling a story of a real-life situation where thousands of dollars would be wasted and needed medical surgeries left undone by refusing to tip some customs officials preventing a container of medical supplies to clear. The introduction makes a terrific point that it is easy to blurt out "No, *never* under *any* circumstance!" But a real life scenario affecting real people is more complicated for the missionaries with boots-on-the-ground in places where the rules of the game are completely different.
- An elder missionary friend of mine explained his philosophy of bribes this way: bribing an official to *disobey* a law or to give you preferential treatment is wrong; but tipping

a corrupt official to get him to *obey* or *apply* a law may be necessary from time to time.

- A practical story of the above: once I went to Germany to buy a vehicle, since most local vehicles for sale in Albania were stolen (at that time). Customs was about 40% of the purchase price! For this reason, most Albanians were falsifying their bills-of-sale in order to pay less customs on import (or, in the case of stolen vehicles, just creating bogus bills altogether). When I presented my bill of sale, the customs official *himself* objected, saying "Hey, that's the original bill!! Do you know how much you're gonna pay? Quick, go over to that kiosk over there and he'll make you a new bill of sale: you pay him some, he wins. I get a cut, I win. You save about \$3000, you win." Then the Albanian non-believer who made the trip down with me said, "No, no, he's a believer," to which the customs official said, "Oh, one of those, too bad." I could have saved three grand (!), but I chose not to because this was clearly a breaking of the law. The customs official understood that believers don't do this; what a good testimony--and good thing I didn't shatter it! After my long trip to Germany, much driving, and four hours waiting in lines for customs officials at the port, it came time to embark on my four hour trip home over pot-hole roads--and it was already 9:00 p.m. I was tired and missed my family. On the way out of the customs zone, we had to stop at three police checkpoints, so they could verify all our paperwork--yes, *three* road blocks to verify the *same* papers. My Albanian friend said, "Put \$5 in with your paperwork." I said, "For what? I already paid \$3000!" He said, "Do you want to go home this week?" In this instance, the little "tips" had nothing to do with breaking a law, but motivating the crooked policemen to actually do their job, check my papers, and let me go home (instead of continuing to play dominoes and drink vodka). I hope this doesn't offend anyone, but I did slip them a \$5, then twice more at the two final checkpoints, wished them well, and was on my way for 15 bucks. My



conscience was clear, and even my unbelieving friend understood the clear difference between the first and second scenarios.

- Most countries in the world have an abundance of bureaucracy. Most bribery happens while trying to cut through the red tape. I've discovered a force more powerful than bribery to persuade people to help me navigate the red tape: *relationships*! The more you meet people, treat them well, pay them well for their services, and offer to help them, the more you can use your relationships to avoid tips. For example, I've worked to develop a great relationship with some lawyers and notaries (who know everyone), and if I know I'm going to be in a situation where I might be asked for a bribe, I seek their counsel beforehand, playing the naivety card and asking, "Can you help me understand how to react if they ask me for a bribe, or how to know if they are expecting it, because I don't understand the bribing culture." Often times, my friends will simply handle the situation for me, saving me both a bribe dilemma and precious time! What is important here is not to *use* people for their clout, but to genuinely care for people. I see every influential government official as a dying person going to Hell, and often when I have developed relationships and witnessed to them, they have sensed and appreciated my sincerity, though they be icy cold to my message.
- Another powerful way to cut through red tape and avoid bribes is to take your cute little children with you to government offices, but I'm digressing a bit from the main theme.
- Suffering is part of Christian living; the consequences of not paying an illegal bribe can be tough. So was the cross.

## Appendix E

### A Case for Bribery: Giving Versus Taking

Gregory Nichols

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1997

<http://www.eastwestreport.org/articles/ew05101.htm>

*A gift given in secret soothes anger, and a bribe concealed in the cloak pacifies great wrath.* Proverbs 21:14.

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I sat sipping coffee, listening to a missionary, recently arrived in Ukraine, telling a common story. After he rented an auditorium, the director of the building began dropping hints that the agreement might have to be canceled. We both knew that a gift to the director would solve the problem. The new missionary felt he could not do that. He could not compromise his biblical integrity. It would be more "Christian" to spend his valuable time finding another facility than offering a gift to the director. As we parted I asked him to look up the verses he felt he was

being asked to compromise. He agreed. I had been in his spot several years before and I wanted to see if he would come to the same conclusion I had.

### **The Biblical Argument**

In the Old Testament the Hebrew word *shochad* usually is translated as *bribe*, but sometimes as *gift* or *ransom* (Proverbs 6:35) or *present* (II Kings 16:8). *Minhah* normally is translated as *gift*, but sometimes as *bribe*. Both *shochad* and *minhah* are used to show the submission of an inferior to a superior. The idea of bribe or gift in this sense does not appear in the New Testament. In an examination of Old Testament passages which mention *gift*, *present*, or *bribe*, two principles clearly emerge. First, the Bible always condemns taking a bribe. Those in authority who are deciding people's futures are to be the embodiment of impartial justice. Second, the Bible never condemns giving a gift or a bribe. In fact, the opposite is true. Proverbs clearly states that if we need to meet with a great man, we should remember to bring a gift (18:16). It also states that if we need to pacify an angry official, we might want to try a gift given in private (21:14). This is a difficult concept for Westerners to understand. Those blessed enough to live in a law-based society rarely face the problem. Unfortunately, most people around the world do not have this advantage. In many settings worldwide, gifts or bribes are not simply a way around the law. They also can be a culturally based incentive for officials to do their prescribed jobs. Many would call it a tip. For example, it would not be biblical to bribe an official in order to evade a building code or visa requirement. But if this official is delaying action, or is misinterpreting the law, it would not be unbiblical to offer a gift. It may violate Western cultural assumptions and personal convictions, but it does not contradict Scripture.

We must bear in mind that the Bible is for all cultures, for all times, and for all social classes. Scripture is clear that God's people, who are in positions of power and leadership, must uphold blind, impartial justice. But all of God's people do not have godly rulers. Many times His people suffer under unjust decision makers, blaspheming tyrants, or lazy clerks. In such situations God's compassion and wisdom are found in His not forbidding a bribe. He knows His children may find themselves in positions of powerlessness where the future depends on the personal favor of the decision maker, regardless of the written law.

### **Cultural Issues**

Stories of corruption seep into many daily conversations and articles dealing with the former Soviet Union. There are mafia and customs officials smuggling weapons-grade plutonium. And there are police manufacturing traffic violations or refusing to respond to calls for help, claiming a lack of personnel or gasoline. How are missionaries and their families to understand and cope with this climate of lawlessness?

First, recognize that post-Soviet culture is held together by relationships, not laws. The average businessman avoids troubles with officials through strategic friendships, which he has worked hard to cultivate and which he maintains through gifts. In an environment without a working financial or legal system, these relationships provide a form of insurance. Second, the lawlessness of post-Soviet society stems from a very poor economy. Often government officials are months behind in their salary, they have no motivation to work, and bribes may be their major source of income. Third, corruption was longstanding in the dual economy of Communism. The shadow, or second economy, beyond the control of the government, was a way of life for all concerned. And today nearly every official one deals with secured that position because of past Communist

connections. Bribery was part of the Communist system, and post-Soviet officials have inherited the expectation that bribery is a matter of course.

### **Life Experience**

Westerners, as well as Russians, now play the gift-giving game firsthand. They work to get coffee or chocolate into the hands of a particular official who is blocking their path, being careful not to insult or embarrass. They have seen the knowing smile of officials who recognize the shape of a bottle in a shopping bag left by their side. They have watched as plain envelopes of money slide casually into suit pockets. Yet not all Westerners are comfortable with this system, nor should they be.

To cope, expatriates and missionaries in the former Soviet Union have adopted several strategies. The most common involves intermediaries who serve as buffers. Typically, lawyers are hired to expedite paperwork. Their fee includes various expenses, including approximately 25 percent for bribes. The more savvy the lawyers, the more detailed their knowledge of various officials' tastes. They will know to send a certain brand to a certain official using a certain carrier. Usually expatriates prefer not to know the minute details of charges. A second strategy involves the use of humanitarian aid as a means of leverage with the official gatekeepers. Sometimes a city will receive gifts of medical or dental equipment. At other times guest lecturers, free English lessons from native speakers, or student-exchange programs are used to improve relations with those in power. A third variation is to try to play the difficult gift-giving game in person. Here the biggest hurdles for foreigners are the delicate nuances. But with an average of one holiday every month, built-in opportunities abound to solicit the friendship of decision-makers in a society which is based upon relationships rather than laws.

The only other alternative is to not play these games but to abide by the local official's interpretation of the law. Some hope that by not offering bribes they can change the culture so that in time it will conform to their understanding of equality before the law. Some missionaries eventually have found success by ignoring hints for bribes from officials. Like the bothersome widow in Luke 18, over time they have managed to wear officials down.

Recently I received an e-mail from my missionary friend who had agreed to examine the Bible's use of *gift*, *present*, and *bribe*. He had not been able to find any verses in the Bible that clearly prohibited giving a bribe. I don't know if he now acts accordingly. But if he does, he has taken a major step in his cultural adaptation process, recognizing the mistake of confusing a law-based culture with mandatory biblical requirements. Missionaries must come to examine a new environment through the prism of the Word of God, not through the prism of the culture and comforts of home.

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## Appendix F

# Bribery: Coming to Terms with a Moral Dilemma

(from an interview by Cathy Thornberg of the Russian-American Christian University, Moscow)

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<http://www.eastwestreport.org/articles/ew05101.htm>

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*How do you define bribery?*

After five years of living in Russia and interacting with its people, I have come to the conclusion that to get something accomplished here, people often give money to people *nalevo*, under the table. One of the main reasons is to buy protection to cover an illegal act. For example, to import something into the country without paying 100 percent of the taxes, someone pays a lesser sum in cash to an official, with some or all of it going into that official's pocket, rather than into an official bank

account. The customs official stamps the documents and the container of goods comes into the country much more cheaply than if the shipper had paid all the taxes. I would define this as wrong because someone is paying somebody to do something that I think everybody would consider illegal.

A second major reason is to pay someone to perform a legal function. You need their services, usually to get permission to do something. What you're asking for is totally legitimate and they're being paid to provide the service. But they hold the power. Many times I'm discovering that people will use that position of authority for greedy purposes, and so they'll say no until you pay them personally, and then they'll say, "Yes, of course, we can do that. That's no problem." Recently, for example, while registering our car, we didn't realize that the officials had not given us a window sticker. When I went back to get it, the police officer said that because my car was painted two slightly different colors of yellow, due to a partial repainting, I could not have the sticker. The Russian man who was helping me said, "What he is really asking for is for you to pay him. If you'll pay him, I can guarantee you that he will register you quickly. What you're asking for is not something that is illegal. He is just making it difficult for you." In this particular situation, I was faced with an unnecessary \$500 paint job and another four to eight hours in line, or payment of a "personal tip" to complete the registration quickly.

*Would you distinguish between an incentive bribe and a gift?  
How would a gift differ?*

In some of my responsibilities with our organization, we work regularly with government administrators. In order to try to avoid bribes and to get people to do what they are supposed to do, several times a year we give them flowers, candy, or some other token of appreciation, just to say, "We appreciate our working relationship with you." In the West we would never



take flowers to the person who works in the tax office and say, "I really appreciate everything that you're doing." But we have found that, over the years, there has developed in Russian society this type of expectation among people who are in positions of authority. Even if a person's job is only to admit people into a building, that person is a door opener--or closer. That person is in a position to serve you--or to block you. And so keeping the relationship friendly is really important in this society.

*How do you think Russians you work with define bribery?*

I think almost all the Russians I've interacted with on this topic have been brought up with bribery since infancy. They rarely have seen anything different. They just assume that this is the norm: "that's the way our parents and our country have always done it." They know others will take advantage of them. They know they are going to have to pay extra to get certain services done. And so they expect to pay "tips" or bribes--and they expect to receive them. It may be too harsh to say that their consciences have become seared, but I think because they've done it so many times, by the time they are adults, they don't think about the fact that they're asking somebody to do something which might be illegal. It's just standard operating procedure.

*What biblical passages are central to your thinking on bribery?*

The Bible says my unspoken thoughts are known to God. In the same way, my actions are known to God, even if they're done in secret. Initially, I have to report to my ministry leadership. But ultimately the person I stand before is God, and I have to evaluate what I am doing. How will I feel when I stand before God and I look back on how I manipulated a particular situation? If I feel I had to do something wrong in order to accomplish a good purpose, I think I would still feel very

uncomfortable before God, because I feel I would have missed the opportunity to trust God to work out something supernatural. My role on earth is to please and serve Him, rather than take matters into my own hands. If He wants to see something accomplished, He can do it, with or without my help.

*I heard one case of a Russian believer who makes a distinction between agreeing to bribery for a Christian cause, but not for personal gain. You still would feel uncomfortable because you were going against your conscience?*

The people around us are always observing our values. Regardless of how dire the situation, I really feel we need to continue to ask, "How will this make me feel before God when I go to the judgment seat?" Knowing that Jesus is right beside me now and sees my actions, if I am feeling uncomfortable, then I don't want to do it. To me, it's not worth jeopardizing my relationship with Him just to accomplish even a good Christian cause.

*Do you see a danger in bribery leading to greater ethical compromise over time?*

Yes. I feel even if it's a small thing, for me personally, it begins to sear my conscience. And if you are working with certain officials over and over again, and they know that you've paid once to do something that's illegal, they will expect bribes to continue. If you've decided the second time that you're not going to pay, and they know that you paid the first time, they may block your path. However, if the first time you had said, "I'm sorry, I understand this is the system, but this particular method is illegal and I want to do it the legal way," the official will understand that you will not pay a bribe. So I think the danger is, even in Christian organizations, once you start down the path of doing something that's compromising, you spin an ugly web. I think there's an advantage to starting clean and

staying clean the entire way because once you start deviating, even in small ways, you're going to end up living with those negative consequences for a long time.

*What about the case of a bad law? Is it justifiable to ignore it or circumvent it by payments to officials?*

I've heard there are about 1,000 new laws made each year in Russia, but rarely are the old laws canceled that contradict the new ones. And the laws enforced will be those to the advantage of the person trying to manipulate you. That is one of the disadvantages. Second, consider an issue that a number of people have discussed extensively: is a law really a law if it is not being enforced? What happens if you feel a tax law is unfair? Russia has a 30 percent income tax law for its citizens and foreigners. Expatriates I have asked who are facing this 30 percent tax may be paying it through extra stipends from their agencies or businesses, and therefore it is not affecting their net income. However, rarely is this tax being paid by businessmen who do not receive extra salary to cover it, or by missionaries who have to raise their own support. The main reason for tax evasion, by citizens and noncitizens alike, appears to be because enforcement is so lax that few consider the government to be serious about collection. Since the law is not being rigidly enforced, many missionaries and foreign businessmen, like many Russian citizens, think of the 30 percent tax as a voluntary payment. (Editor's note: see Howard Witt, "Russia Tax Laws: A Hodgepodge Cheaters Love," *Chicago Tribune*, 1 December 1996.)

As for what is right on tax payments, I have heard arguments from respected Christians on both sides of the issue. Some Christians argue that nonpayment of taxes is justified because such payments go to the government for evil purposes. Other Christians point out the passage in the Gospel of Matthew (17:24-26), where Peter is asked by tax officials for two

drachmas. Jesus said, "So that we may not offend them, go to the lake and throw out your line. Take the first fish you catch; open its mouth and you will find a four-drachma coin. Take it and give it to them for my tax and yours." Certainly, New Testament culture wasn't a heavenly atmosphere either. But Jesus paid and He is our example. How can we get around it?

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# Appendix G

## Best Practices for Short-Term Healthcare Missions

Steven Falkiner and Peter Yorgin

June 2008

Under which (if any) conditions is bribery acceptable in short-term healthcare missions?

<http://csthmbestpractices.org/ConsensusDocuments/Bribery1.2.pdf>

### CONSENSUS STATEMENT

As followers of Christ, we represent what is good and right. Deception is not part of who we are, as it can quickly erode trust and grieve the Holy Spirit. It should be obvious that bribery is not an option for a Christian. However, many unprepared healthcare missionaries encounter bribery solicitations. To compound the problem, they may also have well-meaning friends encouraging them to do it. If healthcare missionaries don't realize the weakness of the arguments in favor of bribery, they may be tempted to give in and do the easy thing. To counter this we need to be prepared; prepared to answer the arguments in favor of

bribery; prepared to pay the cost of not bribing; and prepared to recognize a bribery solicitation. If we are prepared, then we can face the "ethical dilemma" of bribery with confidence.

**BEST: DO NOT USE BRIBES AS A MEANS OF ACCOMPLISHING GOD'S WILL**

### **Biblical concepts involved**

Psalm 62:10, Do not trust in extortion or take pride in stolen goods; though your riches increase, do not set your heart on them.

Proverbs 27:3, A wicked man accepts a bribe in secret to pervert the course of justice.

Ecclesiastes 7:7 Extortion turns a wise man into a fool, and a bribe corrupts the heart.

Deuteronomy 17:1 instructs judges: Do not pervert justice or show partiality. Do not accept a bribe, for a bribe blinds the eyes of the wise and twists the words of the righteous.

### ***Bribery is one of the most common moral problems for Two-Thirds World Christians***

The problem is so prevalent that it is almost impossible not to encounter it. This moral dilemma is also faced by those who go as missionaries to these countries. The question for the short-term healthcare missions leader is how to respond to bribery. This is something that is best not left until the last minute, because pressure tends to blur our thinking. In those pressure situations, there will also be those who encourage the bribe. If the missionary isn't prepared to answer their arguments, then it becomes easy to give in. The following arguments aren't the only ones that encourage bribery, but they are the ones that Steven Falkner faced in Nepal.

1. "Don't Force Your Culture on Others." Some say that it is wrong for Westerners to impose their culture on another people. This is a sore spot in many nations because during the colonial period many missionaries did just that.

Sensitivity to Western domination still remains, especially as many nations strive to discover and assert their own identities. Some Two-Thirds World Christians even exclaim, "Bribery is an accepted mechanism for legal transactions in this context. Westerners have no right to impose their own legal norms on a context in which small-scale bribery has almost the status of customary law"<sup>2</sup>.

One of the weaknesses of this argument is that it bases the morality of bribery solely on cultural acceptance of the practice. But if cultural acceptance were the only measure of morality, then slavery in the 18th century southern United States would have to be considered moral, along with female circumcision in some African tribes. However, culture can only be seen as absolute if we deny the existence of any universal absolutes.

Only two types of morality exist that appear to be culturally influenced, and bribery doesn't fit either one: culturally influenced expressions of universal morals (such as a woman showing respect and submission for her husband by covering her head during public worship) and what many call "matters of conscience," moral rules that are either culturally informed or based on personal convictions and are concerned with issues that are not addressed as universally immoral in the Bible (such as the amoral practice of eating meat that has been sacrificed to an idol). Bribery, however, doesn't fit in the definition of culturally influenced morality because it is universally condemned in both testaments.

The strongest argument against accepting bribery as a cultural norm is that virtually every nation of the world has laws prohibiting it. John T. Noonan claims:

There is not a country in the world which does not treat bribery as criminal on its lawbooks. . . . In no country do bribetakers speak publicly of their bribes, or bribegivers announce the bribes they pay. No newspaper lists them. No one advertises that he can arrange a bribe. No one is

honored precisely because he is a big briber or a big bribee. No one writes an autobiography in which he recalls the bribes he has taken or the bribes he has paid<sup>3</sup>.

The Bible tells us, "Everyone must submit himself to the governing authorities, for there is no authority except that which God has established."<sup>4</sup> Therefore, even if it were considered to be a cultural norm, and even if everyone else is doing it, the Christian is called to obey the law that prohibits it.

2. "Do It for the Greater Good." In this argument, the mission is the higher good that makes bribery acceptable. Those who work in nations where bribery is rampant know the cost of not complying with its demands. A missionary says:

In many if not most Two-Thirds World countries very little gets done without some financial incentive. . . . A new business manager once came to one of our projects near the Indian border. It had been the custom for years to provide a little "token of appreciation" to the man at customs for expediting the passage of mission goods across the border. But the new business manager—a wonderful fellow, but prone to see things in black and white—regarded this as bribery, pure and simple. He put an end to the practice. And that put an end to the passage of mission goods across the border. There was a face-off, naturally; the mission reinstated the practice and the business manager went home<sup>5</sup>.

In another example of which Steve Falkner was aware, a relief worker in Thailand saw 25 of his national coworkers arrested, and he couldn't purchase or distribute food and fuel for 18,500 refugees, until he paid a bribe. However, giving in assumes that bribes are necessary to work successfully in these nations. Many missionaries and businessmen have worked successfully without succumbing. Creative ways to operate without bribery



have been found. For example, to work in the face of strict visa laws, missionaries have gone as tentmakers or students or have approached these countries as nonresident missionaries. The idea that bribery is "necessary" is relative to the price that one is willing to pay to operate without bribing.

This argument places pragmatism over obedience.

**Example:** A well respected Christian otolaryngologist planned to conduct a training seminar with a series of operations to demonstrate a novel technique in an Asian country. The educational operation depended on having donated equipment brought into the country. Despite trying a number of different options to move the equipment into the country, the otolaryngologist was able to get the equipment in after a bribe – because that was what worked. Three poor children experienced a dramatic response to the operation. God was praised and glorified by the otolaryngology team and their supporters.

The missionary opts for "what works," even though this involves sinning in the sight of God. A further problem with this argument is that it assumes that there is a defined hierarchy of values that will determine which is the "greater good." However, as Bernard Adeney points out: "Unfortunately, no fixed hierarchy of values can be demonstrated from Scripture, reason or experience"<sup>6</sup>. If this is true, then arguing for the greater good becomes a form of relativism that bases values on subjective logic. Almost anything can be justified if we argue it in the right way and feel strongly enough about it. Results are not only unpredictable, but they are based on the ability of fallen human beings to judge correctly. Also, making a judgment for the greater good assumes that the one making the judgment is able to accurately predict the final outcome of the action. Who can accurately gauge the long-term effects of an act of bribery on a person, a society, or a mission?

This argument often arises from confusion between bribery and extortion. Cases are presented where someone has to pay a bribe to cross a border without being robbed or beaten by the border guards. What must be understood is that the form of giving that the Bible condemns as bribery is that which perverts justice<sup>7</sup>. The Encyclopedia of Biblical and Christian Ethics defines bribery as "the bestowing of money or favor upon a person who is in a position of trust (for example a judge or government official) in order to pervert his judgment or corrupt his conduct"<sup>8</sup>. Perverting justice through bribery can take the form of paying for an unfair advantage, such as buying entrance to a school that has limited enrollment, or fixing a traffic ticket, or receiving a visa for which one is not qualified. The common denominator is that a perversion of justice has taken place. Both the giver and the receiver of the bribe are guilty.

In contrast, extortion withholds justice and services that are rightfully due a person or that should be provided without charge. The relief worker above who paid a "bribe" so that he could feed refugees was really a victim of extortion. He didn't pay to pervert justice, he paid to prevent the officials from wrongfully imprisoning his workers and preventing him from feeding 18,500 refugees. The victim can refuse to pay in order to help curb the continuation of corruption, but his guilt is not equal with that of the one who is extorting.

3. "Don't Think of It as a Bribe." Some say, "Don't think of it as a bribe; think of it as a gift, or a tip, or a donation." Is it really this simple? A bribe can be distinguished from all three alternatives. A gift is given in the context of a relationship to express a feeling. Where no relationship is present, a gift appears out of place. A bribe, however, is not an expression of relationship; it is an attempt to exploit a person for selfish gain. A gift may be given secretly—perhaps out of modesty—but secrecy is unnecessary. A

bribe is concealed in the palm or given in a plain envelope. Without secrecy it brings disgrace and possible legal consequences. The Bible says in Proverbs 27:3, "A wicked man accepts a bribe in secret to pervert the course of justice." The size of a gift is irrelevant; after all, "it is the thought that counts." The size of the bribe is equivalent to the task performed. A gift may hope for reciprocation. A bribe requires it.

**Example:** A medical mission team is trying to get large boxes of (expired) medications into a country by bribing the airport customs officials. Money is given to an intermediary who pays off the custom officials. When a concerned team member asks, "Isn't this a bribe?," the team leader responds, "It is just a gift that we provide to our friend".

A bribe can also be distinguished from a tip as well. A tip is known and consented to by the employer. A bribe is hidden from the employer. This fits with the experience of Richard Langston: "Tips are given openly and encouraged in the Philippines, while transactional bribes are usually given subtly."<sup>9</sup> A tip is for the proper performance of a job. A bribe causes a person to betray a job. A tip is given as a small bonus to reward past service and influence future service. A bribe is given in such a size that it creates an overriding obligation to perform a task. A tip is given to low level employees. A bribe is given to those with discretionary powers. A tip is optional. A bribe is required.

Bribes can also be distinguished from donations. A donation is given openly and usually acknowledged with a receipt. If the donation is large, public recognition may be appropriate. A bribe, once again, is secret. A donation may seek to influence, but a bribe creates an obligation.

4. "Bribery Doesn't Hurt Anything." It is well known that government workers in Two-Thirds World nations are very poorly paid. Some justify bribery because it provides additional income so that these workers are better able to

care for their families. But this reasoning overlooks the overwhelmingly negative consequences of bribery.

Some analysts say that bribery is one of the major factors preventing economic, political, and social development. An organization called Transparency International produces a yearly Corruption Perception Index

([http://www.transparency.org/policy\\_research/surveys\\_indices/cpi](http://www.transparency.org/policy_research/surveys_indices/cpi)

<sup>10</sup>) . The least corrupt of the nations listed are the developed countries of Denmark, Finland, Sweden, New Zealand, and Canada, while the most corrupt are the underdeveloped nations of Nigeria, Bolivia, Colombia, Russia, Pakistan, Mexico, and Indonesia.

One of the realities in most Two-Thirds World nations is that quality control inspectors can be bought. Thus, inferior products and services enter the marketplace because inspectors have been paid to "turn a blind eye" to deficiencies. In addition, positions and contracts can also be bought by the unqualified, leading to massive waste.

A third reality in most Two-Thirds World nations is that government workers can be bribed to speed up the processing of documents or to move the briber ahead of those already waiting for service. This speeds up service for the briber but slows down everyone else.

Hindering development is only one of the negative consequences of bribery. A second is that bribery denies justice for those who cannot afford to pay. The Bible condemns those "who acquit the guilty for a bribe, but deny justice to the innocent."<sup>11</sup> Ancient Israel was so concerned about the swaying of judges that in the Talmud we find, "Even the slightest courtesy extended to a judge, such as giving him a hand to help him alight from a ferry, was enough to cause that judge to refuse to take the man's case in court"<sup>12</sup> .

A third negative consequence of bribery is that it involves oppressing the powerless. Isaiah 1:23 says, "Your rulers are rebels, companions of thieves; they all love bribes and chase after gifts. They do not defend the cause of the fatherless; the widow's case

does not come before them." Justice and service go to the highest bidder. Those able to pay bribes in a government office get their permit processed immediately while those who are unable to pay must wait until all of the bribers have been served. Vinay Samuel has noted: . . . it is also important to bear in mind another critical issue . . . the question of who is disadvantaged by rather than who gains advantage from the effects of bribery. . . . Bribery is never an isolated act. It always has consequences for one's relationship to neighbors and undermines the poor, compounding their misery and increasing the advantage to those who are already powerful.<sup>13</sup> Bribery also has negative consequences for the person who receives the bribe. The common term that is used for bribing an official is "corrupting" them. Ecclesiastes 7:7 notes that, "Extortion turns a wise man into a fool, and a bribe corrupts the heart." Deuteronomy 17:1 instructs judges: "Do not pervert justice or show partiality. Do not accept a bribe, for a bribe blinds the eyes of the wise and twists the words of the righteous." From a Christian perspective, is there any justification in "corrupting hearts" or "blinding the wise" by giving bribes? We are meant to love our neighbors, not corrupt them. Even if the person who takes them is relatively corrupt before we bribe them, our contribution adds to their guilt and reinforces their corruption. Bribery also carries the social consequence of undermining basic trust. One businessman commented, "If you pay an official to get around the long process of obtaining a license for something, what's to prevent someone else from bribing another official or even the same one to steal my business?"<sup>14</sup> We place a certain amount of trust in public officials. When we can't trust them, a certain amount of instability enters into the social structure. For a missionary, bribery violates another trust relationship—the trust placed in a missionary or a missions board by the people who support the mission. There is no written agreement, but there is an inherent trust that the money will be used in an ethical, Christian manner. I expect that if we polled our churches, we would find very few in favor of using missions money for bribery.

5. "The Bible is Unclear on Bribery." There are three problematic texts in the book of Proverbs. The first is

Proverbs 17:8, which states: "A bribe is a charm to the one who gives it; wherever he turns, he succeeds." At first glance this passage seems to put bribery in a positive light. However, here the briber considers his bribe to be a charm that brings him success. Compare this with Psalm 62:10, which counsels, "Do not trust in extortion or take pride in stolen goods; though your riches increase, do not set your heart on them." The overwhelming counsel of Scripture is to place our trust in God; not in riches, man, princes, weapons, idols or bribes.

The second problematic verse is Proverbs 18:16: "A gift opens the way for the giver and ushers him into the presence of the great." It is interesting to note, first of all, that the regular Hebrew word for bribe, *shochad*, is not used in this passage. Instead, a more generic term meaning "gift" has been used. The question must be asked, first of all, if the description of the gift in this passage fits the definition of bribery or if it is merely describing a gift. Here the gift opens a way for the giver that his merits have failed to open on their own; thus he has bought an opportunity not rightfully his. The act, therefore, is unjust and can be thought of as a bribe.

The third problematic verse is Proverbs 21:14: "A gift given in secret soothes anger, and a bribe concealed in the cloak pacifies great wrath." This passage also appears to present bribery in a positive light. But, is the one giving the bribe perverting justice? If the wrath he avoids is a consequence of a crime, then justice has been compromised. Bribing a judge to get an undeserved verdict of "not guilty" or bribing a police officer not to give a deserved traffic ticket would be examples of this. However, if the wrath is undeserved, then pacifying it hasn't perverted justice. Unfortunately, we don't know what the cause of the anger or the wrath is. On this verse we would have to agree with the commentator that "The verse does not condemn or condone; it merely observes the effectiveness of the practice."<sup>15</sup>

Apart from the three problematic verses in Proverbs, there are 21 cases of *shochad* in the Old Testament and several additional verses where another Hebrew word is used to describe a bribe. These all point to the immorality of bribery. In the New Testament, bribery is mentioned several times but is not commented on directly, although the motivations attached to it are soundly condemned.

Bribery is condemned because of the partiality it creates. The Old Testament commands us to "not pervert justice," nor to "show partiality to the poor or favoritism to the great." In contrast to the gods of the nations, the Lord is revealed as one who "shows no partiality and accepts no bribes." The New Testament teaching corresponds to this in the solemn command: "I charge you, in the sight of God and Christ Jesus and the elect angels, to keep these instructions without partiality, and to do nothing out of favoritism" (1 Tim. 5:21).

The Bible condemns greed, which is the primary motive in bribery. Because of the condemnation on bribery, those who participate in it are also condemned: "For the company of the godless will be barren, and fire will consume the tents of those who love bribes" (Job 15:34). The Psalmist pleads, "Do not take away my soul along with sinners, my life with thirsty men," who are described as those "whose right hands are full of bribes."<sup>16</sup>

Missionaries should understand their role as ambassadors of the living God. What impression is being conveyed about the God we serve? Is he like the gods of the nations who can be bribed? Marvin R. Wilson notes, "It was thought in Canaanite religion that gods could be manipulated or appeased through offering or ritual."<sup>17</sup> This same attitude still persists in the majority of religions today. As ambassadors of Jesus Christ we not only speak of a God that cannot be bribed, but we also represent him in our deeds.

## **Sender Perspective**

### ***Before***

The major challenge for a sender is whether or not to knowingly support bribery to accomplish a perceived “greater good” or out of a sense of acceding to the “way that it is done in \_\_\_\_\_”. By accepting the need for bribery, the sender precludes God moving in another direction either to provide what is needed in another (just) way or to re-direct the goals of the healthcare mission.

Another problem is how to make the money/or other gift appear to be for something other than bribery – as any oversight would create problems for a “bribery” line item.

### ***After***

## **Goer Perspective**

### ***Before***

The team leader needs to determine whether the bribe is being used to do something illegal in a particular country. If so, it is wise to avoid any illegal activity in another country - and seek God’s leading in an area that is legal.

Bribery is rarely a planned strategy; however, there are occasions where paying an official is considered to be part of the necessary cost of working in a country. Determining the amount of the bribe the first time can be difficult. Should team money be used for the bribe? If so, how does one present one’s plan to bribe an official?

### ***During***

At a minimum, some of the team members will have concerns about offering bribes to officials. This concern can cause tension within the team regarding the motives of the team leaders and how the team’s action will reflect on the ministry. Does one pray that the bribe will work and that everything will go as planned?

The team leader may have acute concerns regarding bribing an official. There have been rare situations where the bribe has subsequently been made public or where a Christian missionary was caught by governmental officials. A number of Christian missionaries have been publically charged with bribery, thus smearing the name of Christians and limiting the spread of the Gospel.



On the other hand, it is possible that all goes well, allowing medications or eyeglasses to reach people who are in need. There are examples of missionaries who have refused to pay bribes, only to see their ministry opportunities limited.

### *After*

Assuming that the bribe went successfully, the team leader may return with a sense of justification that all went according to God's plans. Unfortunately, team leaders who have successfully used bribes can influence other team leaders, encouraging their use. If the bribe went badly, then there can be significant problems with the church or sending organization. Bad publicity can result and team leaders may be relieved of their roles

## **Recipient Perspective**

The recipient of the bribe will likely think that Christians are no different than other people – if they receive the bribe. If the recipient does not receive a bribe from a Christian group, there can be a sense of resentment towards Christians, unless Christians help countries to eradicate bribery through the payment of proper salaries and appropriate taxing/fees.

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## Appendix H

# The Price Is Wrong: A Biblical and ethical examination of bribery

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### INTRODUCTION

The IRA have threatened to bomb a Belfast petrol station if this month's 'protection money' is not paid within 24 hours<sup>1</sup>. The Mafia have done the same to a Sicilian restaurateur. Both

proprietors are strong Christians but, aware of the financial implications for themselves and their employees if business is lost, they pay up and have learned to budget for such 'fees'. A medical missionary is waiting to re-enter Tanzania having come home on furlough. Her documentation has been 'lost' but could probably be found quickly if the price was right. She knows that the fledgling mission is struggling without her. There is inadequate medical expertise and, furthermore, several of her staff were on the brink of Christian commitment when she left and are coming to the end of their one year training placements. She is concerned she may not see them again and so in desperation she pays the immigration official and is granted admission. On an Indonesian island a doctor is waiting urgently for medication to treat a recent epidemic that has devastated a small rural community. It has arrived at the port but the dock-workers may need some 'encouragement' to release it. He decides that this is no time to play games and so gives them the necessary money.

It would be fair to say that most people would respond to these scenarios in a twofold fashion: an abhorrence of the corruption causing the dilemma, and a non-judgmental understanding of, if not explicit support for, the actions of the individuals concerned. For those who may believe bribery and extortion are black-and-white issues these scenarios should illustrate the complexities of the problems and the numerous other factors involved. This paper has several aims. Firstly, to clarify the biblical teaching on bribery; secondly, to determine the rationale for an anti-bribery stance; thirdly, to attempt to fine-tune the definition of bribery and decide what qualifies as bribery, as opposed to cultural expectations of gift-giving, hospitality or reciprocity; and fourthly, to offer guidelines to those facing real-life dilemmas in this area.

## I. BRIBERY: THE SKELETON IN THE CHRISTIAN CUPBOARD ?

I first chose this subject for two personal reasons: the very real possibility that the first scenario above will be a pastoral issue I may have to face in the near future; and a recent fascination with the apparent OT ambiguity concerning bribery and gift-giving. My interest was further aroused when I realised the incredible paucity of material written on this subject. Out of hundreds of thousands of entries in the ATLA CD-Rom, only the articles by Finkelstein, Wilson, Goldberg and Reeves<sup>2</sup> were found. The first is interesting but limited to the Ancient Near East; the second is popular and general; the third is limited to Deuteronomic texts, unconcerned with contemporary dilemmas and does not attempt to deal with the ambiguities of Proverbs; and the fourth is speculative and unrelated to the ethical issues. In addition, several key reference works such as the Tyndale Bible Dictionary, Baker's Dictionary of Christian Ethics, the Concise Dictionary of Christian Ethics, and, unbelievably, the recent six volume 'state-of-the-art' Anchor Bible Dictionary contain absolutely no entries on bribery or extortion. When one notices some of the minor and almost trivial subjects treated in these volumes in contrast to the number of times the various words related to bribery occur in the OT, these omissions are all the more surprising.<sup>3</sup> When I realised that even the missiology journals and literature contained no examinations of the issue my mind was made up: this must rank as one of the most overlooked issues in the area of contemporary ethics and biblical studies.<sup>4</sup>

Only two major works on the theme were discovered. The first was an unpublished D.Miss. project from Trinity Evangelical Divinity School by Richard Langston entitled: A Biblical Perspective on Bribery and Extortion and its Implications in the Philippine Context From a Missionary Viewpoint. It is superficial on the biblical lexical data but makes some helpful

applications to the realities of a developing country. He is justifiably appalled that a 222-page book entitled *Philippine Social Issues from a Christian Perspective*, written by six authors from the Philippine context, "says nothing about bribery" and has a few sentences about the duties of the public official.<sup>5</sup> The second work is from outside the Evangelical milieu and is the excellent seminal work *Bribes* by John T. Noonan Jr., legal scholar and teacher at Berkeley. It is significant that in over 700 pages of text, and upwards of 1000 footnotes, the majority of Noonan's sources are unpublished letters, court proceedings, newspaper articles and biographies. Secondary literature dealing with this theme just does not seem to exist.<sup>6</sup> Noonan, himself, makes mention of the omission of this subject from many theological works. While Catholic theologians of the post-Reformation era were often casuists<sup>7</sup> and sought to justify forms of bribery on dubious grounds "they did at times treat the subject. Theologians of other Christian denominations were far less inclined to examine at all the issues it involved."<sup>8</sup> In contrast to the amount of ink spilled on sexual ethics, Protestant writers rarely ventured into the field of extortion or bribery. Some of this may be a reaction against a 'works-theology' and a fear of legalism. Equally likely is the fact that it is indicative of an undeveloped theology of justice or a tacit acknowledgement that this is one area where Protestant ethics have been far from pure.

Why this scarcity? In the following sections I try to deal with the paradox of an activity which is almost universally recognised as wrong, yet is often excused or ignored because the participants had "no option". Is it in fact this very paradox which explains the silence of Christian literature on the subject? Is it because there is nothing about which to write? Everyone knows bribery is wrong. Everyone also knows that in an imperfect world there are times that it has to be done:- no arguments, no qualifications, just a rather unpleasant and unpalatable fact. It is my contention that the "no option"

situation is often not as closed as it may seem. It is also my contention that the biblical witness is not as ambiguous as some would make out. Behind the inadequacies and incompleteness of the moral code and underlying the worldview of the Wisdom literature, lies a perfect and just God who calls his people to radical discipleship in the midst of an unjust world. It is the implications of this discipleship which may prove to be more unpalatable than bribery!

## II. THE BIBLICAL WITNESS

### A) The Old Testament :

A variety of words are used in the OT for 'bribe' or gifts with obligations, we will discuss *shochad*, (the one most commonly translated 'bribe'); *mattan* (often translated 'gift'); and *koper*, a word for a life-price, ransom, or even 'fine'. We will also look at the Hebrew idiom for partiality *nasa' penaim*.

#### i) *shochad* - (a) J.T.Noonan:

Noonan believes that the linguistic ambiguity<sup>9</sup> is evidence that a clear delineation of what exactly constituted bribery had not been fully developed in Israel. Finkelstein and Goldberg show it to have been a part of the surrounding cultures where it was treated rather ambivalently, and even influenced their worship and view of their gods. Michael Goldberg,<sup>10</sup> writes that, in contrast to surrounding ANE cultures where "the practice of judges taking gifts from litigants [was regarded] as being perfectly moral and absolutely legitimate,"<sup>11</sup> in Israel it was proscribed because of the nature of God who is totally impartial. Thus Dt.10:18 gives the unambiguous statement that God hates *shochad*. Noonan writes that, in contrast to sexually immoral conduct where it would be superfluous to state that the Lord was not an adulterer or incestuous - such things are self-evident,

"Shohadh -taking is not unthinkable of the Lord"<sup>12</sup> therefore this fact needs to be stated explicitly.

There are also other factors which cause Noonan to believe that the OT witness is rather paradoxical. For example, the OT, while denouncing bribery and promising divine judgment, does not specify any legal punishments for the briber or bribee. Saul accepts a life-price in 1Sam.14:45 without penalty, the very thing Samuel states he has never done (1Sam.12:3), although Samuel's words imply that it was common-place and had even been formalised into a kind of ritual by the handing over of the shoe. Sanctions against bribery tend to be directly divine and more ad hoc : Samuel's sons (who are guilty of other vices) fail to inherit their father's office and authority; Saul is rejected by God; and, in fulfillment of Ezekiel's prophecies against bribery, Jerusalem falls. Stories which could have made explicit a punishment for bribery do not do so. Delilah's sin, Noonan claims, is betrayal, not the receiving of payment. In contrast to penalties incurred for murder, adultery, rape, sabbath-breaking, blasphemy, and perjury (Dt.19:16ff) no parallel exists for a judge who takes a bribe. In contrast to the process established for dealing with an unchaste bride (Dt.22:13ff), nothing exists to deal with accusations of, or discovery of, bribery. Noonan says this was because of practical problems. The instigators of bribery tended to be the powerful and "biblical organization of authority does not support sanctions. Insufficient separation of powers, (and) too little professionalism prevent the imposition of human penalties."<sup>13</sup>

Where there are anti-bribery statements their force is diluted, Noonan argues, by several factors. Dt.27:25 is one of the formal curses from Mt.Ebal, but it is only against the one who accepts a bribe to kill someone, and is therefore limited to one party and qualified by intent. Noonan believes that "to translate *shochad* in all contexts as 'bribe' as is sometimes done, introduces a moral criticism where sometimes none is intended."<sup>14</sup> He



suggests an alternation between 'gift' and 'bribe' depending on context. This would remain true to the full meaning of the term, but would not address the issue of criteria for differentiation. This problem "is inherent in a culture that has not firmly marked out the difference between bribe and gift".<sup>15</sup> Noonan insists that "the strength of the (anti-bribery) teaching was diluted by the ambiguity of the terms it employed and the limitations of its scope".<sup>16</sup> In contrast to sexual immorality "the failure to establish a clearly derogatory meaning for *shochad* is the best proof of the countervailing strength of the culture in support of giftgiving to the powerholders."<sup>17</sup> Noonan further points to Abigail and David (1Sam.25), Solomon and the Queen of Sheba (1Kngs.10), and Samuel and Saul (1Sam.9). In addition, Ahaz and Asa are sending a *shochad* as a gift, and Is.45:13 does not give the impression that *shochad* was morally wrong.

#### b) Evaluation

Some of Noonan's arguments are weakened by lexical confusion. The 'life-price' in the Samuel/Saul narratives would be a *koper* not a *shochad*. Similarly Abigail gave David a *berakah*, Saul gave Samuel a *mattan*, and no specific words are used in the case of Solomon/Queen of Sheba. Noonan's examples from the provision for priests<sup>18</sup> in Dt.18:2 and Ezek.44:29 surely come under the category of rightful earnings, and the words here are those of the fire-offering and grain-offering prescribed by the Law. Ahaz and Asa are not condoned for their actions. In fact although Asa was a good king it is precisely this 'lapse' which is singled out as the cause of God's displeasure in the parallel narrative of 2Chron.16. Too much cannot be made of the passing reference to *shochad*-taking in Is.45:13, but it does seem clear that if a *shochad* was used to free captives, the bribe-taker at least would be guilty of what Langston categorises as a 'transactional bribe' (ie. paying money to achieve justice which should have been rendered free of

charge). Noonan is right in his comments regarding the lack of specific punishment for bribery. But the fact that divine retribution is promised is significant. The powerful officials who were most likely to be instigating the bribes could not be prosecuted under the Israeli system, since they themselves were the legislators and judges. But it is clear that their actions were reprehensible and the role of the prophets was to make them aware of their higher accountability and reassure the oppressed that there was a Judge to whom these officials were answerable. The lack of specific penalties under the Mosaic law is insignificant when placed beside the sure prophecy of divine judgment.

It seems that Noonan's arguments are further weakened by his insistence on seeing the wisdom literature, and Proverbs in particular, as "a mixed bag of secular and spiritual advice"<sup>19</sup> which is hostile to some forms of bribery (15:27, *mattan*), while at the same time acknowledging its usefulness (17:8, *shochad*; 18:16, *mattan*). Goldberg claims that this is one of the passages where a *shochad* is "a perfectly valid and respectable practice,"<sup>20</sup> and that the book of Proverbs "praises" such action. Noonan writes: "Deuteronomy objects to the blindness produced by *shochad*. The adviser of those anxious to succeed turns the law against itself. As *shochad* blinds, a wise man will use it."<sup>21</sup> One has to ask "Is this really the sort of devious advice given by the Wisdom writers," bearing in mind the purpose of Proverbs is to do "what is right and just and fair" and the key to wisdom is "the fear of the Lord" ? (1:3,7) It is my contention that, if we are careful with our lexical data, subtle distinctions can be made between the various words, and both text and context can be honoured. *shochad*, I believe, must be interpreted uniformly negatively. As seen above, the incidents Noonan quotes in objection to this either do not use *shochad*, or in the case of Ahaz and Asa do not take the bigger picture into account. Given that Proverbs too is concerned with portraying a worldview in which the wise are given consistent advice on

how to 'fear the Lord', the most problematic verse to interpret negatively is certainly 17:8.

c) Proverbs 17:8. <sup>22</sup>

The NIV renders this verse: A bribe (*shochad*) is a charm ('*eben - chen*) to the one who gives it (*ba'alaw*), Wherever he turns, he succeeds.

The KJV and NJB have translated *shochad* as 'gift' while others such as the NIV refer to it as 'bribe' The lexicons acknowledge both dimensions of the word, but the element of giving in order to gain is always present.<sup>23</sup> The '*eben - chen* has been variously translated as 'charm' or 'precious stone'. It seems more likely that the inference here is to a charm, or talisman,<sup>24</sup> wherewith one obtains one's desires. The use of *ba'alaw* is slightly problematic. Who possesses the bribe? At first sight it may appear obvious, until one examines the context of the various bribery condemnations elsewhere in the OT. Contra Noonan who claims that the law only condemned the bribetaker,<sup>25</sup> the condemnation of the OT as a whole is variously on those who give and those who take. It is true that the weight of the condemnation is on the bribetaker,<sup>26</sup> since they are the ones usually in power, but there is nowhere the idea that bribegiving is excusable. J.J.Finkelstein sheds interesting light on this subject by showing how in Assyrian law bribery was often accepted, and legal action was only taken if the official did not honour the bribe. The sufferers in all of this were the poor. "It is not that the judges rule against the poor as a result of bribery. It is rather that the poor could not have their cases heard at all - an effective way of thwarting justice without resort to flagrant illegality."<sup>27</sup> This is where the Torah of Israel was radically different. Such action is unacceptable because it is opposed to the character of YHWH who shows no partiality and accepts no bribe (Deut.10:17).

So who then is the *ba'al*? I believe it is the instigator of the bribe, the one who either by offering it or demanding it profits himself at the expense of others. Either way, he is the one in control, the 'master'. Many state that this proverb "simply states a fact of experience."<sup>28</sup> Meinhold<sup>29</sup> suggests a touch of irony, and this is important. It is not just that these things happen, but that they do not appear to be what they are. Farmer agrees: "the speaker does not ask us to believe that the giving of bribes will guarantee anyone's prosperity," they merely "think this will be the result."<sup>30</sup> The key word is *be'ayinew* ('in the eyes of'). The preposition is a *beth* of estimation,<sup>31</sup> and the whole construct implies something which is only true with regard to the subject and may have no foundation in reality. On at least eight other occasions in Proverbs the phrase "in the eyes of" relates to a state of self-delusion.<sup>32</sup> As far as the *ba'al* is concerned his actions have achieved their purpose. He imagines he has acted cleverly, he is prospering, he is "wise in his own eyes". The unequivocal Scriptural position against bribery and the exposure throughout Proverbs of the fate awaiting one who is 'wise in his own eyes' underlines the deep irony of this proverb which is lost if it is read in isolation. It is unjustifiable then to use Prov.17:8 as an example of Scripture condoning the giving of *shochad*. In context the reader is meant to understand the futility of the actions of the self-deluded who imagine that everything can be bought.

d) R. Langston:

In contrast to Noonan, Langston accepts that *shochad* "is consistently prohibited and condemned by God."<sup>33</sup> Langston's lexical work is undermined by an over-reliance on secondary sources and a too rigid categorisation of the biblical data into pre-imposed categories of bribes. Furthermore, he does not really deal with Prov.17:8, and unnecessarily weakens his argument by stating that in this case it is at least morally neutral.<sup>34</sup> The most interesting feature of Langston's work is

how, following M.W.Reisman,<sup>35</sup> he differentiates between transactional bribes, which are given to facilitate a process which is both just and within the law (processing of immigration documents), and variance bribes which are given with the expressed intention of perverting the course of justice (processing of invalid immigration documents). This latter kind is what is defined by Goldberg when he defines bribery as "rendering a verdict solely with the intention of and on the condition of his receiving some specific reward in return for his issuing this or that particular decision." <sup>36</sup>

Langston does recognise that bribes were sometimes initiated by the receiver<sup>37</sup> and he convincingly shows that the context of the allusions to *shochad* show that "the Scriptural teaching prohibiting bribery is not limited to judges or any one category of official. Rather, the prohibitions apply to civil and religious administration and government in the widest sense."<sup>38</sup> He claims that 15 of the 23 uses are 'variance bribes', but some of his categorisation is questionable. Nevertheless, it appears that the majority of instances refer to "a gift accepted by someone which adversely affects the administration of justice".<sup>39</sup> He believes that, of the fifteen clear references to *shochad*, in twelve there is nothing to indicate that they do include 'transactional bribes' leaving only Dt.10:17; 16:9; 2Chron.19:7 "where transactional bribes might be in view."<sup>40</sup>

(ii) *mattan*

Langston's contention that transactional bribes are not clearly condemned in Scripture can be questioned by looking at the second significant Hebrew word *mattan* and its feminine *mattanah*. This is the word used in Prov.18:16 which Langston, by limiting himself to *shochad*, does not discuss, and yet which clearly appears to be a transactional bribe. *mattan* is clearly used in some contexts for gifts where there is no thought of reciprocation. For example, there are those of the aged Abraham

and Jehoshaphat to their sons (Gen.25:6; 2Chron.21:3), gifts to servants (Ez.46:16,17), and most notably the spontaneous generous gifts of the celebrating Jews to the poor (Est.9:22). *mattan* however, does carry expectations of reciprocation in the case of the surplus gift of Shechem (Gen.34:12). Theologically God gives gifts to us (Ps.68:19; see Eph.4:8); we in turn can give acceptable gifts to God (Ex.28:38; Lev.23:38; Num.18:11), as well as unacceptable ones (Ezek.20:26,31,39).

The fact that *mattan* can be used of offerings to God, and even of God himself, illustrates that it is a more general term than *shochad*, but the fact that it can be used of both good and bad gifts is the strongest evidence for its moral neutrality. Only a context which makes clear the motivation behind the *mattan*, can determine its moral value. In Wisdom literature in particular *mattan* is bound up with the idea of self-interest: getting access to the powerful (Pr.18:16), securing their favour (19:6), or averting their anger (21:14). Ultimately resorting to such gifts will bring trouble (15:27). In Ecc.7:7 it is synonymous with bribe - giving to change or corrupt the path of justice. The occurrence in 19:6 comes in the midst of a series of Proverbs to do with friendship. Waltke<sup>41</sup> sees 18:24 as the key interpretative verse for this section. 19:1 emphasises that there can be virtue in poverty and verses 4,6 and 7 illustrate the transience of false friendship, a friendship which is based only on selfish interests. In contrast a true friend will 'stick closer than a brother'. 19:6 therefore does not commend giving gifts to gain friendship, rather, reading the Proverb in context, one can see that friendship so secured is entirely superficial, and could result in ruin.

### iii) *koper*

A third term worth pursuing is *koper*. Derived from the root "to cover over", the noun is used of a 'life-price'. The price for a life was permitted in some circumstances under the law (Ex.21:30),

but not in more serious ones (Num.35:31,2), although the unscrupulous may let the guilty go free in exchange for a life-price (1Sam.12:3). At the census it acted as a kind of poll-tax and symbolised the value of a person's life (Ex.30:12), but essentially there could be no real cash-value attached to human life (Ps.49:8). Prov.13:8 may refer to the ability of the rich to pay-off the authorities, or, more neutrally, their ability to pay the designated sum according to the law. That the *koper* could be used to pervert justice is evident from Job.36:18; Am.5:12, or to cover-up an offence Prov.6:35. The 'ransom' terminology of Prov.21:18 and Is.43:3 further establishes the basic semantic idea of a "pay-off". Although this pay-off may be an act of grace under the law, more often than not in human interactions it was a deceitful practice aimed at avoiding the full measure of justice.

#### iv) *nasa' penaim*

Connected with this subject is the concept of *nasa' penaim* or 'lifting up the face': a near eastern colloquialism for going surety and showing partiality; or simply signifying the granting of a request by looking favourably towards someone. Examples of the latter are: God towards us (Mal.1:8,9; cf.Job.42:8,9), the angels towards Abram (Gen.19:21), Esau towards Jacob (Gen.32:20), David towards Abigail (1Sam.25:35), or a general respect for the aged (Dt.28:50; Lam.4:16). With regard to 'showing partiality' this is universally condemned because the context implies a clear injustice, usually as a result of undue influence or bribery. The banning of this is based on the character of God who is totally impartial (Dt.10:17; Job.34:19;) in contrast to the other gods of the nations (Ps. 82:2). Therefore showing partiality is outrightly forbidden (Lev. 19:15), implicitly discouraged, and warrants a divine rebuke (Job.13:8,10). The godly shun it (Job 32:21). It is paralleled with bribe in Prov.6:35, and the depriving of justice in Prov.18:5. Difficulty lies in the way in which God is seen as

showing partiality to the righteous. This can be reconciled in the fact that just as the term can refer to human acceptance when, in the case of Esau with Jacob and David with Abigail, there is no sense that the gift or wealth of the person was a factor, so too God accepts unconditionally the returning sinner. In 'lifting up his face' (showing favour) to the repentant, God is actually not lifting up his face (showing partiality), because all is by grace and his favour is unsullied by any merit or bargaining on the part of the person.

v) *betza* ' and *'osheq*

The problem of extortion is not covered under the above terms. Langston's differentiation between what constitutes bribery and what constitutes extortion is somewhat arbitrary.<sup>42</sup> The lines are certainly blurred, but the two Hebrew words *betza* ' and *'osheq* come close to the modern concept of extortion. While *'osheq* may be a more general term for oppression, (which often involves extorting money), *betza* ' has connotations of violence and unrighteous gain. *betza* ' is used throughout the OT period generally of profit or advantage (Gen.37:26; Job.22:3; Ps.30:9; Mal.3:14), and the dominant sense is of gain achieved at the expense of others and usually by violence, extortion or oppression. It is paralleled with *shochad* in 1Sam.8:3; *mattan* in Prov.15:27 and 'extortion' (*'osheq*) in Is.33:15 and Jer.22:17. Violence is implicit in the references to kings carrying off plunder (Jdg.5:19), the shedding of innocent blood (Ezek.22:13,27) and the ultimate destruction and self-ruination of the perpetrator (Prov.1:19) and his family (Prov.15:27). *betza* ' is essentially something which one can set one's heart on, and this selfish idolatry gains the clear disapproval of God who is angered by it (Is.57:17; Jer.22:17; Hab.2:9). In contrast the Lord blesses those who turn away from such pursuits (Is.33:15), and it is to this end that the godly one should pray (Ps.119:36).



## vi) God the Bribee?

The most controversial part of Noonan's thesis is that the ambiguity regarding bribery must be traced back to a divine paradox. Although God hates bribery, "as long as God received offerings, an ambiguous message was transmitted to human judges by the divine paradigm."<sup>43</sup> Taking Cain and Abel as the earliest example, Noonan claims that although offerings were demanded offerings from sinners were rejected. Deuteronomy, the biblical book with the clearest teaching that the Lord did not take *shochad*, was also the clearest on the reciprocity that governed the relations of the Lord with Israel.....He who is the paradigm of justice is also the paradigm of the powerful donee. Despite the voices of the prophets, despite the Book of Job, when the teaching of the Old Testament as a whole is considered it is the paradox that dominates. Unreconciled and in tension, the passages celebrating the just Judge co-exist with the passages in which He is presented as a willing Offeree.<sup>44</sup>

The weakness of this argument is plain. God's acceptance or rejection was not dependant on whether or not sacrifices or offerings were given (Cain and Abel both brought an offering). Such offerings were to be done out of gratitude for the past works of God, and on the basis of the offeror's current relationship with him. They cannot be offered as a sort of magic charm, in the words of Proverbs, in order to try to manipulate God. In fact he explicitly states that he will reject such offerings (Amos, 5:21ff) for he despises them. As Goldberg points out<sup>45</sup> the offerings and tithes were offered regardless of whether or not it had been a good year. The prophets condemned bribery specifically because it went against the character of their God who could not be 'bought-off'.

## **B) The New Testament.**

When the Old Testament has so much to say concerning bribery and corruption, the virtual absence of these concepts from the New Testament is somewhat of a surprise. Limited to a couple of cases of actual bribery and one celebrated case of attempted bribery, there are no moral exhortations on the subject in the Epistles. It is possible that some would interpret this as a sign that any anti-bribery ethics which did exist were deemed obsolete under the New Covenant; that, since bribery was rampant in the Graeco-Roman world and must therefore have been a regular problem for Christians, the fact that Paul, for example, does not mention it must mean that the moral issues at stake were quite minimal. But such reasoning would be misguided. It is an argument from silence. It is just as likely that the reason it is not addressed is because the ethic was clear and that the churches in question were abiding by it. Noonan writes: "There is not a single word in the entire canon of the New Testament on the morality of bribery, but there is a variety of material bearing on bribes, judges, and the responsible exercise of power."<sup>46</sup> The principle of reciprocity, for example, is put in a different perspective by Jesus's commands in Lk.14:12-14: "When you give a lunch...invite the poor, the crippled, the lame...". If this is said of giving a dinner, the implications for other areas of life are clear. One is to avoid all appearance of ingratiating and self-interest by helping and giving gifts to those who cannot repay. The two NT incidents in which bribe money was actually paid, concerned the betrayal of Jesus by Judas, and the 'stolen body' lie of the soldiers prompted by the chief priests. Langston is right to say the incident of the soldiers "illustrates the progressive escalation that often occurs when people resort to bribery."<sup>47</sup> Judas is bribed to betray Christ to death; as a result of this death and subsequent resurrection the soldiers need to be bribed; and having done it twice it will be no problem for the chief priests to bribe Pilate too if necessary (Matt.28:12-15).

Lying is added to corruption. There can indeed be no doubt that the NT 'test-cases' are overwhelmingly negative.

The only NT reference to bribe expectation is Acts24:26,<sup>48</sup> where the subject of Paul's preaching is significant. As well as "Jesus Christ" his dominant motif, he preached about "justice, chastity and the judgment to come." The first and third are significant in relation to bribe-expectations, the second is relevant considering Drusilla's status as an adulteress under Jewish law.<sup>49</sup> It would appear that Paul not only refused to pay the sought-after bribe, but chose to preach those aspects of the gospel which should arouse shame in Felix for expecting it. As Noonan helpfully points out, these pericopes are 'negative paradigms' which may motivate a Christian judge to avoid following Felix: "These negative images reject, with varying degrees of vehemence, those who give and take payoffs for breaches of trust, for things that are unsalable, for denial of the truth, for injustice."<sup>50</sup>

In contrast, Jesus is the positive paradigm. Jesus was renowned for impartiality, not 'lifting up faces' (Lk.20:21), and his ethic of mixing with tax collectors and 'sinners' was a visual aid of the character of his Father whose impartiality was confirmed by the NT writers Luke, Paul, James and Peter.<sup>51</sup> Although no clear exhortations are made regarding bribery, partiality is condemned (1Tim.5:21; Jas.2:1). The New Testament gives us no indication that a different ethic was now in operation with regard to bribery. The impartiality of the Supreme Judge which was the rationale behind the OT invectives was reaffirmed by the Apostles, and all the examples of bribery are negative. The one time a Christian was clearly put in a position of temptation to bribe, he resisted and in fact undermined the practice in his preaching. Langston suggests that Paul's reluctance to pay was based on his interpretation of the OT. If Paul believed that payment was only wrong whenever it perverted justice he could have paid Felix, for he was certainly no blind legalist. On the

other hand the ethical greyness of this may have made him refrain from paying to avoid giving offence to other believers. He maintains that to state from this episode that transactional bribes are included in the prohibitions is possible but has questionable exegetical support.<sup>52</sup>

### C) Conclusions:

The following conclusions can be drawn from the biblical data:

a) There is an element of lexical ambiguity. Just as in English the term 'bribe' is morally loaded and the term 'gift' is neutral, so in Hebrew, *shochad* has no positive connotations, while *mattan* is used to cover a variety of offerings. So too just as in English 'gift' can be used euphemistically for 'bribe', in Hebrew *mattan* can also convey this nuance.

b) The concept of 'pay-off' is present in the term *koper*. While the redemption metaphor is used of God's gracious activity towards us, in ad hoc interactions between people the term is negative and the *koper* is condemned.

c) There is not an inconsistency in the biblical witness. Proverbs does not support the *shochad*. Prov.17:8 must be read in the context of the rest of Scripture, not vice versa. The text must also be read with an understanding of the self-delusion presupposed in the term "in his own eyes". In wisdom literature even the *mattan* is denounced because the context presupposes partiality for those with the resources to pay.

d) The weight of condemnation lies with the bribee, but bribers are also condemned (1Kng.15:19; 2Kng.16:8; Pr.6:35). No moral condemnation is directed against those who are forcibly the victims of extortion.

e) The OT stance against bribery is inextricably linked to the character of God who hates *shochad*. and does not *nasa' penaim* because of the amount of our gift or our inherent goodness. He does give good *mattan*, to us and in turn our *mattan* to him should arise from a pure heart of gratitude and not out of a selfish desire to manipulate him into showing us special favour. Inasmuch as God *nasa' penaim* on our behalf and buys us with a *koper*, he is extending his mercy and transcending the bounds of justice only out of grace and not for selfish gain.

f) Other secondary reasons for the Scripture's denunciation of bribery or giving with obligation include: the perversion of justice in individual cases (17:23); the wider effect on a culture;<sup>53</sup> the favouring of those with the resources to pay (Pr.18:16) - thus transactional bribes can be seen as transgressing impartiality; and the counter-productivity of the bribe (Pr.15:27).

g) The New Testament upholds the impartiality of God and presupposes that bribery is not an option for the Christian.

### III. DEFINING THE CONCEPTS

There is a reason why the task of definition has been left until now. In English, the word 'bribe' has clear negative connotations, while 'gift', 'present', 'tip' and 'fee' are more neutral. Nevertheless, all of the above can be used for a payment given to obstruct or pervert justice. Our terminology is not clear. The danger in seeking to define the concept before examining the biblical record is that we will view the culture and sociology of the Hebrews and Greeks through the lens of our own culture and terminology. I believe it necessary to examine exactly what the Scripture speaks to, and on what it is silent, before arbitrarily distinguishing between bribes and other forms of exchange. We have seen that the scriptural condemnation of bribery is based on issues of impartiality,

justice, intentionality and a desire for God's people to mirror the character of God. Rather than fitting the biblically recorded bribes into rigid categories, we would be better to examine each existential human dilemma in the light of these higher biblical principles.

### **A) Bribery and Extortion**

The dangers inherent in coming to a definition too quickly can be seen from Langston's work. By seeking to differentiate at the outset between transactional bribes, variance bribes and extortion, Langston then attempted to fit the biblical data into these categories. The omission of Prov.18:16, probably the clearest instance of a 'transactional bribe', has already been mentioned, but take the story of Paul and Felix as a further example. Langston regards the Felix-Paul incident as "a solicitation of a transactional bribe"<sup>54</sup> Paul was innocent and Felix seemed to recognise this but was afraid of the Jews: "The purpose of the bribe would have been to prompt Felix to declare his decision in a timely fashion \_ something that Felix was supposed to do anyway".<sup>55</sup> But Langston illustrates the problems inherent in his categorisation by saying "Felix's continued unjust incarceration of Paul could be considered as a form of extortion."<sup>56</sup> There was, after all, continued imprisonment and possible eventual trial and death if no money was paid! The longer Paul was imprisoned, of course, meant the longer he was out of missionary circulation. Whether one sees this as Paul being asked for a transactional bribe or his being a victim of extortion, by the criteria laid down by Langston (and, with regard to extortion, also by Noonan), Paul would have been within his rights to pay. Justice would still have been done, and he could proceed with the preaching of the Gospel. The fascinating thing is - Paul didn't pay!

Langston's categories, while helpful, are not adequate. The problem arises mainly in his definition of extortion which he

defines as the use of one's position "as a means of exerting pressure to take something of value other than what is required by law."<sup>57</sup> One can see immediately that the line between bribe and extortion is extremely difficult to discern. Is the tardy immigration official soliciting a bribe or extorting or both? Is not the IRA threat mentioned at the beginning of this paper not a more obvious example of extortion? Langston admits that "the line between strong solicitation of a bribe and mild extortion is often not very clear. Typically threats and demands are associated with extortion, while inaction, suggestions, or hints are associated with solicitation of a bribe."<sup>58</sup>

Langston's definitions may be accurate according to his two sources, the Encyclopaedia Britannica, or American Jurisprudence, but they are still unclear. To me the determining factor in distinguishing between bribery and extortion is not who initiates the corruption but the presence of real or threatened force. It is not the case that bribery is always 'initiated' by the person approaching the official. The official's very perpetuation of the situation means that the briber may simply be having his hand forced by a corrupt system. I would propose that the most helpful distinguishing criteria is the presence of force, threatened or applied, physical or emotional, against the victim or a member of the victim's family. The New Shorter Oxford Dictionary defines 'extort' as "to obtain from a reluctant person by threat, force, importunity." By such a definition one can, for the purposes of this paper, isolate quite distinct situations and examine them on their own terms. A computer stuck at the dock poses a different dilemma from the threat of kidnapping unless 'protection money' is paid. It is only right that they be discussed separately. Although the actual motivation behind every solicitation is impossible to discern, Reisman's differentiation between transactional and variance bribes is helpful. For the purposes of clarity I will continue to use them and would suggest the following as working definitions:<sup>59</sup> Transactional bribe: A payment given/accepted to

enable the cause of justice to proceed as planned. Variance bribe: A payment given/accepted in order to change the course of justice and alter the planned course of events. Extortion: A demand for payment upon threat of injury to oneself, family or associates.

## **B) Bribery and Gifts;**

The necessity and indistinguishability of various kinds of reciprocities in human society is often quoted as a reason to tolerate, or at least not be too vocal in condemning, bribery. This argument tends to begin with the linguistic ambiguity among the ancients, highlighted above. It notes that arguments based on 'size' and 'specificity of demand' are inadequate. Why is a \$2-00 gift not regarded as a bribe if it perverts justice (selling a vote)? Why is a \$5,000 gift seen as a bribe, even if it was given among 'people of means' as an expression of gratitude and friendship? It is argued that the Greeks believed all gifts to be bribes because they obligated the recipient to the donor and changed the dynamics of a relationship. Langston illustrates the same point with regard to the Filipino custom of the utang na loob (debt of gratitude).<sup>60</sup> In the Ancient Near East, it is argued, the practice of reciprocity was so much part of culture that many of the terms are ambiguous and may be totally innocent. The idea that a gift would distort justice is not self-evident, and Noonan warns us against reading these texts from an ethnocentrically Western point of view.<sup>61</sup> Goldberg claims that "the reciprocity of gift-giving was the social engine responsible for generating much of the activity and interchange among members of archaic societies."<sup>62</sup> Is there not an extent to which reciprocated dinner invitations reflect this in our society? (Note the embarrassment of arriving for dinner without having brought something for the host).

Goldberg also outlines three areas of reciprocity in the judicial field: a 'gift' will ensure the hearing of the case; a 'gift' will



ensure a favourable verdict; a 'gift' will ensure a favourable verdict plus a returned favour. Finkelstein shows how in other ANE texts the immorality lay in the failure of the judge or official to act in the person's favour, not the actual giving of the gift itself.<sup>63</sup>

So, are gifts and bribes indistinguishable? Are our attempts to distinguish simply an example of misunderstanding other cultures and periods? In spite of his demolition of many pro-bribery arguments, Noonan fails to point out that although the terminology may be ambiguous, the concept of justice is not. The Hebrews may have used several words for bribe, including the regular word for gift, but they were in no doubt as to what constituted justice and what was a clear breach of trust. The validity of moral concepts does not lie in linguistics alone. As we have seen, other factors were much more powerful, notably the character of God in contrast to the character of the gods of the people who were the subject of Finkelstein's study. YHWH was different!<sup>64</sup> Sure, reciprocity is a perfectly legitimate part of social interaction but reciprocity like any other custom can be used or abused. The donor and donee usually have a pretty clear idea whether something is a gift or a bribe.

It is fascinating how the difficulty to formally distinguish these concepts has led some to the ludicrous position of denying any difference at all. This is like saying there is no difference between marital and non-marital sex. Bribe and gift are polar opposites though they may comprise of the same substance. Sex itself is a good analogy. Compare sleeping with one's spouse to sleeping with one's boss in order to secure promotion. Just as an act of adultery is an offence against a third party so too is the act of bribery an offence against those other citizens over whom the briber has secured preferential treatment. Just as intention, context and ceremony distinguish adultery, fornication and prostitution from marital sex, so too "intent and context

distinguish campaign contributions, gifts, and tips from bribes."<sup>65</sup> As Noonan helpfully points out:

“The distinction between bribe and gift has become fundamental. Without this distinction the condemnation of bribes appears arbitrary, and intermediate offerings such as a tip or a campaign contribution are indiscriminately lumped into a single category which includes all reciprocities. With bribe and gift set at polar opposites, a spectrum with shades of discrimination exists. For our culture..the difference between bribe and gift has been most powerfully developed by reflection, theological and literary, on the Redemption.”<sup>66</sup>

This is a most perceptive comment. If bribery is wrong because it violates the very essence of God, why is gift-giving right? What has been the decisive factor in differentiating what may be two ontologically identical acts: one which is representative of God, and one which is totally misrepresentative? In the Redemption, God was not engaging in a pay-off (to Satan or anyone else). This illustrates the problem of pressing images such as 'ransom' too far. Rather, in order to liberate us into a freer and more intimate relationship with himself and with each other, a relationship unfettered by the blind legalistic obligations of reciprocity and duty, he gave of himself totally and voluntarily with 'no-strings-attached'. It was the supreme example of love: giving what he did not owe, and what we could not pay. This is the paradigm of the gift. As Noonan writes: "A chasm separates this uncoerced and uncoercive, loving, exemplary action from the manipulatively motivated, exploitative, secret exchange we call a bribe."<sup>67</sup>

Unless we function according to this paradigm we will get stuck in semantics and in arbitrary distinctions. This has been the case with any of the attempts by companies to legislate what its agents may or may not give in the course of securing business. "Donnelly Mirrors gives the following guidelines: 'If you can't

eat it, drink it or use it up in one day, don't give it or anything else of greater value,"<sup>68</sup> whereas IBM permits the gift of "an inexpensive ball-point pen, or an appointment diary...But liquor, lavish entertainment, clothing, or travel should not be accepted."<sup>69</sup> Patrick Murphy, Associate Professor of Marketing at the College of Business Administration, Notre Dame, is adamant that what constitutes a bribe as opposed to a gift is one area requiring urgent clarification. Some companies state "that employees can give or receive gifts of 'nominal', 'token', or 'modest' value." But this is so unquantifiable as to be useless. Even if the gift is quantified (e.g. \$100 dollars max.) this does not deal with the root issue. These guidelines are probably the best a corporation can hope to enforce, but they illustrate the inadequacy of law.

As the People of God, Christians are called to transcend the requirements of the law (Matt.5:20) and should live and work and give generously within the framework of a people who have received freely and therefore give freely. Noonan summarises: "A bribe expresses self interest, a gift conveys love; a bribe subordinates the recipient to the donor, a gift identifies the donor with the recipient. A gift brings no shame, a bribe must be secret. A gift may be disclosed, a bribe must be concealed. The size of a gift is irrelevant; the size of a bribe, decisive. A gift does not oblige, a bribe coerces."<sup>70</sup>

### **C) Bribery and Tipping:**

Something should also be said regarding tips. When I spoke to a friend about the subject of this paper, he immediately said "Oh, we have it in Canada - it's called tipping!" Although Canadian waiters like overseas customs officials may be underpaid by their bosses because it is expected that they will secure extra funds, there are crucial differences between a tip and a bribe. For a start, the purpose of a bribe is specific: 'process my visa'; 'give me priority for that piece of real estate'. In contrast, the

quality of service in a restaurant is relative and unspecific. The tip does not determine whether or not the service is granted and is given after the event. There is no ongoing relationship between the parties and no attendant obligations on the tippee. So much for the tip as commonly practised. However, like the gift and the Filipino utang na loob, the tip can be morally equivalent to bribery if it is done to influence or unfairly gain priority: if it is given before the event, for example, perhaps to falsify a receipt; or if a regular customer gains a reputation for giving inordinately large tips in order to secure future illegal services. Such actions are clearly manipulative.

D) Other Issues: Are access payments not to be treated as 'entrance fees'? Again there may seem to be no material difference, but if they were just they would be 'up-front' and open and advertised as such. The fact that they are not, shows that there is inequity. Unless these payments are uniform, small and freely applied to all, they constitute bribery by transgressing the criterion of impartiality and favouring the rich. However, real grey areas do exist, particularly with regard to non-cash transactions or agreements: a government appointment to a cabinet position; promotion within the company; even the beginning of a sexual relationship. Often it is difficult to tell whether these are genuine acts of honour or affection, or a subtle attempt to gain loyalty and control. It is certainly possible for one party to be innocently trapped in such a working or personal relationship. If this is the case, the issue is not "was I wrong to get into this situation?"<sup>71</sup> but "how do I deal with this, now that I am aware of the hidden agenda?"

#### **IV. THE EXTENT AND THE CAUSE**

Political scientist Syed Alatas believes bribery to be the foremost problem in many Third World countries.<sup>72</sup> Langston's research and interviews found this to be true of the Philippines. An indication of the extent of the problem, and its economic

side-effects, can be seen in the passing in the USA of the Foreign Corrupt Practices Act, 1977 (FCPA). By this Act it became illegal for American businesses to bribe overseas agents in order to get business. This is the only Act of its kind in the world<sup>73</sup> and it has met with a mixed response. Its main weakness is that it makes an arbitrary distinction between bribes to secure business and "grease payments" (transactional bribes) paid to those whose duties were "essentially ministerial or clerical."<sup>74</sup> Furthermore, it did not apply to US intelligence, or the executive branch of Congress: "Citizens were bound by the prohibition on payments, but the United States itself was free as ever to bribe abroad."<sup>75</sup> Some critics, regard it as 'murky', 'unclear', and 'anachronistic': "the world has passed it by."<sup>76</sup> The Dow Corning Corporation has permitted grease payments because they are a way of life in many countries. One executive comments: "We don't like it. But to get that person to work a few weeks early, we will do it".<sup>77</sup> Gene Laczniak of Marquette University says: "If you are paying small amounts of money to individuals just to do their jobs, then that is just the cost of doing business in that part of the world."<sup>78</sup>

One of the most commonly offered justifications for the practice of bribery is the deliberate underpayment of government officials, policemen etc. Langston, however, sees this as a contributing rather than primary cause since bribery is common also among the higher paid civil servants.<sup>79</sup> Noonan finds that the practice is not limited to any one socio-economic, ethnic, pathological or gender grouping.<sup>80</sup> As far as the ordinary citizen is concerned, distrust of government discourages Filipinos, for example, from going through official channels to report bribery and many fatalistically walk the path of least resistance. Bribery is tolerated, and while to time-oriented N. Americans over-riding a 'first-come first-served' principle smacks of partiality, Filipinos do not necessarily view it that way. Notwithstanding, most of Langston's interviewees did admit that bribery was done to 'speed things up'. Thus it is often the pervasive feeling

of powerlessness, and the creation over a long period of time of a climate, a collective attitude, which are the most influential causes of continued bribery. This can be as true of a Western corporation as of a developing country. Employees of the Anheuser Busch company stated that bribery occurred within the company largely because the hierarchy had created a culture where such practice was acceptable.<sup>81</sup>

Further disincentives to combating bribery include uncertainty about the law's nature, or skepticism regarding the willingness of the authorities to enforce it. Langston comments that the details of the Philippine law are not known or easily accessible. Often a bribe will save time, hassle and expense. He writes: "In seeking to reduce bribery, it would be helpful if these laws were modified to be more realistic, clearly communicated to those affected by them, and evenly enforced."<sup>82</sup> Enforcement is also a problem. Either the enforcers themselves resort to illegal or immoral means (deceit, phone-tapping,) to capture the briber; or the legal profession itself is so corrupt that there can be no confidence that lawyers and judges are not themselves accepting bribes to cover-up the extent of the problem. The force of this latter scenario was brought home to me most strongly recently by a case study presented by a Chinese student who spoke of how she was confronted with exactly this situation while practicing law in China. As Noonan has observed, there is often the understanding that "the higher the official the greater his immunity from persecution for bribery."<sup>83</sup>

So, bribery is a problem. It is worldwide, and where it has its roots most deeply in society the citizens are often reduced to a fatalistic tolerance caused by distrust and the desire for quick results with minimum confrontation. It is often justified by emphasising the low pay of the officials and the lack of viable alternatives. At the beginning of this paper I outlined my amazement at the cursory treatment this subject receives in

Christian literature. When I consider its prevalence and its negative long-term social effects, I am all the more adamant that the worldwide church needs to repent of its complicity in this moral evil and graciously but firmly refuse to accept the unacceptable. A viable alternative needs to be sought.

## V. A PLEA FOR RADICAL REPENTANCE

“If the bible were being written today..would [Paul] not deal with such vices as hush money, black-market food operations, kickbacks from contractors to politicians, the fixing of speeding tickets, money on the side to building inspectors or welfare workers?”<sup>84</sup>

Wilson answers this question in the affirmative. He believes the NT silence on the matter is due to the fact that the early church, who were learning at increasing cost what it meant to be disciples of Jesus and what it meant to have no Lord but Christ, would not have considered collaborating with corruption in any way. Like Paul, they knew it was better to resist and use the occasion to proclaim justice. It is hard to believe that people who were willing to face execution rather than say: 'Caesar is Lord', would have resorted to bribery in order to make economic gain or 'speed things up'. As we look for ways in which Christians dealing with bribery can model the values of the kingdom creatively and with integrity, it is important first to dispel the popular myths regarding bribery which have held unquestioned sway in our society for so long. Here I have highlighted several areas in which I believe we collectively need to repent.

### A) Repentance of deceit and hypocrisy.

The most fundamental issue is that of deceit. Bribes are offered in secret. It is amazing how many of the pro-bribery or bribery-tolerant arguments can be countered by asking simply: "Why do

you not pay openly and up front and ask for a receipt?" If one accepts the arguments put forward so far: that bribery is contrary to the will, the word, and the character of God, then we need to ask for forgiveness for being participants, whether willingly or unconsciously, in such an offence. Particularly for those such as missionaries, who in their day to day work are vocally and visibly proclaiming the gospel, compliance in acts of bribery is a clear sin of hypocrisy. Here is a social malaise which is founded on greed and is a perversion of the norms of reciprocity. If the gospel cannot address this issue, then it justifiably stands accused of being superficial and irrelevant.

Who dares deny that the mixed messages given to government officials, national Christians and other observers may not have seriously undermined the cause of the gospel? Often Christian workers may justify payment on the grounds of easing their entry to preach the gospel, or releasing a shipment of bibles and Christian literature. This only compounds the mixed messages. What is a national Christian taxi driver to think when he is on the verge of losing his license unless he bribes the policeman, yet the missionaries are able to resort to bribes 'for the sake of the gospel' ?

### **B) Repentance of conformity.**

We also need to repent of our 'wimpishness' in giving in to the pressure to conform. The most common justification for a laissez-faire attitude, even among Christians, is that 'everyone is doing it'. Although the vast majority would not extend this rationale to pre-marital sex, drunkenness or lying, with bribery a blind eye is often turned. A popular reason is that the whole economic fabric of some countries has been adjusted to allow for bribery. Noonan draws a helpful analogy here, with the slave trade in the USA which was tolerated for years on the grounds of economic necessity. At first the economic aspect of the matter dominated. Antislavery criticism interfered with



property. The lost labor could not be replaced. The moral question whether human beings could pursue the Good treating other human beings as slaves was obscured. Ultimately the moral question was decisive.<sup>85</sup>

Torture was once a universal worldwide practice; the burning of heretics was a popular medieval side-show. The prevalence of a practice says nothing about its moral value.

### **C) Repentance of self-justification**

One of the interesting things about the practice of bribery is that no society has ever condoned it. The vast majority of people, briber and bribee alike, say "it is wrong, but inevitable". The problem here is that there are virtually no examples of alternatives; no models for those who wish to push the system, to test it, to enter a stalemate in order to see just how far the demands will go and how long they will last. The cost in terms of time and energy is just too great. It has also been suggested that we pay bribes or believe them to be necessary and inevitable because we speak only to those who pay them or demand them, not those who refuse to pay them. Few have been willing to push the system and test it. Langston claims: "Some officials might be restrained from going deeply into bribery or extortion if their potential victims would put up more resistance."<sup>86</sup> J.A. Seeger of Bentley College has said of overseas business deals: "We expect to be held up and so we get held-up. It is the classic self-fulfilling prophecy."<sup>87</sup> Those who disagree do so on the basis that advocating resistance is naive, and it is wrong for us to have a 'holier-than-thou' attitude. Such arguments kill creativity and offer nothing by way of alternative.

Langston tends to justify some kinds of transactional bribes on the grounds that the biblical witness is not clear. As I point out above, this is due to his presuppositions and tendency to proof-

text rather than looking at the whole biblical witness and the rationale behind the anti-bribery statements. But the biggest weakness of this position is, in not condemning transactional bribes that "do not result in injustice",<sup>88</sup> Langston does not give any examples of cases in which a bribe would not lead to some sort of partiality, favouritism or injustice. Others employ an argument often used to tolerate prostitution: it happens because it meets human needs and people are willing to participate in it for their own benefit and the benefit of others. Anthropologists have claimed that a moderate amount of bribery represents "an equilibrium of needs"<sup>89</sup> and may even assist a country in making the difficult transition from dependency to independence, from colony to democracy. Bribes can help "overcome the inertia of the bureaucracy"<sup>90</sup> and keep the country running. This after all is what happened in the expansion period of the US "We should not condemn with moral judgment" it is argued "what has been needed to make other systems, and our own, work."<sup>91</sup>

But surely it is not a question of 'does this practice satisfy a need?' but rather 'what sort of need does this practice satisfy'. Drug-dealers and prostitutes satisfy needs. The underlying values they are perpetuating must be evaluated. Noonan characteristically demolishes this sociological justification: "Cannibalism had a social function. Child sacrifice had a social function. Child marriage had a social function. Racial segregation had a social function. To convert observation into argument, an assumption is added: that human beings always know their own needs and the right way to meet them. On this assumption, it follows that every functional practice, since it fulfills a human need, is moral."<sup>92</sup>

Essentially the argument based on 'necessity' and 'inevitability' says nothing about necessity or inevitability. It only gives an indication of what people think is unavoidable. Noonan rightly remarks that "what is perceived to be necessary is often a

function of what risks one is willing to run."<sup>93</sup> We need to repent of our self-justifications and start taking risks.

#### **D) Repentance of short-sightedness.**

Many of the above arguments betray a preoccupation with the here-and-now: time wasted, commissions needed, places to get to. A bribe given to achieve an immediate goal seems, on the surface, so trivial. The urgent is mistaken for the important. Out of an anxiety to fulfill urgent demands, important things such as the long-term effects of bribery are ignored. With only a little reflection it could be seen that bribery is politically, and economically counterproductive and socially and spiritually damaging. Singer regards grease payments as economically hazardous; the extortion escalates and companies eventually have to pull out.<sup>94</sup> How long before this month's \$100 payment becomes \$1000? Langton<sup>95</sup> produces strong evidence to suggest that bribery is not in the long-term interests of an economy. It can also be politically counter-productive. Whenever it is exposed at a high level, popular unrest often leads to the toppling of a government.

Furthermore, there is also a personal cost in engaging in something universally recognised as shameful, of behaving surreptitiously (like an act of sex with a prostitute), of engaging in deceit and lies and cover-ups. Those who pay bribes out of necessity should be able to admit it if their consciences are clear, rather than add deceit to an already questionable practice. The state of affairs, for example, where "most missionaries do it, but don't like to talk about it" exemplified by the silence of Christian literature on the subject, just will not do. As Noonan warns: "human beings do not engage in such acts without affecting their characters, their view of themselves, their integrity".<sup>96</sup> I cannot see how prolonged exposure to and participation in bribery, however seemingly trivial each act appears to be, can be anything but character-damaging to the

Christian, in much the same way as other addictive behaviours are personally destructive. How long before the briber believes that everyone has a price, and whatever he wants can be bought if the sum is high enough? Urgent repentance is required before consciences are hardened.

### **E) Repentance of idolatry**

Rarely will a regulation require the compromising of a fundamental Christian standard. Regulations may be unfair and inconvenient but no more. Bribes will be given because other values are held in higher esteem than honesty. What are those values? What is the over-riding factor at play? Often it is the old idol of Mammon. Bribers give to maintain or improve a successful job, or to save time - for time is money. Bribes demand and receive because they are 'underpaid'. It is fascinating how, when John was baptizing, two groups who came to him were tax collectors and soldiers. These two groups were probably the most notorious for corruption. What was John's advice? "Don't collect more than you are required to. Don't extort money and don't accuse people falsely (which would have been done for money) - be content with your pay." (Luke 3:12-14) Grease payments and variance bribes are both clearly covered by this command.

Our willingness to bribe and the ease with which we do it, are good indicators of who our god is. Often we are in bondage to the false security of material wealth. We need to remember that bribery is a sell-out to the rich. Noonan writes: "If bribes were not morally objectionable, we would live in a world of pure plutocracy where wealth would be the measure of all things."<sup>97</sup> No-one including the briber wishes to live in this sort of society. Bribery is a classic case of willful sin: seeking to gain material advantage by voluntarily breaching a law which is holding back others from doing the same. Anti-bribery legislation will be kept in force because of its crucial importance to social well-

being. It may be impossible in a fallen world to prevent money from talking, but we must prevent it from ruling. We must repent of our idolatry.

### **F) Repentance of fatalistic lack of faith and courage**

The implication of all this repentance is that we are claiming that there is a better way. Things do not need to be the way they are. It should not just be a straight choice between paying the bribe and feeling guilty; and not paying it, being regarded as a fool and achieving nothing but antagonism and hardship. The problem is that once we move outside the strict 'either/or' paradigm, so much structural change is required that the cost seems too great. Thus the fatalism creeps in. Langston remarks: "although most Filipinos believe bribery and extortion are not right, many either practice (sic) them or have a fatalistic tolerance of them."<sup>98</sup> But authorities from inside and outside the Christian milieu have encouraged people to have the courage to say 'No'. Don E. Petersen, former chairman of Ford is quoted as saying that survival without bribery is possible: "It's difficult. You'll be tested constantly, and at times you'll think you've lost business. But if you have a service that they want, they'll come around".<sup>99</sup>

Langston says that while a victim of extortion should be understood and not judged for compliance, missionaries and national Christian leaders often have sufficient social standing to resist even though it may involve "time, money, inconvenience, and even suffering."<sup>100</sup> There is the rub ! In the short term, a bribe may be a small price to pay compared with the cost of refusal and the human resources required for fighting for change. But since when was cost a valid deterrent for proclaiming kingdom values? After he had completed his thesis research Langston returned to the Philippines and explains how his determination to stand against bribery necessitated a costly trip to the capital later in the year in order to walk through

customs with his broker.<sup>101</sup> For others, the cost may be much higher.

### **G) Commitment to justice.**

Governments and Corporations as they have attempted to deal with the problem of bribery have been restricted by the requirements and inadequacies of law. The "clumsy, half-baked, and ineffective"<sup>102</sup> measures embodied in the FCPA for example, may be the best we can hope for by way of legal preventative measures, but the Christian ethic and duty does not stop with law. It must go further. Only the Christian in her struggle for justice has the resources which can deal with the root problem of human greed and the idolatry of economic success. The Christian official can 'live the gospel' by shocking his clients through refusing grease money. Langston suggests that if this would 'shame the client', the official may say something like "give it to the church instead".

A Christian who is waiting for his documentation to be processed, instead of getting angry and losing his cool, which is only counterproductive, could exhibit grace and patience during a long and tedious wait. The trip through customs should not be regarded as 'wasting the Lord's time', but be regarded as a drawn-out ministry opportunity. More could be done for the kingdom by way of interacting pleasantly and politely with brokers, officials, and members of the waiting public, than by preparing some address for a missionary conference. A commitment to justice may well have to come about through a renunciation on the part of Christians. A renunciation of their possessions perhaps, or a renunciation of their security.

For example, if a missionary finds that their personal belongings cannot get through customs without paying an exorbitant tax, (which may of course be waived in favour of a small gratuity to the inspector), the Christian may need to ask

"do I really need these belongings that badly?" Often this problem arises with electrical goods such as televisions. I wonder how many principles have been sacrificed for the sake of such non-essential luxuries ? On the other hand, if a Christian is doing business overseas, and fears that her job is on the line unless she closes this deal, it may mean that she needs to be willing to risk her job to that extent. If the worst happens, would it not be possible to look into starting a consortium with other Christian business-people who are committed to targeting the overseas market and who make it a fundamental principle that no grease payments will be paid. They will make it their priority that it will be the quality of their produce and not the quantity of their bribe which will ensure that their business succeeds. Liaison with Christian businesspeople and politicians in the country in question may help them in terms of networking, support and fellowship. Sometimes it may take the trauma of losing a job to clear the way for re-evaluation and a more creative use of gifts.

Near the end of his thesis, Langston makes this impassioned plea: "In the past it has largely been the press and politicians who denounced bribery. The press wrote about corruption, at least in part, to sell newspapers. Many politicians denounced bribery largely for political reasons-- to attract attention, cover their own corruption, or increase their own power base by getting rid of public officials from the opposition party and replacing them with people from their own party. It is time for the people of God, who have purer motives for denouncing bribery, to address this issue."<sup>103</sup>

## **H) Legalism?**

Some may say that a virtual 'absolutist' stance on bribery such as advocated here, is tantamount to legalism. There is an interesting irony in this. Take Langston's example of the taxi driver mentioned in section V.A. above, for instance. Who is

the legalist, the taxi driver who does not pay, or the missionary who does? I venture to suggest it is the latter. By paying 'for the sake of the gospel' the missionary is betraying a works-righteousness. He or she is equating the presence of the gospel and the furtherance of the kingdom in that land with what he or she is doing. Their absence from the country or their temporary incapacitation suddenly means the gospel is restrained.

That is not Paul's attitude in Phil.1:12ff, where he speaks of his imprisonment (continued, remember, because of resistance to bribery) as serving to advance the gospel. In contrast, the taxi driver by refusing to pay is being true to the gospel by exhibiting a faith and trust in the grace and goodness of God which extends as far as the potential loss of his job and his livelihood. Who is the legalist? The legalist is obsessed with boundaries. How often must I forgive my brother? Who is my neighbour? The legalist salesperson will obey the FCPA and avoid bribes but pay 'grease'. The legalist missionary will avoid variance bribes, but pay transactional ones because the biblical position "is not clear". The liberated Christian will seek to undermine the pervasive power of all bribery by opposing it in all forms and shapes when possible, not because their church, mission board, or even the bible says they have to, but because they know Jesus and in the power of his Spirit they now have the capacity to serve him and Him alone and to seek to destroy anything which offends him or does not reflect his character and the values of his kingdom.

## **VI. THE 'FIVE PERCENT'**

The IRA's threat still stands; the Mafia have sent the bullet in the mail; time is running out for the missionary to see her staff; the medical supplies are still awaiting collection. How does what has been said so far relate to our initial case studies? Dr. T. Dearborn has alleged that 95% of ethical dilemmas are straightforward, it is a case of having the courage to do what we



know is right.<sup>104</sup> Our tendency is to put far too many things into the 5% category, which really belong in the 95% category. We enlarge the issues covered by the 'dubious' part of the spectrum to around 50%. Some of those issues have already been examined: does the TV really need to be admitted? (Should it have been sent in the first place?) Does this deal really have to be closed? In this category also is the case of the Tanzanian missionary. The conversion of her staff is God's work, not hers. Her desire to be present is commendable, but her presence is not essential to their coming to Christ. At the moment she is not aware of any specific medical emergency which requires her attention. She should wait. Sure, the bureaucratic delay is unjust, but Paul's continued imprisonment was also unjust.

There is an endless spiral of justifications available to permit bribery on the grounds that one is being extorted and that one's cause is just. There still is, however, the five percent. The most obvious example, is when there are lives at risk. A bribe to the Somalian rebels will allow the aid trucks through to the starving; Oscar Schindler bribing the Nazis and thereby saving hundreds of Jews. Wittgenstein doing the same to save his family.<sup>105</sup> Here, too, we have the case of the Indonesian doctor and the essential medical supplies. It has been alleged that Lincoln bought enough Congress votes in order to secure the passage of the 13th Amendment outlawing slavery,<sup>106</sup> was this too a valid exception? God is a God of impartiality who hates bribery; God is also a God of Life who hates the taking of life. How are these reconciled?

It is possible to see this from two angles. As mentioned above, just as the sexual act can be anything from an act of violence (rape), to an intimate expression of mystical unity (marital sex), so too the giving of money can be anything from a gift of love to a bribe to pervert justice. What determines its nature is context and intentionality. Money given to war rebels, or totalitarian regimes, or unscrupulous officials in an epidemic-

ravaged country, does result in partiality, and is the decisive factor in whether or not the service is rendered. However, the 'bribe', if it is to be so called, is 'redeemed' in that it is given to save innocent life. It was not given to gain partiality, it was not given based on one's own rights and greed, but on the value of the other person's life. In the case of Wittgenstein and Lincoln, there were "superior moral obligations that outweigh(ed) the obligation not to bribe" <sup>107</sup>

The other angle from which to view this subject is that of the 'rules of war'. Noonan concedes that, for the briber, situations of war and oppression allow the use of bribery "as a weapon, less lethal than a bomb, which may justly be employed" but the "existence of exceptions does not disprove a moral rule... General social trust must have disintegrated."<sup>108</sup> In war the rules have changed. Murder, espionage, bribery, although intolerable in peacetime may be employed in wartime, albeit within certain limits, in order to recover the optimum state of peace. Whether one agrees with the just war ethic or not, once war has happened and the forces of war are raging, one cannot function with the enemy as one would in peacetime. Other people's lives are at immediate risk. Extreme circumstances call for extreme measures.

To show how limited this exception is, I would suggest that the alleged case of Lincoln would not fall within the boundaries of this exception. No lives were immediately dependent on the passing of the amendment at that time, a democratic process was functioning. Furthermore, it would have been better to wait for this democratic process to take its course and the emancipation to take place with a majority morally committed to the cause, than to achieve it through political corruption, which added evil to existing evil, and did not address the root issue of racial prejudice.<sup>109</sup>

This leaves us with the cases of extortion at the hands of terrorists and organised crime gangs. It is clear that the Scripture upholds the case of the oppressed and offers no words of judgment or condemnation to those who are forced to give in to extortion. But rather than give a straightforward imprimatur to always paying the evil ones, I would make the following observations. On the one hand Christ encourages us to give to our enemies more than they ask of us, and to do for them more than they force us (*angareuo*) to do (Matt.5:40-41). The context in this case is the law-court and an oppressive army of occupation imposing their own form of 'justice'. In the case of a suing or an isolated robbery it is the ethic to follow: a chance to show how unattached we are to these things which so drive other people that they need to resort to false law-suits and robbery.

However, there are fundamental differences between this scenario and that of the 'protection money'. The latter is constant and recurring, and is supporting a well-organised network of evil. There can be no doubt that the money is being used for destructive purposes. Simply acquiescing to their demands each time they ask for 'protection money' does not solve the problem. Ways must be sought to break the power they hold over whole communities. The priority in this case must be to resist.

However, the 5% comes into play where the lives of other people are at risk. If it is only one's business and one is reasonably sure that warnings will be given and it is only the property which they are seeking to destroy, allowing them to do so and refusing to give in could be an encouragement to other business who have not had the courage to stand up to the threats. If members of your family are directly threatened, an alternative and more subtle approach may need to be taken. In the interim the money may have to be paid, but could be done so in creative ways, such as slipping in a New Testament with

the payment, or writing a personal note to whoever is collecting it. In the long-term a consortium of businesses could get together to support one or two non-paying enterprises in these areas; enterprises who would not pay the 'dues'; simple structures which could be assembled and rebuilt at low cost. In conjunction with local churches, a support network could be set up for owners who were angry and discouraged at the extortion and intimidation, and financial help and support in the way of insurance and underwriting could be guaranteed for those who wished to join the list of 'non-paying' establishments. Perhaps one or two could be added every couple of months until there was a visible alternative and challenge to the terrorist powers. One shudders at what the cost might be for those involved, but our lives are not our own, and there is no fear in love (1Jn.4:18). Again the emphasis is not on whether or not to pay, but on the creative alternatives the people of God can initiate in order to exemplify the kingdom of light in the midst of the darkness.

## CONCLUSION

The material injury bribers and bribees inflict is often undemonstrable. Their actions always subvert the trust that accompanies public office and distinguishes office from power. For Jews, for Christians, for those who share their moral heritage, the bribe is not a morally neutral concept.<sup>110</sup>

The Scripture has nothing good to say about bribery. Its statements are either explicitly or implicitly negative, or ironic. Bribery offends God and by participating in it or giving tacit approval to it, Christians, in the vast majority of cases, are misrepresenting the character of God and submitting to the pressure to conform. Even the underlying philosophy behind transactional bribes fosters greed and can "lead to more extreme forms of bribery and corruption"<sup>111</sup> By perpetuating the practice those who bribe, including missionaries, may be guilty of unwittingly continuing the long-term oppression of the poor and

weak. Extortion is a particularly odious form of bribery. Often victims will have no option but to submit, although this may be done in creative ways.

Recurring extortion and racketeering however needs to be opposed vehemently by the church. Individuals cannot tackle this evil on their own. The church must become the community of creative alternatives. In our personal contacts we can be generous in other ways, without bribing; we can consistently refuse to stand up for our own rights and property, while protecting the rights and property of others. As a body we need to create a counter-cultural environment in which Christian businesspeople, bureaucrats, politicians, professionals, blue-collar workers and others in the service industries can use their gifts and develop their vocations within a framework of honesty and integrity. The initial criticism of such idealism is that it is unpractical and naive.

But the alternatives are worse: continued corruption, hopelessness, crime, economic underdevelopment, oppression, unequal distribution of resources and a privatised faith which does not challenge one of the most ignored and tolerated social evils. True, this must be lived, rather than preached. Langston sensibly warns: "If Filipino Christian leaders determine a more vigorous approach is appropriate, then it would (be) best for them to take the lead in advocating it".<sup>112</sup> Christian leaders, he says, need to get closer to the people to understand the everyday realities of bribery and not preach high-sounding morals from the safety of the pulpits. This is true as much in N.America as it is in Asia.

As long as businesspeople say it is naive not to bribe, and as long as pastors keep quiet out due to lack of information, no progress can be made. Both parties have grave responsibilities: the business community to honestly and openly question current practice and seek for theological guidance on the issue; the

pastors to spend time listening and seeking to become acquainted with the context in order to challenge informatively and biblically. In all of this the sole aim is not to enforce a New Ethic or extend the law code, but to combat evil and reflect what it is like to live in the Kingdom of God, under different management and according to different priorities. The irony in this is that we refrain from paying, not because we want to keep for ourselves, but because we hate corruption. We want to redeem the concept of giving from 'giving in order to get' to 'giving freely out of a generous spirit.' Such a spirit is alien to our natural state.

Resisting bribery, therefore, is only the beginning. To avoid self-righteousness we must then turn our attention to how we can reflect God's character in what we say 'yes' to. the most obvious answer in this context is that we are to be a people characterised by generosity because our God is generous. We give freely, because God the Great Donor has first of all freely given to us out of his abundance (Matt.10:8).

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## END NOTES

1. These case studies are imaginary but are based on situations known to the author.
2. J.J.Finkelstein, "Middle-Assyrian sulmanu Texts," *Journal of the American Oriental Society* 72, pp.77-80; M.R.Wilson, "Prophets and Green Palms: What the Bible Has to Say About Bribery", *Christianity Today* 18, (Jan.18, 1974). pp.13-14,19; M.L.Goldberg, "The Story of the Moral: Gifts or Bribes in Deuteronomy?" *Interpretation* 38.1, (1984). pp.15-25; R.R. Reeves, "To Be or Not To Be? That Is the Question: Paul's Choice in Philippians 1:22.Perspectives in Religious Studies 19.3, (Fall 1992).p.273-90.

3. The International Standard Biblical Encyclopedia gives 12 lines to bribery. The Interpreter's Bible Dictionary and The Zondervan Pictorial Bible Dictionary do slightly better with 23 lines and 25 lines respectively, mostly consisting of a listing of the biblical verses.

4. R.Langston, (A Biblical Perspective on Bribery and Extortion and its Implications in the Philippine Context From a Missionary Viewpoint, D.Miss. Project, TEDS, Deerfield, Illinois. 1989) states that "during the eight years I lived in the Philippines I never heard a sermon or message that addressed the subject (of bribery). Only a few of the Filipinos whom my wife or I interviewed concerning bribery could recall having ever heard a priest, pastor, or missionary speak on the subject. Yet all expressed that bribery was a significant problem in the Philippines." (126)

5. Langston, op.cit.pp.126-7.

6. Langston's bibliography is similarly made up mainly of theological reference works and commentaries. There are several articles listed from Philippines and South East Asia journals but only a small percentage of these deal directly with issues of bribery and corruption. The fact remains that the literature is sparse and Western Christian literature almost non-existent.

7. J.T. Noonan in Bribes, makes the accusation: "theologians have had little to say" (xxiii). He rightly illustrates the gaps and weaknesses in the contorted arguments of moral theologians such as Alfonso d'Liguori (Theologia Moralis, Opera, ed. Gaude (Rome, 1905-12) who condemned 'big bribes' but permitted 'unsought little ones' which he regarded as gifts. With the exception of F.P.Kenrick (Theologia moralis, (Philadelphia, 1841) "other American Catholic moral theologians did not face bribery as a major moral problem of nineteenth century

America." (Noonan, p.539). Liguori also believed it was justifiable to pay off a corrupt judge in order to receive a just decision. This position was articulated as recently as 1979 by Joseph Farraher, moral theologian of Gregorian University, who condones the giving of a bribe to an extortionist if "it is the only practicable way to obtain a decision that should be made" (Bribery - Encyclopedic Dictionary of Religions 1979, 1:524 qtd Langston,120). Augustinus Lehmkühl (Theologia Moralis, (Freiburg im Breisgau, 1888) did not believe it was incumbent on a judge to repay the money he had received. A service had been granted and though it be immoral it was no different from a prostitute keeping the earnings of his/her trade. The weaknesses here are clear. Who defines what qualifies as a 'just decision'? Unlike the prostitute, the judge has sold something which is not his to sell, but of which he is meant to be a responsible steward. In the twentieth century moral theologians such as John McHugh (Homiletic and Pastoral Review 38, (1938) ) and Francis Connell (American Ecclesiastical Review 112, (1945) ) began to speak more forthrightly against bribery. Still the Protestant voices were noticeably silent.

8. Noonan, op.cit. p.541.

9. Noonan mentions a similar problem in other ANE languages. Translating any of the other words for a gift of a subordinate to a superior (Egyptian *feqa*, Middle Assyrian *sulmanum*, Akkadian *tatu*, Babylonian *kat-ra*) as 'bribe' means that "the ambiguity of the original words is resolved into a clear unambiguous meaning." (Ibid.p.13). The lexical issue made more complex by the LXX translation of *shochad* with *doron*. Yet *doron*, the ordinary word for gift in Matthew and Hebrews is also used in the Greek for bribe. They had no other word. In contrast ,the LXX translates *mattan* with *doron* in only 2 places (Pr. 15:27, Ez.20:39), elsewhere using *doma*. Nevertheless, this could simply be a case of the notorious Septuagintal



carelessness in lexical accuracy and no case should be built on the evidence of the Greek alone.

10. Goldberg is Jay Philips Professor of Jewish Studies at St.John's University, Minnesota.

11. Goldberg, art.cit.p.16.

12. Noonan, op.cit.p.29.

13. Ibid.p.23.

14. Ibid.p.27.

15. Ibid.p.27.

16. Ibid.p.25.

17. Ibid.p.25.

18. Ibid.p.28.

19. Ibid.p.19.

20. Goldberg, art.cit.p.18.

21. Noonan, op.cit.p.27.

22. Special attention is given to this verse because of its pivotal importance to the debate. As I was writing this paper, a former missionary now studying at my college used this very verse as justification for bribery which, he said he found it inevitable to avoid. Some of the lexical research was first undertaken for my paper "A Summary Exegesis of Proverbs 17:7-11" Regent College, Vancouver, Spring 1994.

23. BDB (The New Brown-Driver-Briggs-Gesenius Hebrew and English Lexicon, Peabody: Hendrickson, 1979); KBL3 (Lexicon in Vetus Testamenti libros, (Koehler, L. & Baumgartner, W. eds.) 3rd ed.).
24. Thus KBL3
25. Noonan, *op.cit.* p.690.
26. Ps.15:5; Is.1:23; Ezek.22:2; Mic.3:11, and others.
27. Finkelstein, *art.cit.* p.79.
28. So Noonan, *op.cit.* p.26.
29. A. Meinhold, *Die Sprueche*, Zurich: Theologischer Verlag, 1991.
30. K.A.Farmer, *Who knows what is good? Proverbs & Ecclesiastes*, Edinburgh, Eerdmans, 1991. p.88.
31. See B.K.Waltke, & M. O'Connor, *An Introduction to Biblical Hebrew Syntax*, Winona Lake: Eisenbrauns, 1990. ? 11.2.5e.
32. See, for example, 12:15; 21:2; 26:12.
33. Langston, *op.cit.* p.31.
34. *Ibid.* pp.30-31.
35. M.W.Reisman, *Folded Lies: Bribery, Crusades, and Reforms*, (New York: The Free Press, 1979), p.69.
36. Goldberg, *art.cit.* p.24.

37. Langston, *op.cit.*p.31 n.6.

38. *Ibid.*p.37.

39. *Ibid.*p.33.

40. *Ibid.*p.34.

41. Personal conversation (April 1995) with Dr. B.K.Waltke, Marshall Sheppard Professor of Biblical Studies, Regent College, Vancouver.

42. See section III. A. below.

43. Noonan, *op.cit.*pp.29-30.

44. *Ibid.*p.30.

45. Goldberg, *art.cit.*pp.23-5.

46. Noonan, *op.cit.*p.66.

47. Langston, *op.cit.*p.70.

48. Both Noonan and Langston discuss the case of Simon the sorcerer in Acts 8 and view it as a case of attempted bribery. To me, this is not clear. It is likely that Simon, in his spiritual blindness, was simply attempting to buy something that was not for sale. Either way, the example is yet again negative.

49. See Josephus, *Antiquities*, XX.vii.1-2.

50. Noonan, *op.cit.*p.67.

51. Ac.10:34; Rom.2:11; Gal.2:6; Jas.2:1,9; 1Pet.1:17.

52. Langston, op.cit.p.74.

53. For an example of the effect contrasting morals have on a culture compare Samuel who never took a bribe with his sons who were leaders in the corruption of their day.

54. Langston, op.cit.p.73.

55. Ibid.p.74.

56. Ibid.p.74.

57. Ibid.p.25.

58. Ibid.p.27.

59. Noonan's basic definition is: "An inducement improperly influencing the performance of a public function meant to be gratuitously exercised." (xi) Yet he admits that almost every phrase 'inducement', 'improperly influencing' etc. can be relativised and can contract or expand "with conventions, laws, practices" (xi) "Often a society has at least four definitions of a bribe - that of the more advanced moralists; that of the law as written; that of the law as enforced; that of common practice." (xii) It is important to know which standard is being used.

60. Langston, op.cit.pp.105-9. He denies a direct relationship to bribery but does not doubt that it has been used as such by the unscrupulous.

61. For example, the case of Hammurabi's penalty against a judge changing his mind (ANET p.166. qtd. Noonan, p.5.), which is thought to have been a result of a bribe, but was more likely a penalty for inconstancy in a culture where heavenly and earthly powers were required to show constancy and unchangeability, cf. 1Sam.15:29.

62. Goldberg, art.cit.p.16.

63. Finkelstein, art.cit.p.78.

64. Goldberg writes: "Although contemporary Western culture typically distinguishes between the realms of 'ritual' and 'moral' practices, biblical society made no such hard and fast distinction. The ritual and the moral were inextricably woven together in the fabric of 'the holy'.... Thus, on the one hand Israel shared with her neighbours the belief that the human judge was proxy for the divine. On the other hand, however, she differed from them in her conception of the nature or character of the deity whom she thought stood behind..his human representatives in the courts.... Just as Israel's holy God was totally beyond coercion or manipulation in the realm of nature, so, too, he was utterly above all efforts to influence, sway, or bribe him in the judicial sphere as well." (ibid. pp.19, 23) The judge as a representative of the divine would have been repudiating God's character to accept a bribe. Given Paul's statements in Rom.13, there is no reason to believe this is any different today.

65. Noonan, op.cit.p.702.

66. Ibid.p.xxi.

67. Ibid.p.698.

68. P.E.Murphy, "Implementing Business Ethics", in J.E.Richardson (ed.), *Business Ethics 94/95*, Guildford, Conn.: Dushkin, 1995. [Hereafter B.E.] p.111.

69. P.E.Murphy, "Creating Ethical Corporate Structures", in B.E. p.222.

70. Noonan, op.cit.p.697.

71. This argument is not of course presupposing a Christian sex ethic.

72. Syed H. Alatas, *The Problem of Corruption*, Singapore: Times Books, 1986. p.102. qtd. Langston, *op.cit.* p.5.

73. D.Vogel says in "Is U.S.Business Obsessed With Ethics?": "The United States is the only nation that restricts its companies from making payments to secure contracts or other benefits outside its borders." (B.E. p.165).

74. Noonan, *op.cit.*p.678.

75. *Ibid.*p.679.

76. B.E. pp.171-2.

77. John Swanson of Dow Corning, qtd. B.E. p.173.

78. *Ibid.*p.173.

79. Langston, *op.cit.*p.111.

80. Noonan writes:"Their crimes have not been shown to depend on any oedipal fixation, sexual need or malfunction, or uncontrollable instinct. They are not vicious in all respects; they are often otherwise decent individuals. They are of all nationalities and sects and have been in the past more often men than women." (xxii) Noonan qualifies this last statement by saying this is probably due only to the higher number of men occupying high office.

81. B.E. p.112.

82. Langston, *op.cit.*p.117

83. As examples of inconsistency Noonan quotes the different fates of Nixon- ousted from office for illegalities; and Johnson "who rose to the presidency on the back of such exchanges".(690)

84. Wilson, art.cit.p.13.

85. Noonan, Ibid.p.684. Noonan also makes an interesting analogy with the sexual ethic. Both the anti-bribery and the sexual ethic arise from the same religious milieu, are based on the character of the same revealed God, and display a concern for faithfulness and unobligated love. The sexual ethic has largely disappeared in modern society precisely because of the predominance of the type of utilitarian quantitative arguments used against anti-bribery legislation (eg. the ensuing harm is tangibly undemonstrable). The sexual libertarians also appeal to factors such as hypocritical enforcement and widespread worldwide disregard. Eventually many of the laws governing sexual ethics were repealed. This was essentially a private act. Bribery is only a public act as long as public opinion believes it to be so. The cultural deterrents which reinforce the anti-bribery ethic- shame and the possibility of judgment, once also governed the sexual ethic. If anti-bribery legislation was repealed the bribe too would be regarded as a private act. Noonan does not believe that this will in fact be the case, because the potential for long-term economic disaster as a result of bribery is too much of a risk for material people to take, in comparison to the potential for long-term physical, emotional and social harm inherent in neglecting the sexual ethic

86. Langston, op.cit.p.63.

87. qtd. A.W.Singer, "Ethics: Are Standards Lower Overseas?" in B.E., p.171.

88. Langston, op.cit.pp.89-90.

89. Noonan, op.cit.p.686.
90. Ibid.p.687.
91. Ibid.p.687.
92. Ibid.p.694.
93. Ibid.p.693.
94. B.E. p.173.
95. Langston, op.cit.pp.123-5.
96. Noonan, op.cit.p.700.
97. Ibid.p.703.
98. Langston, op.cit.p.iv.
99. B.E. p.171.
100. Langston, op.cit.p.63.
101. Ibid.pp.133-4.
102. Noonan, op.cit.pp.688-9.
103. Langston, op.cit.pp.128-9.
104. Dr. T.Dearborn: Class on "Ethics in the Workplace,"  
Regent College, Vancouver, March/April 1995.
105. Noonan, op.cit.pp.685-6.
106. See discussion in Noonan.



107. Ibid.p.694.

108. Ibid.p.694.

109. See Ibid.p.695.

110. Ibid.p.xxiii.

111. Langston, Ibid.p.125.

112. Ibid..130.

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# **Appendix I**

## **The Lay-Persons Guide to the Foreign Corrupt Practices Act Antibribery Provisions**

### **United States Department of Justice**

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10th & Constitution Ave. NW (Bond 4th fl.)

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United States Department of Commerce

Office of the Chief Counsel for International Commerce

14th Street and Constitution Avenue, NW

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## INTRODUCTION

The 1988 Trade Act directed the Attorney General to provide guidance concerning the Department of Justice's enforcement policy with respect to the Foreign Corrupt Practices Act of 1977 ("FCPA"), 15 U.S.C. §§ 78dd-1, et seq., to potential exporters and small businesses that are unable to obtain specialized counsel on issues related to the FCPA. The guidance is limited to responses to requests under the Department of Justice's Foreign Corrupt Practices Act Opinion Procedure (described below at p. 10) and to general explanations of compliance responsibilities and potential liabilities under the FCPA. This brochure constitutes the Department of Justice's general explanation of the FCPA.

U.S. firms seeking to do business in foreign markets must be familiar with the FCPA. In general, the FCPA prohibits corrupt payments to foreign officials for the purpose of obtaining or keeping business. In addition, other statutes such as the mail and wire fraud statutes, 18 U.S.C. § 1341, 1343, and the Travel Act, 18 U.S.C. § 1952, which provides for federal prosecution of violations of state commercial bribery statutes, may also apply to such conduct.

The Department of Justice is the chief enforcement agency, with a coordinate role played by the Securities and Exchange Commission (SEC). The Office of General Counsel of the Department of Commerce also answers general questions from U.S. exporters concerning the FCPA's basic requirements and constraints.

This brochure is intended to provide a general description of the FCPA and is not intended to substitute for the advice of private counsel on specific issues related to the FCPA. Moreover, material in this brochure is not intended to set forth the present enforcement intentions of the Department of Justice or the SEC with respect to particular fact situations.

## **BACKGROUND**

As a result of SEC investigations in the mid-1970's, over 400 U.S. companies admitted making questionable or illegal payments in excess of \$300 million to foreign government officials, politicians, and political parties. The abuses ran the gamut from bribery of high foreign officials to secure some type of favorable action by a foreign government to so-called facilitating payments that allegedly were made to ensure that government functionaries discharged certain ministerial or clerical duties. Congress enacted the FCPA to bring a halt to the bribery of foreign officials and to restore public confidence in the integrity of the American business system.

The FCPA was intended to have and has had an enormous impact on the way American firms do business. Several firms that paid bribes to foreign officials have been the subject of criminal and civil enforcement actions, resulting in large fines and suspension and debarment from federal procurement contracting, and their employees and officers have gone to jail. To avoid such consequences, many firms have implemented detailed compliance programs intended to prevent and to detect any improper payments by employees and agents.

Following the passage of the FCPA, the Congress became concerned that American companies were operating at a disadvantage compared to foreign companies who routinely paid bribes and, in some countries, were permitted to deduct the cost of such bribes as business expenses on their taxes.

Accordingly, in 1988, the Congress directed the Executive Branch to commence negotiations in the Organization of Economic Cooperation and Development (OECD) to obtain the agreement of the United States' major trading partners to enact legislation similar to the FCPA. In 1997, almost ten years later, the United States and thirty-three other countries signed the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. The United

States ratified this Convention and enacted implementing legislation in 1998. See Convention and Commentaries on the DOJ web site.

The anti-bribery provisions of the FCPA make it unlawful for a U.S. person, and certain foreign issuers of securities, to make a corrupt payment to a foreign official for the purpose of obtaining or retaining business for or with, or directing business to, any person. Since 1998, they also apply to foreign firms and persons who take any act in furtherance of such a corrupt payment while in the United States.

The FCPA also requires companies whose securities are listed in the United States to meet its accounting provisions. See 15 U.S.C. § 78m. These accounting provisions, which were designed to operate in tandem with the anti-bribery provisions of the FCPA, require corporations covered by the provisions to make and keep books and records that accurately and fairly reflect the transactions of the corporation and to devise and maintain an adequate system of internal accounting controls. This brochure discusses only the anti-bribery provisions.

## **ENFORCEMENT**

The Department of Justice is responsible for all criminal enforcement and for civil enforcement of the anti-bribery provisions with respect to domestic concerns and foreign companies and nationals. The SEC is responsible for civil enforcement of the anti-bribery provisions with respect to issuers.

## **ANTIBRIBERY PROVISIONS**

### **BASIC PROHIBITION**

The FCPA makes it unlawful to bribe foreign government officials to obtain or retain business.

With respect to the basic prohibition, there are five elements which must be met to constitute a violation of the Act:

**A. Who** -- The FCPA potentially applies to any individual, firm, officer, director, employee, or agent of a firm and any stockholder acting on behalf of a firm. Individuals and firms may also be penalized if they order, authorize, or assist someone else to violate the anti-bribery provisions or if they conspire to violate those provisions.

Under the FCPA, U.S. jurisdiction over corrupt payments to foreign officials depends upon whether the violator is an "issuer," a "domestic concern," or a foreign national or business. An "issuer" is a corporation that has issued securities that have been registered in the United States or who is required to file periodic reports with the SEC. A "domestic concern" is any individual who is a citizen, national, or resident of the United States, or any corporation, partnership, association, joint-stock company, business trust, unincorporated organization, or sole proprietorship which has its principal place of business in the United States, or which is organized under the laws of a State of the United States, or a territory, possession, or commonwealth of the United States.

Issuers and domestic concerns may be held liable under the FCPA under either territorial or nationality jurisdiction principles. For acts taken within the territory of the United States, issuers and domestic concerns are liable if they take an act in furtherance of a corrupt payment to a foreign official using the U.S. mails or other means or instrumentalities of interstate commerce. Such means or instrumentalities include telephone calls, facsimile transmissions, wire transfers, and interstate or international travel. In addition, issuers and domestic concerns may be held liable for any act in furtherance of a corrupt payment taken outside the United States. Thus, a U.S. company or national may be held liable for a corrupt payment authorized by employees or agents operating entirely outside the United States, using money from foreign bank

accounts, and without any involvement by personnel located within the United States.

Prior to 1998, foreign companies, with the exception of those who qualified as "issuers," and foreign nationals were not covered by the FCPA. The 1998 amendments expanded the FCPA to assert territorial jurisdiction over foreign companies and nationals. A foreign company or person is now subject to the FCPA if it causes, directly or through agents, an act in furtherance of the corrupt payment to take place within the territory of the United States. There is, however, no requirement that such act make use of the U.S. mails or other means or instrumentalities of interstate commerce.

Finally, U.S. parent corporations may be held liable for the acts of foreign subsidiaries where they authorized, directed, or controlled the activity in question, as can U.S. citizens or residents, themselves "domestic concerns," who were employed by or acting on behalf of such foreign-incorporated subsidiaries.

**B. Corrupt intent** -- The person making or authorizing the payment must have a corrupt intent, and the payment must be intended to induce the recipient to misuse his official position to direct business wrongfully to the payer or to any other person. You should note that the FCPA does not require that a corrupt act succeed in its purpose. The offer or promise of a corrupt payment can constitute a violation of the statute. The FCPA prohibits any corrupt payment intended to influence any act or decision of a foreign official in his or her official capacity, to induce the official to do or omit to do any act in violation of his or her lawful duty, to obtain any improper advantage, or to induce a foreign official to use his or her influence improperly to affect or influence any act or decision.

**C. Payment** -- The FCPA prohibits paying, offering, promising to pay (or authorizing to pay or offer) money or anything of value.

**D. Recipient** -- The prohibition extends only to corrupt payments to a foreign official, a



foreign political party or party official, or any candidate for foreign political office. A "foreign official" means any officer or employee of a foreign government, a public international organization, or any department or agency thereof, or any person acting in an official capacity. You should consider utilizing the Department of Justice's Foreign Corrupt Practices Act Opinion Procedure for particular questions as to the definition of a "foreign official," such as whether a member of a royal family, a member of a legislative body, or an official of a state-owned business enterprise would be considered a "foreign official."

The FCPA applies to payments to any public official, regardless of rank or position. The FCPA focuses on the purpose of the payment instead of the particular duties of the official receiving the payment, offer, or promise of payment, and there are exceptions to the anti-bribery provision for "facilitating payments for routine governmental action" (see below).

**E. Business Purpose Test** -- The FCPA prohibits payments made in order to assist the firm in obtaining or retaining business for or with, or directing business to, any person. The Department of Justice interprets "obtaining or retaining business" broadly, such that the term encompasses more than the mere award or renewal of a contract. It should be noted that the business to be obtained or retained does not need to be with a foreign government or foreign government instrumentality.

### **THIRD PARTY PAYMENTS**

The FCPA prohibits corrupt payments through intermediaries. It is unlawful to make a payment to a third party, while knowing that all or a portion of the payment will go directly or indirectly to a foreign official. The term "knowing" includes conscious disregard and deliberate ignorance. The elements of an offense are essentially the same as described above, except that in this

case the "recipient" is the intermediary who is making the payment to the requisite "foreign official."

Intermediaries may include joint venture partners or agents. To avoid being held liable for corrupt third party payments, U.S. companies are encouraged to exercise due diligence and to take all necessary precautions to ensure that they have formed a business relationship with reputable and qualified partners and representatives. Such due diligence may include investigating potential foreign representatives and joint venture partners to determine if they are in fact qualified for the position, whether they have personal or professional ties to the government, the number and reputation of their clientele, and their reputation with the U.S. Embassy or Consulate and with local bankers, clients, and other business associates. In addition, in negotiating a business relationship, the U.S. firm should be aware of so-called "red flags," i.e., unusual payment patterns or financial arrangements, a history of corruption in the country, a refusal by the foreign joint venture partner or representative to provide a certification that it will not take any action in furtherance of an unlawful offer, promise, or payment to a foreign public official and not take any act that would cause the U.S. firm to be in violation of the FCPA, unusually high commissions, lack of transparency in expenses and accounting records, apparent lack of qualifications or resources on the part of the joint venture partner or representative to perform the services offered, and whether the joint venture partner or representative has been recommended by an official of the potential governmental customer.

You should seek the advice of counsel and consider utilizing the Department of Justice's Foreign Corrupt Practices Act Opinion Procedure for particular questions relating to third party payments.

## **PERMISSIBLE PAYMENTS AND AFFIRMATIVE DEFENSES**

The FCPA contains an explicit exception to the bribery prohibition for "facilitating payments" for "routine governmental action" and provides affirmative defenses which can be used to defend against alleged violations of the FCPA.

### **FACILITATING PAYMENTS FOR ROUTINE GOVERNMENTAL ACTIONS**

There is an exception to the anti-bribery prohibition for payments to facilitate or expedite performance of a "routine governmental action." The statute lists the following examples: obtaining permits, licenses, or other official documents; processing governmental papers, such as visas and work orders; providing police protection, mail pick-up and delivery; providing phone service, power and water supply, loading and unloading cargo, or protecting perishable products; and scheduling inspections associated with contract performance or transit of goods across country.

Actions "similar" to these are also covered by this exception. If you have a question about whether a payment falls within the exception, you should consult with counsel. You should also consider whether to utilize the Justice Department's Foreign Corrupt Practices Opinion

Procedure, described below on p. 10.

"Routine governmental action" does not include any decision by a foreign official to award new business or to continue business with a particular party.

### **AFFIRMATIVE DEFENSES**

A person charged with a violation of the FCPA's anti-bribery provisions may assert as a defense that the payment was lawful under the written laws of the foreign country or that the money

was spent as part of demonstrating a product or performing a contractual obligation.

Whether a payment was lawful under the written laws of the foreign country may be difficult to determine. You should consider seeking the advice of counsel or utilizing the Department of Justice's Foreign Corrupt Practices Act Opinion Procedure when faced with an issue of the legality of such a payment.

Moreover, because these defenses are "affirmative defenses," the defendant is required to show in the first instance that the payment met these requirements. The prosecution does not bear the burden of demonstrating in the first instance that the payments did not constitute this type of payment.

## **SANCTIONS AGAINST BRIBERY**

### **CRIMINAL**

The following criminal penalties may be imposed for violations of the FCPA's anti-bribery provisions: corporations and other business entities are subject to a fine of up to \$2,000,000; officers, directors, stockholders, employees, and agents are subject to a fine of up to \$100,000 and imprisonment for up to five years. Moreover, under the Alternative Fines Act, these fines may be actually quite higher -- the actual fine may be up to twice the benefit that the defendant sought to obtain by making the corrupt payment. You should also be aware that fines imposed on individuals may not be paid by their employer or principal.

### **CIVIL**

The Attorney General or the SEC, as appropriate, may bring a civil action for a fine of up to \$10,000 against any firm as well as any officer, director, employee, or agent of a firm, or stockholder acting on behalf of the firm, who violates the anti-

bribery provisions. In addition, in an SEC enforcement action, the court may impose an additional fine not to exceed the greater of (i) the gross amount of the pecuniary gain to the defendant as a result of the violation, or (ii) a specified dollar limitation. The specified dollar limitations are based on the egregiousness of the violation, ranging from \$5,000 to \$100,000 for a natural person and \$50,000 to \$500,000 for any other person.

The Attorney General or the SEC, as appropriate, may also bring a civil action to enjoin any act or practice of a firm whenever it appears that the firm (or an officer, director, employee, agent, or stockholder acting on behalf of the firm) is in violation (or about to be) of the anti-bribery provisions.

## **OTHER GOVERNMENTAL ACTION**

Under guidelines issued by the Office of Management and Budget, a person or firm found in violation of the FCPA may be barred from doing business with the Federal government. Indictment alone can lead to suspension of the right to do business with the government. The President has directed that no executive agency shall allow any party to participate in any procurement or non-procurement activity if any agency has debarred, suspended, or otherwise excluded that party from participation in a procurement or non-procurement activity. In addition, a person or firm found guilty of violating the FCPA may be ruled ineligible to receive export licenses; the SEC may suspend or bar persons from the securities business and impose civil penalties on persons in the securities business for violations of the FCPA; the Commodity Futures Trading Commission and the Overseas Private Investment Corporation both provide for possible suspension or debarment from agency programs for violation of the FCPA; and a payment made to a foreign government official that is unlawful under the FCPA cannot be deducted under the tax laws as a business expense.

## **PRIVATE CAUSE OF ACTION**

Conduct that violates the anti-bribery provisions of the FCPA may also give rise to a private cause of action for treble damages under the Racketeer Influenced and Corrupt Organizations Act (RICO), or to actions under other federal or state laws. For example, an action might be brought under RICO by a competitor who alleges that the bribery led to the defendant winning a foreign contract.

## **GUIDANCE FROM THE GOVERNMENT**

The Department of Justice has established a Foreign Corrupt Practices Act Opinion Procedure by which any U.S. company or national may request a statement of the Justice Department's present enforcement intentions under the anti-bribery provisions of the FCPA regarding any proposed business conduct. The details of the opinion procedure may be found at 28 CFR Part 80. Under this procedure, the Attorney General will issue an opinion in response to a specific inquiry from a person or firm within thirty days of the request. (The thirty-day period does not begin to run until the Department of Justice has received all the information it requires to issue the opinion.) Conduct for which the Department of Justice has issued an opinion stating that the conduct conforms with current enforcement policy will be entitled to a presumption, in any subsequent enforcement action, of conformity with the FCPA. Copies of releases issued regarding previous opinions are available on the Department of Justice's FCPA web site.

For further information from the Department of Justice about the FCPA and the Foreign Corrupt Practices Act Opinion Procedure, contact Charles Duross, Deputy Chief, Fraud Section, at (202) 353-7691; or Nathaniel Edmonds, Assistant Chief, Fraud Section, at (202) 307-0629; or William Stuckwisch, Assistant Chief, Fraud Section, at (202) 353-2393.

Although the Department of Commerce has no enforcement role with respect to the FCPA, it supplies general guidance to U.S. exporters who have questions about the FCPA and about international developments concerning the FCPA. For further information from the Department of Commerce about the FCPA contact Kathryn Nickerson, Senior Counsel, Office of the Chief Counsel for International Commerce, Arthur Aronoff, Senior Counsel, Office of the Chief Counsel for International Commerce, or Rebecca Reese, Senior Attorney, Office of the Chief Counsel for International Commerce, at Room 5882, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, or (202) 482-0937

# Appendix J

## The Bribery Act 2010

### Quick Start Guide

**Ministry of Justice, United Kingdom**

<http://www.justice.gov.uk/legislation/bribery>

The Bribery Act 2010 modernises the law on bribery. It comes into force on 1 July 2011. This document offers a quick guide to the things you need to know to prepare your business for implementation.

The Government has also produced detailed guidance about the Act and the procedures that organisations can put in place to prevent bribery, as well as a set of illustrative case studies which you may find of further assistance (available here: [www.justice.gov.uk/guidance/bribery.htm](http://www.justice.gov.uk/guidance/bribery.htm)).

#### **Key points**

This Act deals only with bribery – not other forms of white collar crime. Your organisation may be liable for failing to prevent a person from bribing on your behalf but only if that person performs services for you in business. It is very unlikely



therefore that you will be liable for the actions of someone who simply supplies goods to you. There is a full defence if you can show you had adequate procedures in place to prevent bribery. But you do not need to put bribery prevention procedures in place if there is no risk of bribery on your behalf. Hospitality is not prohibited by the Act. Facilitation payments are bribes under the Act just as they are under the old law.

### **What is covered by the Act?**

The Act is concerned with bribery. Very generally, this is defined as giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so. So this could cover seeking to influence a decision-maker by giving some kind of extra benefit to that decision maker rather than by what can legitimately be offered as part of a tender process.

The Act is not concerned with fraud, theft, books and record offences, Companies Act offences, money laundering offences or competition law. Further detail about what is covered by the Act can be found in 'The Bribery Act 2010 – Guidance about procedures which relevant commercial organisations can put into place to prevent persons associated with them from bribing (section 9 of the Bribery Act 2010)' – [www.justice.gov.uk/guidance/bribery.htm](http://www.justice.gov.uk/guidance/bribery.htm).

### **When could my organization be liable?**

Your organisation could be liable if a very senior person in the organisation (for example, a managing director) commits a bribery offence. This person's activities would then be attributed to the organisation.

Your organisation could also be liable where someone who performs services for it – like an employee or agent – pays a bribe specifically to get business, keep business, or gain a

business advantage for your organisation. But you will have a full defence for this particular offence, and can avoid prosecution, if you can show you had adequate procedures in place to prevent bribery (see page 4, ‘What do I need to do to rely on the defence?’ for further information about this defence).

It is important to note that no one can be prosecuted in England and Wales unless one of the two most senior prosecutors (the Director of Public Prosecutions or the Director of the Serious Fraud Office) is personally satisfied that a conviction is more likely than not, and that prosecution is in the public interest.

### **What do I need to do to rely on the defence?**

You will not commit the offence of failing to prevent bribery if you can show that your organisation had ‘adequate procedures’ in place to prevent bribery. What counts as adequate will depend on the bribery risks you face (‘How do I assess risk?’, see page 5) and the nature, size and complexity of your business. So, a small or medium sized business which faces minimal bribery risks will require relatively minimal procedures to mitigate those risks. The following six principles will help you decide what, if anything, you need to do differently

**1 Proportionality:** The action you take should be proportionate to the risks you face and to the size of your business. So you might need to do more to prevent bribery if your organisation is large, or if you are operating in an overseas market where bribery is known to be commonplace, compared to what you might do if your organisation is small, or is operating in markets where bribery is not prevalent.

**2 Top Level Commitment:** Those at the top of an organisation are in the best position to ensure their organisation conducts business without bribery. If you are running a business, you will want to show that you have been active in

making sure that your staff (including any middle management) and the key people who do business with you and for you understand that you do not tolerate bribery. You may also want to get personally involved in taking the necessary proportionate action to address any bribery risks.

**3 Risk Assessment:** Think about the bribery risks you might face. For example, you might want to do some research into the markets you operate in and the people you deal with, especially if you are entering into new business arrangements and new markets overseas ('How do I assess risk', see page 5).

**4 Due Diligence:** Knowing exactly who you are dealing with can help to protect your organisation from taking on people who might be less than trustworthy. You may therefore want to ask a few questions and do a few checks before engaging others to represent you in business dealings.

**5 Communication:** Communicating your policies and procedures to staff and to others who will perform services for you enhances awareness and helps to deter bribery by making clear the basis on which your organisation does business. You may, therefore, want to think about whether additional training or awareness raising would be appropriate or proportionate to the size and type of your business.

**6 Monitoring and Review:** The risks you face and the effectiveness of your procedures may change over time. You may want, therefore, to keep an eye on the anti-bribery steps you have taken so that they keep pace with any changes in the bribery risks you face when, for example, you enter new markets.

### **How do I assess risk?**

Many organisations will face little or no risk of bribery, especially if their business is undertaken primarily in the UK. If you operate overseas, the risks may be higher. Factors such as the particular country you want to do business in, the sector which you are dealing in, the value and duration of your project,

the kind of business you want to do and the people you engage to do your business will all be relevant.

There are simple practical steps you can take to assess and mitigate risks. These are mostly obvious, and are similar to (or even the same as) those you probably take anyway (for example, to make sure you can trust the people you work with). For example, you might use simple internet searches to find out about the levels of corruption or bribery in the particular country you propose to do business in. You could consult UK diplomatic posts or UK Trade and Investment for advice. You could also consult business representative bodies here and in the relevant country for up to date local knowledge. We set out some contacts below including a Government-sponsored Business Anti-Corruption Portal aimed at small and medium sized businesses involved in overseas trade.

### **Do I need complex procedures in place even if there is no risk?**

No. If there is very little risk of bribery being committed on behalf of your organisation then you may not feel the need for any procedures to prevent bribery. If, having assessed the position, there is a risk of bribery then, if you want to rely on the defence, the procedures you adopt should be proportionate to that risk.

There is no need for extensive written documentation or policies. You may already have proportionate procedures through existing controls over company expenditure, accounting and commercial or agent contracts for example. In larger organisations it will be important to ensure that management in charge of the day to day business is fully aware and committed to the objective of preventing bribery. In micro-businesses it may be enough for simple oral reminders to key staff about the organisation's anti-bribery policies.

In addition, although parties to a contract are of course free to agree whatever terms are appropriate, the Act does not

require you to comply with the anti-bribery procedures of your business partners in order to be able to rely on the defence.

### **Do I need to do due diligence on all my suppliers?**

You only have to think about doing due diligence on persons who will actually perform services for you, or on your behalf. Someone who simply supplies goods to you is unlikely to do that. It is very unlikely, therefore, that you will need to consider doing due diligence on persons further down a supply chain.

Where you decide to undertake due diligence, how much you need to do will depend on your risk assessment. If you assess the risk as low then all you may need to do is satisfy yourself that people performing services for you (for example, an agent) are genuine and someone you can trust to do your business without bribing. You could do this by making enquiries with business contacts, local chambers of commerce or business associations or via the internet for example.

Where you think the risks are higher, then you may need to do more. You might ask your agent for a CV, financial statements or accounts, and other references. You might then follow those up to ensure they are genuine. The aim is to satisfy yourself that the person that is to represent your organisation can be trusted not to use bribery on your behalf, but this does not necessarily require sophisticated and costly techniques. Personal contact, allowing you to assess the person for yourself, can be very helpful.

### **Do I need to employ consultants or lawyers to provide advice on the risks I face, the procedures I adopt, or the level of due diligence I should undertake?**

No. There is no duty to engage lawyers or consultants in helping you assess what risks you face, what procedures you might adopt or what sort of due diligence you undertake -

especially where you consider the risks to be low or non-existent. The Act does not require external verification of any bribery prevention measures you have put in place.

### **Can I provide hospitality, promotional or other business expenditure under the Act?**

Yes. The Government does not intend that genuine hospitality or similar business expenditure that is reasonable and proportionate be caught by the Act, so you can continue to provide bona fide hospitality, promotional or other business expenditure.

In any case where it was thought the hospitality was really a cover for bribing someone, the authorities would look at such things as the level of hospitality offered, the way in which it was provided and the level of influence the person receiving it had on the business decision in question. But, as a general proposition, hospitality or promotional expenditure which is proportionate and reasonable given the sort of business you do is very unlikely to engage the Act. So you can continue to provide tickets to sporting events, take clients to dinner, offer gifts to clients as a reflection of your good relations, or pay for reasonable travel expenses in order to demonstrate your goods or services to clients if that is reasonable and proportionate for your business.

### **What about facilitation payments?**

Facilitation payments, which are payments to induce officials to perform routine functions they are otherwise obligated to perform, are bribes. There was no exemption for such payments under the previous law nor is there under the Bribery Act.

As was the case under the old law, prosecutors will carefully consider all the facts and surrounding circumstances of cases which come to their attention to assess whether a

payment amounts to a bribe and, if so, whether a prosecution is in the public interest.

You can continue to pay for legally required administrative fees or fast-track services. These are not facilitation payments.

### **Further Information**

[www.justice.gov.uk](http://www.justice.gov.uk)

[www.bis.gov.uk](http://www.bis.gov.uk)

[www.businesslink.gov.uk](http://www.businesslink.gov.uk)

## Other Sources

Noonan, John Thomas, *Bribes*. New York: Macmillan. 1987

839 pages (Including 98 pages of notes)

Available used (Amazon.com & others \$.88 + postage)

John Noonan was well qualified to write about bribes. He earned a BA at Harvard University, an MA and PhD in Philosophy from Catholic University of America, and LLB from Harvard Law School. He taught law at the University of Notre Dame Law School and at the University of California at Berkeley. While writing *Bribes* he was US Appeals Court Judge, 9<sup>th</sup> Circuit in California.

He authored 14 books on such diverse subjects as abortion, bribery, usury, contraception, divorce, euthanasia, family law, legal ethics, religious freedom, and the development of moral theology. He did not stop at what was legal, but he sought the Truth that is beyond legal argumentation.

Though this book is not specifically for missionaries and most of the examples come from activity within the legal system of the USA, it is the definitive work on bribes, a great resource at a very small price.



Adeney, Bernard T. *Strange Virtues: Ethics in a Multicultural World*. Downer's Grove, IL: InterVarsity Press.

1995

250 pages

35 pages of notes

In Print, widely available.

Bernard Adeney is well qualified by both life experiences and formal education to write about ethics in a multicultural world. His father was from a middle-class English family, his mother was from a Minnesota (USA) farming family, and he was born in Shanghai, China. He grew up in this American-English-Chinese family in China, England, USA, Hong Kong, and Taiwan, with summers in Africa, India, Europe, Japan and the Philippines.

His undergraduate degree was in East Asian philosophy, history, and politics at the University of Wisconsin. After a year of independent studies in France, Switzerland, and Greece, he moved to Singapore to study Christian theology with an Asian community and adopted a child in Indonesia. After completing a degree in Christian theology with specializations in Asian religions and ethics, he moved to Berkeley, California where he lived for 17 years. After doctoral studies in ethics and international relations he taught at New College Berkeley and Graduate Theological Union. While at NCB he spent a sabbatical traveling in Japan, Hong Kong, the Philippines, Indonesia, Singapore, Malaysia, Thailand, Pakistan, Egypt, Israel, Turkey, Germany, and Holland gathering material for this book. Then he spent five months at St. Edmunds College, Cambridge University for library research and writing.

Johnson, Beth, *Bribery: The Ethics of Giving and Receiving Gifts*. Self-published.

62 pages

Available on-line free.

<http://www.oldpaths.com/Archive/Johnson/Edna/Elizabeth/1939/bribery.pdf>

Beth began teaching children's Bible classes at age 14 and has taught as many as five classes a week for ladies or children for more than 40 years. During those years, she also served as a preacher's wife and missionary. Since January 1962 Beth and her husband Dennis have worked with congregations in four states of the U.S. and Canada and served the Lord in Thailand, Malaysia and India.

She also taught English in public school (K-12 and university level) while they were in the U.S. Two of her numerous special class assignments were teaching parenting for AFDC mothers and daycare recertification classes. She has appeared on lectureships in Alabama, Texas, North and South Carolina.

*Bribery* was published November 2008 in Chennai, India. All Scripture quotations are from the *King James Version*. The 62-page book is a series of thirteen lessons grouped as Old Testament examples and New Testament examples.

Langston, Richard L. *Bribery and the Bible*. Singapore: Campus Crusade Asia Limited.

1991

Available at <http://www.missionarycare.com/ebook.htm>.

Rick Langston earned a Doctor of Missiology degree from Trinity Evangelical Divinity School in Illinois. He lived in the Philippines for eight years teaching at the International School of Theology—Asia. He has taught courses in the USA and seven countries of Asia. He was a pioneering director who helped to start East Asia School of Theology in 1992 and has been actively involved in various leadership positions at EAST in Singapore. He is currently Associate Dean of Academics and Lecturer in Inter-Cultural Studies.

Dr. Langston explores the age-old problem of bribery. Both the Old and New Testaments are examined to discover a biblical perspective on extortion and various types of bribes. Questions are suggested to evaluate whether a particular practice is actually a bribe in the biblical sense. He explores the development and practice of bribery in the Philippines and cultural values which contribute to a tolerance of bribery. He also suggests ways national Christians and missionaries can deal with this issue. This is the best book available for developing a Christian perspective on bribery.

## Transparency International

Transparency International found at <http://www.transparency.org/> has constantly updated information about corruption around the world. Particularly valuable is Corruption Perceptions Index measuring the perceived levels of public sector corruption in 183 countries and territories around the world. This index and other valuable material is available at <http://www.transparency.org/publications/publications>. Of course, the amount of bribery is part of this index.

Transparency International now also has a Bribe Payers Index. Data for this index is gathered from business executives for each of the 28 countries with which they have a business relationship. The current Bribe payers Index is available at [http://bpi.transparency.org/in\\_detail/](http://bpi.transparency.org/in_detail/). In the 2011 edition, the least bribery was found in the Netherlands and Switzerland, and the most bribery was found in Russia and China. The United States was 10<sup>th</sup>. This report gives a quantitative measure of the level of bribery found by at least 100 business executives doing business in each country, rather than reports of individuals telling what they have heard about or experienced.

## Other E-Books by the Author

<http://www.missionarycare.com/ebook.htm> contains a dozen E-books by Ron which can be downloaded free of charge by anyone, anytime, anywhere. These books may be downloaded as .doc, .pdf, and .zip, files to be viewed on a computer or as .mobi or .epub files to read on a Kindle, Nook, or other e-reader. They may also be distributed to anyone as long as they are given to others free of charge and unchanged.

- *What Missionaries Ought to Know...: A Handbook for Life and Service* is a compilation of many of the brochures about missionary life.
- *Psychology for Missionaries* which considers implications of general psychology for missionaries.
- *Missionary Marriage Issues* is a compilation of many of the brochures about married life on the field.
- *Missionary Singles Issues* is a compilation of many of the brochures about single life on the field.
- *Before you get "Home": Preparing for Reentry* is written for use several months before returning.
- *Coming "Home": The Reentry Transition* can be used as preparation for debriefing in a group, when being debriefed, or to debrief yourself.
- *Reentry after Short-Term Missionary Service* is for people serving from a week to a couple years.
- *We're Going Home: Reentry for Elementary Children* is a story and activities for children 6-12 years of age.

- *I Don't Want to Go Home: Parent's Guide for Reentry for Elementary Children* is a companion book written specifically for parents to help them assist in their children's reentry.
- *Third Culture Kids and Adolescence: Cultural Creations* is written specifically for adolescent TCKs but is also applicable to other adolescents.
- *Understanding Adolescence* is a companion book written specifically for parents of adolescents.
- *Raising Resilient MKs: Resources for Caregivers, Parents, and Teachers* was edited by Joyce Bowers and first published by ACSI in 1998.

## About the Author

Ron and his wife Bonnie taught for 35 years in Christian colleges as well as in public and Christian elementary schools. Bonnie taught elementary school as well as teacher education at the college level, and Ron taught psychology at the undergraduate level in college. Our three children are all married and have families of their own. As member care consultants with GO InterNational of Wilmore, KY, we are now retired and, as volunteers, we provide member care for missionaries. We are not licensed health care professionals, but we emphasize care, encouragement, growth, and prevention of problems rather than treatment of severe problems. We provide such care to anyone, anytime, and anywhere at no charge for our time, usually providing our own transportation to the nearest airport and asking that those we are helping provide ground transportation, lodging, and food. Rather than working as professionals for pay, we provide member care as amateurs in the original sense of the word—out of love rather than for money. We have a mailing list of about 175 prayer supporters as well as about 55 financial supporters. We do whatever we can to help missionaries. We do not belong to any sending agency but help others as someone with no official connection to their agency. Listed below are things we are currently doing, but we are always open to new ways to help. Let us begin with the most general forms of help, continue with helping missionaries through their years of service, and end with specific ministries.

**Websites.** We have two websites, [www.missionarycare.com](http://www.missionarycare.com) and [www.crossculturalworkers.com](http://www.crossculturalworkers.com). Both websites contain brochures and books which people anywhere in the world can visit to read, download, print, copy and distribute the information free of charge to anyone who can use it. [www.missionarycare.com](http://www.missionarycare.com) freely uses the term “missionary” and is easily found when people search for missionary care. [www.crossculturalworkers.com](http://www.crossculturalworkers.com) never uses the term “missionary” so that anyone working in a culture where accessing material on missionaries would endanger their ministry can visit freely.

**Brochures.** Both websites contain 87 “brochures” on topics relevant to living in other cultures and working as missionaries. These brochures may be downloaded as .pdf files and distributed to anyone as long as they are given to others free of charge.

**E-books.** Both websites contain a dozen E-books which can be downloaded free of charge by anyone, anytime, anywhere. These books may be downloaded as .doc, .pdf, and .zip, files to be viewed on a computer or as .mobi or .epub files to read on your Kindle, Nook, or other e-reader. They may also be distributed to anyone as long as they are given to others free of charge and unchanged.

**Database.** A database with more than 880 references to published material about missionary member care is on [www.missionarycare.com](http://www.missionarycare.com). Those visiting this database can find reading lists or annotated bibliographies on any of more than 100 topics. They can also find lists of materials published by particular authors.

**Missionary Care by Radio.** Trans World Radio broadcasts in 180 languages to reach people through radio.



TWR has begun a daily 15-minute program in English with broadcasts reaching from Central Asia through North Africa, and you can find out more by visiting [www.membercareradio.com](http://www.membercareradio.com). TWR is adapting the brochures to a format suitable for broadcast to let Christians working in this area of the world know that they are neither alone nor forgotten.

**Orientation.** In an effort to decrease attrition, we participate in the training of new missionaries. We have made presentations on expectations, generational differences, moral purity, and conflict resolution. Of course, during our time at orientation we are available to talk privately with any missionary candidates who want to see us.

**Seminars.** We present information on various topics to a variety of missionary groups. We have done seminars on third culture kids, leadership, generational differences, conflict, anger, adolescence, maintaining mental and physical health, maintaining sexual purity, and psychology from a Christian perspective. We have made these presentations to groups as varied as the entire missionary force of one agency, missionaries on a field, seminary students, university students, field directors, national pastors, retirees, and appointees.

**Missionaries in Our Home.** Missionaries have stopped by our home to discuss issues that concern them. We have talked with individuals and couples about a variety of topics ranging from grief to interpersonal relationships to debriefing when they return to the states. These are often people who have met us in larger group settings such as conferences, retreats, orientations, seminars, or perhaps discovered us on our web page.

**Missionaries on the Field (from Our Home).** Missionaries serving on their fields are unable to stop by our home, so we have communicated with them in a variety of

ways. Of course, telephone conversations are always helpful, and long distance rates between most countries are now quite reasonable. E-mail is free, but the time between sending a message and receiving a reply may be rather long. Skype is free and instantaneous.

**On-Site Visits.** At the invitation of missionaries, we visit them on the field to help them cope with various issues. We do this only if everyone involved wants us to come, and we have the blessing of the mission agency. At these times we have talked with individuals, couples, and groups of missionaries. We are not sent by the agency, but go only when invited by the missionaries themselves.

**Care of Missionaries in a Geographical Area.** We want to provide care for missionaries from several different agencies in a given place. We go on a regular basis to the same missionaries so that they will get to know us and feel free to talk with us, rather than just going to help in a crisis situation. We visit Bolivia whenever invited, usually talking with 30-35 missionaries from about five different mission agencies each time.

**Reentry.** We facilitate reentry retreats for missionaries in transition as they return to the USA. This includes a group debriefing as we talk for two days about where they have been, are now, and are going.

**Missionary Kids.** Since we live near a college that has a rather large number of TCKs, we were very involved with them while we were teaching at the college. Of course, now that we are retired and travel more, we are unable to keep up the same active relationship. However, we do let them know that we are available to help them however we can, and they contact us for everything from taxes to borrowing things to personal problems.