

MBS TEXTE 26



I. Jahrgang
2004

Thomas Schirrmacher

Bribery and Corruption



Theological Accents

Theologische Akzente

Table of Contents

Inhaltsverzeichnis

Corruption in the Bible and Today	3
Ethical conflict.....	6
Annotations	9
The author	10
Impressum	11

Bribery and Corruption

Thomas Schirmacher

Corruption in the Bible and Today

Our return flight from Jakarta, capital city of Indonesia, had been properly booked, paid for and confirmed, but when we checked in, we were told that all seats had already been taken. Our protests were in vain, so we spent an uncomfortable week of the Indonesian rainy season. Fortunately, we were able to live with Christian friends. Every day, the same experience—all seats were full. Finally, my brother-in-law, who lives in the country, explained the problem: when checking-in, the counter has two layers. You lay your ticket on the top and your gift underneath. We got our seats immediately. The officials at the desk earn only a small salary, since the government assumes that they will naturally improve it with bribery – a guarantee for a never-ending circle. Was it right for me as a Christian to pay the expected sum or should we have stayed in Indonesia for an unknown time?

That was twentyfive years ago, and we were glad to return to „reliable“ Germany. But sensationalist articles and law cases reveal that corruptions and corruptability are on the rise in Germany and Switzer-

land, in small matters like our example and in larger affairs.¹ Rainer Barzel's chancellorship failed by two votes, because those delegates were bought by East Germany – the Fall of the Berlin Wall brought the affair to light. Things we used to hear only from the Third World or from Italy are becoming common, everyday affairs. The incorruptible official, once the ideal of Prussian discipline, is disappearing from the scene. Even though the judiciary seems to have spared such cases of bribery, palm-greasing is on the rise among the police, customs officials, civil servants and supervisory institutions.

Few are aware that this is the logical consequence of our departure from Christianity. „A wicked man accepts a bribe behind the back to pervert the ways of justice.“ (Prov. 17:23) Whoever rejects the Christian God, abandons His ideal of the highest judge, whose absolute justice and incorruptability are the point of departure for the rejection of every perversion of justice due to the lust for money or for power, for the God of the Old Testament is again and again described as impartial, as „the great God, mighty and awesome,

who shows no partiality nor takes a bribe.“ (Deut. 10:17) „For there is no iniquity with the Lord our God, no partiality, nor taking of bribes.“ (2 Chron. 19:7)

The temptation of Jesus is the New Testament equivalent. At the beginning of His ministry, He had to prove His integrity. Neither bread nor power could bribe Him. Even when the Devil promised Him all power over all the kingdoms of the earth – the greatest bribe ever offered – Jesus was not seduced by the desire for power or wealth, but obeyed the will of His Father in Heaven. He submitted to God, not to His own desires.

This shows that the Bible considers bribery, corruption and perversion of justice not peccadillos but a predominating subject.² The theme of corruption demonstrates how little personal sin and social sin can be separated from each other. Corruption always involves individuals, but it is always an evil which involves a whole net of evil structures, and which can destroy a whole society, since the leaders of all aspects of society – the Church, the economy and the state – are devoured by it.

The Hebrew root of the word which we translate as „bribe“ actually means „ruin“. The word „corruption“ comes from the Latin and means „ruin“³ or „destruction“. Not by chance does the Latin Bible use the word „corruptio“ for original sin, for Adam and Eve were seduced by the hope of power and knowledge („You will be like God“) and rebelled.

„Corruption is the giving of money or of other demonstrations of favor to a person in a position of trust (a judge, for

example a government official) in order to influence his decision or to corrupt his behaviour.“⁴

To accept a bribe (Heb. „sochad“) is always wrong; numerous Old Testament texts condemn it (Exodus 23:8; Proverbs 15:27; Proverbs 17:8; Ecclesiastes 7:7; Ezekiel 22:12; Job 15:34). The Law always forbids corruption and bribery (Deuteronomy 27:25; Proverbs 17:23; Isaiah 33:15; Ezekiel 22:12). The major accusation made against Samuel’s sons in 1 Samuel 8:2–3 is that they accept bribes, which obliterates any chance of true justice. Moses, however, claims that he had never taken a bribe (Numbers 16:15), and Samuel points out that he had never allowed himself to be corrupted and had never enriched himself in this way. The Bible repeatedly warns against bribery by portraying people who offered or accepted bribes. In the New Testament, Judas betrays Jesus (Matthew 27:3; Acts 1:18), and the priests offer money to the guards at Jesus’ tomb in order to persuade them to lie about the resurrection (Matthew 28:12). Simon the soothsayer tries to buy the power of the Holy Spirit (Acts 8:20) and Felix offers to liberate Paul for money (Acts 24:26). Besides Samuel’s sons, who misused their office (1 Samuel 8:2–3), the Old Testament tells Bileam, who curses Israel for money and fell into sin (Numbers 22). Prostitution is also considered a type of corruption (Ezekiel 16:33; Ezekiel 16:33 „They give gifts to all whores,“), since the man uses money to purchase the woman’s sin of adultery, which she would not otherwise commit in this case.

Perhaps no other scripture better describes the way corruption devours all aspects of life and destroys society from above, than an accusation by the prophet Micha:

„The prince asks for gifts, the judge seeks a bribe, and the great man utters his evil desire; so they scheme together.“ (Mic. 7:3) All these people exploit their power to satisfy their own desires instead of serving justice. „One hand washes the other“ (they wrap it up until corruption has become an octopus whose arms can

be cut off repeatedly without ever really destroying the monster. As I mentioned above, the monster is growing in Germany and in Switzerland more quickly than society realizes, until society is caught in the grip of a monster whose arms grow back as quickly as one can cut them off.

Once the differences between deceit and corruption have been eliminated in the institutions of authority, the Church and the people of God cannot escape, for they have shown partiality and have

Further Prophecies against Corruption

Isa. 1:23 Your princes [are] rebellious, And companions of thieves; Everyone loves bribes, And follows after rewards. They do not defend the fatherless, Nor does the cause of the widow come before them.

Isa. 5:23 Who justify the wicked for a bribe, And take away justice from the righteous man!

Amos 5:12 For I know your manifold transgressions And your mighty sins: Afflicting the just [and] taking bribes; Diverting the poor [from justice] at the gate.

Other Texts against Corruption and Bribery

Ex. 32:8 And you shall take no bribe for a bribe blinds the discerning and perverts the words of the righteous.

Deut. 16:19 You shall not pervert justice; you shall not show partiality, nor take a bribe, for a bribe blinds the eyes of the wise and twists the words of the righteous.

Deut. 17:25 Cursed is the one who takes a bribe to slay an innocent person.

Psalms 15:5 praises the man who does not „take a bribe against the innocent.“

Prov. 25:27 He who is greedy for gain troubles his own house, but he who hates bribes will live.

Ecc. 7.7 Surely oppression destroys a wise man's reason, and a bribe debases the heart.

Isa. 33:15 He who walks righteously and speaks uprightly, He who despises the gain of oppression, who gestures with his hands refusing bribes.

failed to speak out against corruption and lust. Micha upbraids the leaders of Israel, „Her heads judge for a bribe, her priests teach for pay, and her prophets divine for money.“ (Mic. 3:11)

Frederik Galtung speaks of „System Corruption“ when corruption has become an intrinsic element of the system,⁵ which can develop into a situation in which the system becomes dependent on its existence,⁶ as when wages in the public sector no longer suffice for basic needs. The reformation of such systems is almost impossible.⁷

We can only welcome the integrity and the decisive course taken by an evangelical Christian who, in imitation of the Old Testament prophets, brought about the resignation of the EU Commission after its unbelievable corruption.⁸ Unfortunately the reactions of the new commission demonstrate little improvement in spite of its members' fervent avowals.⁹

Not that either the Old Testament or the New objects to gifts, when they help or give pleasure to others. The very necessary warnings against corruption must not be allowed to discredit an equally necessary and healthy culture of giving. Scripture also very objectively recognizes that gifts are sometimes necessary to the achievement of justified goals. Proverbs says, „A man's gift makes room for him, and brings him before great men.“ (Prov. 18:16), and „A gift in secret pacifies anger, and a bribe behind the back stirs up wrath.“ (Prov. 21:14). When a Christian is confronted by corruptible officials and has no opportunity to eliminate the corruption at the moment, he can feel free

to obtain his rights with gifts (as we did in Indonesia). Only when he purchases unfair advantages, does he make himself guilty. But even the Christian who is forced to pay will fight against corruption and begin by revealing and by exterminating all forms of bribery and corruption in the Church.

Bribery is thus permissible to a certain extent, as long as it is not used to obstruct justice, but only to realize legal possibilities, or to protect an individual from danger.¹⁰ Even then, the option should only be used with restraint and only in countries and cultures which provide no other possibility (complaint to one's superior, a law suit or an alternative method). It might be permissible, for example, to bribe a doctor employed by the State to perform a legal operation essential to a person's survival, but in this case, the doctor makes himself guilty of working for a bribe.

Only if a Christian buys unrighteousness, will he himself be guilty of corruption. But even the Christian who is forced to pay to reach a lawful thing, will fight against the evil of corruption and especially begin to uncover and delete any corruption and power through money in the church of Jesus Christ.

Ethical conflict

The issue here is the priority of the higher laws of God against lower laws, also called the Conflicting Duties or Conflict of Loyalties. Just as saving a life can justify lying, bribery can be permissible to achieve legal goals more important, such

as a life-saving operation. At the same time, bribery cannot be employed for trivialities or illegal goals, or in a functioning constitutional state with other alternatives, and is always sin on the side of the one accepting the bribe.

The fact that the values protected by the Law of God have different order of priority, so that offences against these laws must be assessed differently, becomes very apparent when a conflict arises between two statutes.¹¹

Perhaps the best known biblical example is Peter's and John's defiance of the Jewish Sanhedrin, which had forbidden the apostles to preach the Gospel: „We ought to obey God more than men,“

(Acts 5:29). Peter had already challenged them „Whether it be right in the sight of God to hearken unto you more than unto God, judge ye,“ (Acts 4:19).

The divine commandment to preach the Gospel conflicted with the divine commandment to obey authority. In a similar way, Daniel's three friends had refused to obey Nebuchadnezzar's command to bow down before his statue (Daniel 3). Daniel quietly continued to pray, although he was breaking a Persian law which would condemn him to the lion's den (Daniel 6). The law forbidding idolatry has priority over the commandment to obey the State. Note that none of these examples dispute the God-given

Life-saving lies in the Old Testament

Exodus 1:15–21: God „blesses“ the midwives (vs. 20), when they lie to Pharaoh in order to save the lives of the Hebrew babies.

Exodus 2:3–9: Jochebed, Mose's mother, and Miriam, his sister, conceal their relationship to the child found by Pharaoh's daughter, so that Jochebed can nurse her own son.

Joshua 2:1–22: Rahab lies to the King of Jericho. Although they are still in her house, she insists that they have left, in order to save their lives and her own, as well. She lies, because she believes in the Lord, and is thus included in the list of the heroes of the faith in Hebrews 11:13. James 2:25 also confirms her faith: „Likewise also was not Rahab the harlot justified by works, when she had received the messengers, and had sent them out another way?“

Psalms 34: written by „David, when he changed his behaviour before Abimelech; who drove him away, and he departed.“ (See also 1 Sam. 21:10–16; David pretended to have lost his mind, so that his enemy will not execute him.).

1Sam. 16:2: God commands Samuel to hold a sacrifice in order to deceive Saul, so that the king will not execute him.

1Sam. 19:9–17: David's wife Michal saves David's life and her own by lying to her father.

2Sam. 17:18–21: A woman saves David's spy by lying to Absalom.

authority of the State – the men of God otherwise kept the laws of their societies. The conflict arises when governments require the citizen to relinquish a higher value. If, for example, the government requires me to pay parking fees, I must pay them, whether I agree with them or not. Were the State, however, to claim the right to raise my children, or to insist that I participate in an abortion, I would refuse.

One frequent conflict of duties in the Old Testament arose between the Fifth and Sixth Commandment, laws against murder and against lying. Since the commandment protecting life has priority over the prohibition of lying, a lie is justified when necessary to save a human life,¹² as the prostitute Rahab did – only one of many examples.¹³

The Sabbath laws caused several conflicts of duties. On the one hand, God forbids the Israelites to work on the Sabbath, but on the other hand, Jesus, who frequently healed on the Sabbath, justifies His activity by asking: „Is it lawful to do good on the sabbath days, or to do evil? to save life, or to kill? But they held their peace,“ because they knew very well that the Old Testament allowed work that saved life. In Matthew 12:11–12, Jesus argues in a similar manner: „And he said unto them, What man shall there be among you, that shall have one sheep, and if it fall into a pit on the sabbath day, will he not lay hold on it, and lift it out? How much then is a man better than a sheep? Wherefore it is lawful to do well on the sabbath days“ (See also Luke 14:5, which deals with an ox.). Old Testament Law

permitted the saving of animals, even on the Sabbath. Jesus also refers to the necessity of giving animals their water on the Sabbath (Luke 13:15).

In Mark 2:23–28 (= Matt 12:1–7; Luke 6:1–5), Jesus defends the right of His disciples to pluck corn on the Sabbath by referring to David, who was allowed to eat the Shewbread usually reserved exclusively for the priests (Mark 2:25–26; 1 Sam. 21:4–7). In John 7:23, Jesus asks, „If a man on the sabbath day receive circumcision, that the law of Moses should not be broken; are ye angry at me, because I have made a man every whit whole on the sabbath day?“ Survival and circumcision were more important than the Sabbath rest, as was the ministry of the priests. In Matthew 12:5, Jesus asks, „Or have ye not read in the law, how that on the sabbath days the priests in the temple profane the sabbath, and are blameless?“ Jesus uses all of these examples to demonstrate principles with higher priority than the Sabbath rest, especially the reference to the priests, who profane the sabbath, but are still blameless.

In my opinion,¹⁴ the Bible assumes that there is the possibility of a right decision in any ethical conflict of duties concerning the Law of God. Man is obliged to keep the higher Law, which is then the exception for the inferior one.¹⁵ In any case, I know of no case in the Bible in which an individual could not decide between sin and sin, and could only decide to commit a lesser sin. I can find no concrete biblical examples which support the idea that one is always guilty in such a case, or that relate that God gave a spe-

cial commandment to anyone in a conflict of values. We should give up the term „the lesser evil“ – neither Peter’s defiance of the Sanhedrin’s requirements nor the

Sabbath employment of the priests were lesser evils; they were not evil at all.

Annotations Anmerkungen

¹ On corruption in Germany, see: Jürgen Roth. *Der Sumpf: Korruption in Deutschland* (Munich, Germany: Piper 1995, 1997); Peter Scherer. „Korruption hat Hochkonjunktur: BKA-Studie: Fünf Milliarden Mark Schmiergelder im Jahre – Auch Polizei betroffen“. *Die Welt*, 27th of Nov, 1999, p. 1; in Switzerland, Jean Ziegler. *Die Schweiz wäscht weißer. Die Finanzdreh Scheibe des internationalen Verbrechens* (Munich, Germany: Piper, 1992). According to the renowned institute for the study of corruption, Transparency International, in a study of 85 countries, Germany takes 15th place with 7.9 points on a scale of 1–10, Switzerland is No. 10 with 8.9 points. Four Scandinavian countries range between places 1 to 9 with 9 or 10 points. Our neighbour Denmark, with 10 points, is No. 1. (Acc. to Roland Nelles. „Der harte Kampf gegen die Geißel Korruption: Transparency International legt Index zu weltweiter Bestechung vor.“ *Die Welt*, 9, 23, 1998, p. 8.

² On the view of corruption in Bible and church history see Karl Rennstich. *Korruption: Eine Herausforderung für Gesellschaft und Kirche*. Quell Verlag: Stuttgart, 1990 and Paul Kleiner. *Bestechung: Eine theologisch-ethische Untersuchung*. (Bern: Peter Lang) (on biblical texts eps. Pp. 101–153) and N. N. „Bribery“. p. 44 in: R. K. Harrison (ed.). *Encyclopedia of Biblical and Christian Ethics*. (Nashville: Thomas Nelson, 1987).

³ Cf. Karl Rennstich. *Korruption*, op. cit., p. 145.

⁴ N. N. „Bribery“, op. cit., p. 44.

⁵ Frederik Galtung. „An der Korruptionsfront“. pp 171–181 in: *Korruption. Kursbuch 120* (Juni 1995). Rowohlt Berlin Verlag: Berlin, 1995. p. 172.

⁶ *Ibid*, p. 172.

⁷ *Ibid*, p. 173–180.

⁸ Paul van Buitenen. *Unbestechlich für Europa: Ein EU-Beamter kämpft gegen Mißwirtschaft und Korruption*. Brunnen: Gießen, 1999.

⁹ On the political evaluation of corruption, see: Jeremy Boissevain. *Friends of Friends: Networks, Manipulators and Coalitions*. Blackwell: Oxford, 1974; Robin Theobald. *Corruption, Development and Underdevelopment*. Macmillan: Basingstoke (USA), 1990; Mark Pieth, Peter Eigen (Hg.). *Korruption im internationalen Geschäftsverkehr*. Luchterhand: Neuwied, 1999; Heinz Reichmann u. a. (Hg.). *Korruption in Staat und Wirtschaft*. Deutscher Instituts-Verlag: Köln, 1997; *Politische Korruption, Jahrbuch für Europa- und Nordamerika-Studien* 3. Leske+Budrich: Opladen, 2000; *Korruption. Kursbuch 120* (Juni 1995). Rowohlt Berlin Verlag: Berlin, 1995 (darin bes. Frederik Galtung. „An der Korruptionsfront“. S. 171–181). Concerning the legal situation in different European countries see Michael Ueberhofen. *Korruption und Bestechungsdelikte im staatlichen Bereich: Ein Rechtsvergleich und Reformüberlegungen zum deutschen Recht*. Beiträge und Materialien aus dem Max-Planck-Institut für Ausländisches und Internationales Strafrecht, Bd. S 76. edition iuscrim: Freiburg, 1999 (S. 71–236 Germany, S. 239–294 Austria, S. 295–323 Switzerland, S. 324–329 Liechtenstein, S. 373–409 France, S. 410–429 Belgium, 430–451 Niederlande). On the history of corruption in Egypt, Greece and Rome in antiquity, the Goths and Islamic Egypt, see the articles in: Wolfgang Schuller (Ed.). *Korruption im Altertum: Konstanzer Symposium Oktober 1979*. R. Oldenbourg: München, 1982.

¹⁰N. N. "Bribery," op.cit., p. 44 and Klaus M. Leisinger. *Unternehmensethik: Gloable Verantwortung und modernes Management*. C. H. Beck: Munic, 1997. pp. 62–83. Leisinger distinguishes p. 67 between small corruption (as in the Third World to survive) and great corruption with a lot of cases of transition. He also distinguishes between corruption for legal goals (only the one getting the money is guilty) and for illegal goals (both parties are guilty).

¹¹Karl Hörmann. *Lexikon der christlichen Moral*. Tyrolia: Innsbruck, 1976². Col. 1281–1284 („Pflichtenkollision“).

¹²Excellent descriptions are to be found in: *Theologische Ethik*. Vol. 2, Part 1: *Mensch und Welt*. J. C. B. Mohr: Tübingen, 1959². pp. 122–127; Robert L. Dabney. *Systematic Theology. The Banner of Truth Trust*: Edinburgh, 1985 (reprint of 1875³). pp. 424–426; Jim West. „Rahab's Justifiable Lie“. pp. 66–74 in: Gary North (Ed.). *The Theology of Christian Resistance. Christianity and Civilization 2*. Geneva Divinity School Press: Tyler, Texas, 1983 (see also the entire volume); Rousas J. Rushdoony. *Institutes of Biblical Law*. Pres-

byterian and Reformed: Phillipsburg, New Jersey, 1973. pp. 542–549; Rousas J. Rushdoony. *Intellectual Schizophrenia, Culture, Crisis and Education*. Presbyterian and Reformed: Philadelphia, 1961. pp. 79–80.

¹³See the examples in Axel Denecke. *Wahrhaftigkeit: Eine evangelische Kasuistik*. Vandenhoeck & Ruprecht, Göttingen, 1971. pp. 246–249.

¹⁴See: John M. Frame. *The Doctrine of the Knowledge of God: A Theology of Lordship*. Presbyterian & Reformed: Phillipsburg, New Jersey, 1987. pp. 137–139 „Hierarchies of Norms“.

¹⁵See also: Norman L. Geisler. „Graded Absolutism“. pp. 131–137 in: David K. Clark, Robert V. Rakestraw. *Readings in Christian Ethics*. Vol. 1: *Theory and Method*. Baker Books: Grand Rapids, 1994; Norman L. Geisler. *Christian Ethics*. Baker: Grand Rapids, 1989. pp. 116–122, op. cit.

The Author

Über den Autor



Thomas Schirmmacher earned his doctorates in Theology (Dr. theol, 1985, Netherlands) in Cultural Anthropology (PhD, 1989, USA) and in Ethics (ThD, 1996, USA) and received a honorary doctorate (DD) in 1997. He is president of Martin Bucer Theological Seminary with campuses in Bonn, Berlin, Hamburg, Vienna, Innsbruck, Prague and Istanbul and holds chairs in ethics, world religions and international development in Germany, USA and India. He is also president of Gebende Hände GmbH (Giving Hands), an internationally active relief organisation, as well as owner of a publishing house and coowner of a consulting company. He is Secretary of the Commission for Religions Freedom of the German and Austrian Evangelical Alliance and member of the same commission of the World Evangelical Fellowship. He has written and edited 74 books. He is married with Dr. Christine Schirmmacher, who holds a chair in the Science of Islam, and is father of a son (12) and a daughter (9).

Martin Bucer Seminar

Berlin • Bonn • Chemnitz • Hamburg • Pforzheim

Ankara • Innsbruck • Prag • Zlin • Zürich

Studienzentrum Berlin

Martin Bucer Seminar, Breite Straße 39B, 13187 Berlin
E-Mail: berlin@bucer.de

Studienzentrum Bonn

Martin Bucer Seminar, Friedrichstr. 38, 53111 Bonn
E-Mail: bonn@bucer.de

Studienzentrum Chemnitz:

Martin Bucer Seminar, Mittelbacher Str. 6, 09224 Chemnitz
E-Mail: chemnitz@bucer.de

Studienzentrum Hamburg

Martin Bucer Seminar, c/o ARCHE,
Doerriesweg 7, 22525 Hamburg
E-Mail: hamburg@bucer.de

Studienzentrum Pforzheim

Martin Bucer Seminar, Bleichstraße 59, 75173 Pforzheim
E-Mail: pforzheim@bucer.de

Website: www.bucer.de

E-Mail: info@bucer.de

Studycenters outside Germany:

Studienzentrum Ankara: ankara@bucer.de

Studienzentrum Innsbruck: innsbruck@bucer.de

Studienzentrum Prag: prag@bucer.de

Studienzentrum Zlin: zlin@bucer.de

Studienzentrum Zürich: zuerich@bucer.de

Martin Bucer Seminary is no university according to German law, but just offers courses and lists all courses in a final diploma. Whitefield Theological Seminary (Florida, USA) and other schools outside of Europe accept those courses under their own legal responsibility for granting their degrees to students. Much of the teaching is by means of Saturday seminars, evening courses, extension courses, independent study, and internships.

The work of the seminary is largely supported by the contributions of donors. North American supporters may send contributions to our American partner organization, The International Institute for Christian Studies. Checks should be made out to IICS, with a note mentioning MBS and sent to:

The International Institute for Christian Studies:

P.O. Box 12147, Overland Park, KS 66282-2147, USA

EU:

IBAN DE52 3701 0050 0244 3705 07

BIC PBNKDEFF



Publisher:

Thomas Schirrmacher, Prof. Dr. phil.
Dr. theol. DD.

Editor:

Ron Kubsch, M.Th.

Editorial Committee:

Thomas Kinker, Th.D., Titus Vogt

Contact:

mbsmaterialien@bucer.de

www.bucer.de

MBS-TEXTE (MBS-TEXTS)

Theologische Akzente
(Theological Accents)

Es erscheinen außerdem folgende Reihen:

(The following series of MBS
Texts are also being published:)

Reformiertes Forum
(Reformed Forum)

Pro Mundis

Geistliche Impulse
(Spiritual Impulses)

Hope for Europe

Ergänzungen zur Ethik
(Ethics)

Philosophische Anstöße
(Philosophical Initiatives)

Vorarbeiten zur Dogmatik
(Preliminaries for a Systematic
Theology)