

Bribery and the Bible

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Introduction

Asian national Christians and missionaries to countries in Asia, Africa, Latin America, and the Middle East indicate that bribery is a significant problem in many countries. Bruce Nicholls refers to bribery as one issue that must be addressed in contextualization.¹ Political scientist Syed Alatas, who has studied corruption for over thirty years, believes corruption by bribery and extortion is "the number one problem" for Third World countries.² Paul and Frances Hiebert graphically portray some of the complex problems that bribery raises in many countries around the world.³ The purpose of this book is to make a positive contribution toward finding solutions to the bribery problem. I have sought to accomplish the following objectives:

1. To gain a clear perspective on what the Bible teaches concerning bribery and extortion.
2. To present a brief historical development of bribery and extortion in the Philippines and the attitudes of Filipinos toward these practices.
3. To apply the biblical perspective on bribery and extortion to the life and ministry of missionaries to the Philippines and to Filipino Christians.
4. To suggest alternatives to bribery that can be modeled by missionaries in the Philippines and by Filipino Christians.

In order to reach these objectives I have relied primarily on biblical research and contextualization, library research, and reflection on that research. I have relied to a lesser degree on interviews with Filipinos.

The biblical and library research focuses on (1) examination of the Old and New Testament passages dealing with bribery and extortion, (2) Hebrew word studies on words referring to bribery and extortion, (3) insights concerning bribery and extortion from Hebrew and Roman culture during biblical times, (4) examination of the historical development of bribery and extortion in the Philippines, and (5) Philippine cultural values and attitudes which relate closely to bribery and extortion.

In conducting the biblical research I have assumed that the Bible is the inerrant Word of God and has a unique God-given authority. Therefore, "Scripture is always the norm in issues to which it addresses itself directly."⁴

Because Scripture is given by God for all mankind, it sets forth various supracultural principles. Supracultural principles are "any absolute principles . . . proceeding from God's nature, attributes, or activities."⁵ It is God's will for all His people to live in harmony with the supracultural principles given in Scripture. "Thus all cultures come equally under the same guiding principles."⁶ I also believe it is possible for God's people to come to an adequate, although not perfect, understanding of the supracultural principles revealed in the Bible. Our understanding of what God has revealed is not perfect because it is limited by "our finiteness, our sinfulness, our cultural conditioning," and our individual experiences.⁷ But in spite of our imperfect understanding, in concert with other believers we can reach an adequate understanding of God's supracultural principles and by God's power live them out in our world.

The procedure of contextualization I used is outlined as follows:

1. Study the Scripture to determine the surface message of the passage.
2. Determine whether a surface command seems to be cultural or supracultural. This determination is made by carefully studying the biblical text and background material to shed light on the situation addressed in the passage. A supracultural norm is a command for all cultures throughout all ages. A cultural command is a surface adaptation of an underlying supracultural principle to a particular setting.
3. Ascertain the supracultural theological principle(s) underlying the surface command. In some cases the surface command and the underlying theological principle are the same.
4. Determine the distance between cultural command and the underlying supracultural principle. In some cases the distance is small and in other cases the distance is great. The greater the distance, the greater the need to make appropriate adjustments when applying the surface command to other cultures.
5. Compare the situation addressed in the biblical passage with the current situation in a particular cultural context.
6. Make general application in a particular context based on the underlying supracultural principles.
7. Make specific contextualized applications in the culture based upon the general applications.

I believe when this procedure is carefully followed the resulting contextualization "will take into account the imperfection of men and women in the present state of society; yet at the same time it will absolutely forbid that which is fundamentally counterpoised to the will of God in Jesus Christ."⁸

Finally I interviewed Filipinos whom I believed might have some keen insights concerning bribery. Attorneys, government workers, business people who regularly deal with government agencies, and Christian workers were among those interviewed in this category. I also interviewed a cross section of Filipinos, both Roman Catholics and Protestants, visiting or living in the United States. No attempt was made to contact a statistical random sample because the purpose of the interviews was not for statistical verification, but as a means for gaining additional information. The interviews sought (1) to explore current Filipino attitudes toward bribery and extortion, (2) to gain further insights into the relationship between Philippine cultural values and bribery and extortion, (3) to make sure the information gleaned from library research concerning Filipino attitudes toward bribery is consistent with the attitudes expressed by Filipinos, and (4) to get an indication whether pastors, priests, and missionaries in the Philippines are giving biblical instruction concerning bribery. (Further information about the interviews and the results of the interview can be obtained from the author.)

My personal reflection on the biblical and library research, interviews with Filipinos, combined with the insights gained from eight years of living and ministering in the Philippines, have been utilized to integrate and apply the findings of this research to the Philippine context.

I have not attempted to cover all forms of bribery and extortion but to focus on those forms which are most likely to

directly affect missionaries, and national Christians. This includes payments beyond the officially specified amounts given to or offered to government workers or solicited by government workers in the exercise of their official duties. The government workers include a wide range of people from high ranking elected officials to low level clerks at either the national, provincial, or local level. Policemen and soldiers are also included.

Bribery by multinational corporations and extortion practices by gangs and organized criminals is not addressed, nor are payments between private individuals or businesses.

The historical development of bribery in the Philippines and current attitudes toward bribery by Filipinos is selective rather than exhaustive.

The primary focus of the book is bribery. But because extortion of bribes is very closely related to bribery, it is also considered. However, the examination of extortion in the Scripture is limited to extortion of bribes, rather than all possible forms of extortion or oppression. The Scriptural study of bribery and extortion does not attempt to comprehensively cover every biblical passage related in any way to bribery or extortion. Rather, it is limited to gaining an overall Scriptural perspective on bribery and applying that perspective to Christians in the present day Philippine context.

Chapter 1

The Bribery Problem

And you shall not take a bribe, for a bribe blinds the clear-sighted and subverts the cause of the Just” (Exod. 23:8).

Thomas and his wife Martha were preparing for their first overseas missionary assignment in the Philippines. Their mission board told them that they were entitled to bring used personal effects into the Philippines duty free. They shipped some of their personal effects from Chicago and the rest from New Orleans. After arriving in the Philippines, they experienced considerable delays in obtaining their permanent visa. Each day's delay increased the storage fees on their shipment which had already arrived from New Orleans. Thomas and Martha were very anxious to get their personal effects so that they could set up their household and begin working.

They hired the broker that their mission group used to process shipments through customs. He told Thomas that he needed an additional 2,500 pesos to facilitate the release of their shipment. Thomas gave the 2,500 pesos to the broker and after two weeks the visa was granted and the shipment released. The

broker gave Thomas official receipts for everything except the 2,500 pesos.

They were then notified that their shipment from Chicago had arrived. The broker informed them that they were only entitled to one duty free shipment, and that the customs and duties on the most items in their second shipment would be 100-200 percent of their value. However, by using Martha's passport the broker thought he could get the shipment released if he had an additional 2,500 pesos to facilitate the release. Thomas gave the broker the 2,500 pesos, but wondered if he had done the right thing.

Thomas and Martha's story illustrates the type of situation that a missionary to the Philippines may encounter in dealing with some employees of the Bureau of Customs, Bureau of Immigration, and other government agencies in the Philippines.

Other examples abound. Mission agencies periodically order Christian literature, equipment, and other supplies, which are not readily available in the Philippines. Each time materials arrive in the Philippines from outside the country, there is the potential for the solicitation of a bribe by a Customs officer.

Whenever a missionary departs from the Philippines for any reason, his travel documents must be processed through Philippine Immigration. Usually a travel agent takes the missionary's passport and other documents to the Department of Immigration for processing. The agent pays the required fees and walks the papers through the processing. It is routine procedure for travel agents to pay various people at the Department of Immigration small amounts of money to speed up the processing. The missionary then reimburses the travel agent for the required fees and pays a service charge to cover the extra

payments. Situations like these are not unique to the Philippines, but are common in many countries.

A missionary faced with these types of situations that he has never encountered before may knowingly or unknowingly participate in bribery. If he gives what he believes to be a bribe, he may feel he has compromised his integrity and witness. He may feel resentment toward his mission board for not having alerted him to the situation and given him guidance on how to deal with it.

The missionary may wonder how his actions will affect others. What will be the impact on the government worker who encounters some missionaries who give him some extra money and some missionaries who refuse his subtle suggestions? What kind of message comes through to the national Christian whom the missionary expects to exhibit great care with church funds?

National Christians often experience pressure to give bribes or submit to extortion. For example, a Christian businessman may need to give some extra money to have his business permit approved. A Christian taxi driver might be stopped for a minor traffic violation by a policeman. The policeman threatens to hold his license indefinitely, depriving him of his only source of income, unless the driver gives him some money.

How the problem of bribery and extortion is handled can undercut the confidence and credibility of missionaries and national Christians and adversely affect the work of Christ in the Philippines.

Chapter 2

What Is Bribery And Extortion?

WHAT IS A BRIBE?

In order to determine what to do about the bribery problem, we need to clarify what a bribe is. Michael Philips has pointed out, "In some places transactions that many Americans would consider bribes are not only expected behavior but accepted practice as well."¹ What should count as a bribe? What is the difference between a bribe and a gift?

Definitions of a Bribe

H. A. Hanke defines a bribe as, "Anything given to a person to induce him to do something illegal or wrong, or against his wishes."² Hanke's definition implies that a bribe violates either a legal norm, a moral norm, or a norm of the person being bribed. Webster defines a bribe more broadly as, "Money or favor given or promised to a person in a position of trust to influence his judgment or conduct."³ This definition allows for, but does not demand, the violation of a norm in order for bribery to occur.

American Jurisprudence offers a more technical definition of bribery as:

*the voluntary giving or receiving of anything of value in corrupt payment for an official act done or to be done with the corrupt intent to influence the action of a public official or of any other person professionally concerned with the administration of public affairs.*⁴

This definition, like Webster's, does not demand that the receiver violate any norm in acting upon the bribe. But it implies that a bribe in itself is a violation of a norm whenever it is given with the intention of influencing a person, regardless of the influence it actually exerts.

The intention to influence a person is a common element in all of these definitions. Indeed, the *Encyclopedia Britannica* focuses on "intent" in differentiating a gift from a bribe when it says, "A gift is not a bribe unless there has been some intent to influence the official behavior of the recipient."⁵

However, the intention to influence "need not exist in the mind of both" the giver and the receiver in order for a gift to be a bribe. "It is sufficient if the intent exists in the mind of either" the giver or receiver.⁶ For example, a building contractor gives a watch to a city building inspector he knows at Christmas time with the intent of influencing the inspector to give him preferential treatment during an upcoming inspection. The inspector receives it as a Christmas gift with no thought or intention of being influenced by it in his inspection. The watch would be considered a bribe because of the intention of the contractor. On the other hand, suppose the contractor gives the watch as a Christmas gift to the inspector in appreciation for fair treatment with no intention of influencing the inspector. But the inspector's intention as he receives the watch is to give

preferential treatment to the contractor. The watch would be considered a bribe because of the inspector's intention.

Transactional Bribes

W. Michael Reisman distinguishes between two basic types of bribes, "transactional bribes and variance bribes," based on whether or not a norm has been violated. He 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."⁷ For example, an immigration officer is responsible for processing visa applications. A missionary's visa application is in order, but it is moving through the approval process very slowly. The missionary gives 250 pesos to the immigration officer, and his visa is quickly processed. The 250 pesos is a transactional bribe.

Reisman points out several characteristics of the transactional bribe: "First, the payment is made not to violate a substantive norm but rather to assure the performance of the official act with dispatch."⁸ The immigration official did not do anything other than what his job prescribed; he just approved the visa faster than he might have otherwise done. Because transactional bribes are intended to cause the bureaucratic machinery to run faster, they are sometimes called "grease money."

Another characteristic of a transactional bribe, according to Reisman, is that "it is a general service available to the public."⁹ The immigration official would speed up anyone's visa application who gives him fifty pesos, provided the person is qualified for the visa.

Variance Bribes

If, on the other hand, the missionary did not in fact qualify for the visa and the immigration official recognized that he did not qualify and yet because of the 250 pesos the official approved the visa, then he would be guilty of accepting what Reisman calls a variance bribe. It is called a variance bribe because a norm has been varied. A variance bribe is "not to facilitate or accelerate acts substantially in conformity with a norm but rather to secure the suspension or non application of a norm."¹⁰ The immigration official suspended the norm by approving a visa application that should not have been approved.

The transactional bribe and variance bribe distinction provides a helpful framework for looking at bribery in the Old and New Testaments and bribery as practiced in the Philippines.

Closely related to bribery is the practice of extortion by public officials.

WHAT IS EXTORTION?

Definitions of Extortion

L. M. Peterson defines extortion as, "The act or crime of getting another's money or property through force, under color of office, fraud, forgery, intimidation, threat, blackmail, oppression or show of right."¹¹

The English word "extort" comes from "the Latin verb *torquere*, 'to twist', and describes a process by which some thing is extracted."¹² A wide variety of means may be used to extract money. Each means places some kind of pressure on the person in order that he will consent to surrender a portion of his money or possessions to someone who has no legal right to it. The

pressure may be intense or slight. It may range all the way from physical harassment with the threat of subsequent physical harm to subtle psychological pressure.

In its broadest sense extortion encompasses the actions of private persons as well as public officials. However, extortion "in a restricted sense" is limited to the actions of public officials.¹³ Similarly, the *Encyclopedia Britannica* points out that "extortion was originally the complement of bribery, both crimes involving interference with or by public officials."¹⁴ We are focusing on extortion only in its more restricted sense as a complement of bribery and involving public officials including the police and military.

Extortion involving public officials is broadly defined as "the taking of money unjustly by an official."¹⁵ A more technical definition is:

*Extortion is . . . the unlawful taking by any officer, by color of office, of any money or thing of value that is not due to him, or the taking of more that is due, or the taking of money before it is due.*¹⁶

Extortion by a public official involves using the official's position or office in some way as a means of exerting pressure to take something of value other than what is required by law. For example, an engineer in the City Engineer's Office tells an applicant that he will not issue a building permit to the applicant unless the applicant gives him two hundred pesos. The engineer is using his position to extort money.

Extortion Compared to Robbery

Extortion has a kinship to robbery in that both robbery and extortion are intended to extract money or possessions from the

victim. Albin Veszelovszky, a Catholic moral theologian, suggests that extortion "resembles robbery because the element of threat is common to both."¹⁷ In robbery the threat is usually immediate physical harm, while in extortion the threat is less immediate and may be somewhat less terrifying.¹⁸

In robbery the threat is explicitly stated. The extortion threat may be explicitly stated or merely implied. "Exact words are not necessary for extortion; suggestion and innuendo may be sufficient."¹⁹ This is often the situation in extortion by public officials in the Philippines.

The distinction between extortion and robbery "is usually said to lie in the fact that in order to constitute robbery, property must be taken against the will and without consent of its possessor, whereas in extortion consent is obtained."²⁰

Extortion Compared to Bribery

Bribery is typically initiated voluntarily by a person coming to a public official seeking to influence that official. In contrast, extortion by a public official is initiated by the official using his office to extract improper fees from a person who reluctantly yields to the official's demands or pressure. However, the chief distinction between bribery and extortion is not who initiates the transaction. A public official can initiate bribery by soliciting a bribe.

The difference between extortion and bribery is that extortion "consists in demanding an illegal fee or present by color of office."²¹ The demand of an illegal payment points to the distinction between extortion and solicitation of a bribe. Extortion involves demanding a payment, while soliciting a bribe technically does not demand a payment.

Solicitation of a bribe usually consists of hints or suggestions to the effect that "things would go better for you if you gave some money." Extortion usually demands a certain sum of money be given for a particular favor. If the demand is not met then something bad will or may happen to the person, his relatives, his property, or his request. However, 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.

When the official does not explicitly state his intention, it may be hard for the petitioner to tell whether a bribe is being solicited or an extortion payment is demanded. For example, a shipment of legal component parts ordered by a Filipino businessman arrives in Manila from Hong Kong. The businessman carefully follows proper procedures in importing the parts for his business. The customs inspector tells the businessman there are often problems and technicalities with this type of shipment that result in considerable delays in the shipment being released and sometimes in the seizure of the shipment. Whether the customs inspector is soliciting a transactional bribe or trying to extort money by implying the man is going to have problems with his shipment is a question of legal interpretation.²² But the pressure is on the businessman feels pressured to give some money or else face costly delays.

The definitions and explanations of bribery and extortion and the transactional bribe/variance framework set forth in this chapter lay the foundations for examining what the Old and New Testaments teach concerning bribery and extortion.

Chapter 3

Old Testament Perspective Concerning Bribery

The words "*bribe*" or "*bribery*" are found more than twenty-five times in the Old Testament, but not once in the New Testament, even though there are a few examples of and allusions to bribery in the New Testament. Therefore, to discover what the Bible teaches about bribery and what constitutes a bribe, we need to focus on the Old Testament and the Hebrew culture.

WHAT CONSTITUTED A BRIBE?

Insights From Hebrew Words

Several different Hebrew words are occasionally used to refer to a bribe. For example, *mattanah*, a derivative of *natan* "to give," is usually translated "gift" except in Proverbs 15:27 and Ecclesiastes 7:7 where the context indicates reference to a bribe.¹ Similarly *terumah* which usually occurs referring to "various offerings designated . . . for the officiating priest,"² is used of bribes in Proverbs 29:4. "By justice a king gives a country stability, but one who is greedy for bribes tears it down." *Shillum*, which conveys the "concept of peace being restored

through payment,"³ is translated bribe in Micah 7:3 where it seems to convey the idea of peace between an official or judge and a rich man with whom a deal has been struck. Finally *kopher*, usually translated "ransom," is translated "bribe" only in 1 Samuel 12:3 and Amos 5:12. It is "generally thought to come from the root meaning 'to cover, hide, cover over' or 'to pacify.' Thus . . . the ancient Israelite might see a bribe as . . . a way of 'pacifying' another."⁴

The primary Hebrew word used in reference to bribery is *shochad*. It is used twice in its verb form and twenty-one times in its noun form in the Old Testament. The precise origin of the word seems unclear, but the verb form means "to give a present."⁵ Usually *shochad* is translated "bribe." A few times it is translated either "gift, present, or reward" (1 Kgs. 15:19; 2 Kgs. 16:8; Prov. 6:35; Isa. 45:13), but in all of these passages the idea of bribery is present.

Throughout the Old Testament *shochad* is used with a negative connotation, except in Proverbs 17:8 which states the power of a bribe to get results without reference to it being good or bad. In all other cases it is either forbidden or condemned, directly or indirectly. Since *shochad* is consistently prohibited and condemned by God in the Old Testament, it is the passages using this word that should primarily be considered in determining what constituted a bribe among the ancient Hebrews.

Only two passages actually specify what was given as a bribe (1 Kgs. 15:18-20; 2 Kgs. 16:8). In both cases silver and gold were given. The other passages do not specify what was given. Since a bribe is a type of gift which is of value to the recipient, it could be money, some other possession, some service, or even a favor done for the recipient. In describing the various usages of *shochad* in the Old Testament, we will use "gift" in this broad sense.

The Boundaries of Shochad

Shochad is used in five ways in the Old Testament. These five usages constitute the Old Testament boundaries of *shochad*.

1. A gift accepted by any administrator of justice that adversely affected the administration of justice was a bribe (2 Chr. 19:7; Isa. 1:23; Mic. 3:11).⁶ Deuteronomy 16:19 says, "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." This is clearly the most frequent way that *shochad* is used. This is normally what is meant today when people speak of a bribe.
2. A gift that man offers to God to get God to be partial to him in some way was said to be a bribe (Deut. 10:17).
3. A gift given by one ruler to another ruler so that he would do something to help the first ruler against a third party was called a bribe (1 Kgs. 15:18-20; 2 Kgs. 16:8).
4. A gift given by an adulterer to the offended husband to pacify his jealousy for the adultery was considered to be a bribe (Prov. 6:35).
5. A gift offered to a ruler so that he would free captives was also called a bribe (Isa. 45:13).

Insights From Transactional Bribe/Variance Bribe Framework

Do these Scriptural boundaries of *shochad* include both transactional and variance bribes? If both types of bribes fall within these boundaries, then both should be called a "bribe" in

the Scriptural sense, and the Scriptural prohibitions against bribery applied to both. If, on the other hand, a transactional bribe is not a bribe in the Scriptural sense, then it should be considered differently. In order to answer this question it is useful to examine the passages where *shochad* is used and ask, "Does this passage include the idea of a transactional bribe or of a variance bribe or both?"

It becomes immediately clear that variance bribes are definitely included in at least fifteen of the twenty-three verses where *shochad* is found. Five of the remaining eight passages do not include the idea of a variance bribe. But these five passages deal with very specialized type of bribes mentioned above in categories numbers 3, 4, and 5. The other three passages--Job 6:22; 15:34; Proverbs 17:18--offer no significant clues as to the type of bribe in view. Variance bribes fall clearly within the most common boundary of *shochad*, that is, a gift accepted by someone which adversely affects the administration of justice.

The variance bribe is the type of bribe usually in view when bribery is condemned in Scripture. Variance bribes distort justice and are wrong and inappropriate except perhaps in extreme cases such as:

When (1) the official policy being subverted is one that is grossly immoral [according to Scripture] and (2) the object of the bribe is to secure a result that is . . . moral and right and . . . otherwise unattainable.⁷

Do the fifteen passages which include the idea of a variance bribe also include the transactional bribe idea? An analysis of those passages to discern whether a transactional bribe is included, or could be included in what is called a bribe, yields mixed results. Deuteronomy 27:25, Isaiah 5:23 and Ezekiel 22:12 can only refer to a variance bribe; they do not refer to

transactional bribes. It seems clear that transactional bribes are not in view in Psalms 15:5; 26:10 and Proverbs 17:23; 21:14. It is quite unlikely that Exodus 23:8, 1 Samuel 8:3, Isaiah 1:23; 33:15 and Micah 3:11 include transactional bribes. Nothing in the wording of these verses indicates that they refer to transactional bribes.

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

TO WHOM DO THE SCRIPTURAL PROHIBITIONS AGAINST TAKING BRIBES APPLY?

After reading the Old Testament passages forbidding the taking of bribes and reading about bribery in various Bible encyclopedias, a person might have the impression that the prohibitions against receiving bribes are primarily directed toward judges. While it is true that judges are spoken to more than any other group, it is also true that the Scriptural warnings against bribery are directed to a wide variety of leaders.

To a Wide Variety of Leaders

For example, *sar*, translated prince or ruler, is used in reference to bribery in Isaiah 1:23 and Micah 7:3. *Sar* frequently refers to "royal rulers and officials, . . . of sundry ranks and titles."⁸ *Nasi*, translated rulers, is found in Ezekiel 22:6. It is used "to denote various leaders of Israel. . . . [And] applies to any ruler of God's people."⁹

Shoter, rendered officers in Deuteronomy 16:18, points to sub-officials and subordinate officials as still another group who were forbidden to take bribes. R. D. Patterson says, "*Shoter* is a general term, widely used for an official in many areas of government and society."¹⁰ It accurately describes the type of official the missionary or national Christian is most likely to encounter in the Philippines.

Two other words *rosh* and *qatsin* are found in the third chapter of Micah in connection with bribery. Both convey the idea of "headship." *Rosh* seems to be a broader term, used of the head of a family (Exod. 6:14) as well as the heads of the different divisions of Israel (Exod. 18:25).¹¹

The number of different Hebrew words designating a wide range of leaders which are used in reference to bribery, indicates the commands against bribery apply to a wide variety of officials.

Especially to Judges

Judges, *shaphat*, are often mentioned in passages dealing with bribery (Deut. 16:18; 2 Chr. 19:6; 1 Sam. 8:3; Micah. 7:3). Judge "in modern English means to exercise only the judicial function of government."¹² But *shaphat* has a broader meaning. It "is the commonest word to designate the function of government in any realm and in any form."¹³ Gridlestone contrasts *shaphat* with *din*, which is not used in any passage related to bribery. He says *din* "is a judicial word, while *shaphat* is rather administrative." *Shaphat* points to the way "in which men would be governed and their affairs administered."¹⁴ Similarly *Mishpat*, a noun derived from *shaphet* can be used to designate almost any aspect of civil or religious government."¹⁵

The frequent use of *shaphat* and *mishpat* in reference to bribery, plus the use of a wide variety of other terms for those who were not to take bribes, shows 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.

WHY BRIBERY IS CONDEMNED

Bribery Contradicts God's Impartial Character

The taking of bribes is strictly forbidden by the Old Testament law (Exod. 23:8; Deut. 16:19). One reason why God forbids bribery is because taking bribes is not in keeping with God's character of impartiality. Deuteronomy 10:7 says, "For the Lord your God is the God of gods, the Lord of lords, the great, the mighty, the awesome God who does not show partiality, nor take a bribe." God's refusal to take bribes is an outworking of His impartiality. To take a bribe would contradict His impartiality. Marvin Wilson points out,

*It was thought in Canaanite religion that gods could be manipulated or appeased through offering and ritual. Yahweh, however, in sharp distinction from Baal, could not be bribed by man's pious activities.*¹⁶

Michael Goldberg states that it was the "understanding of the character of Israel's holy God as the one totally beyond all attempts at manipulation" which formed the Israelite concept of proper conduct for those who administer justice.¹⁷

God is the model that Israel was to follow. God wanted Israel's actions to reflect His character. Because God administers justice impartially without taking bribes, He wanted the leaders of Israel to be very careful to administer justice in the same way

that He does (cf. Deut. 1:17; 2 Chr. 19:7; Deut. 10:7; 16:19). Peter C. Craigie underscores this idea commenting on Deuteronomy 1:17:

*In the administration of justice, no distinction was to be made between 'the small and the great,' that is, the poor and the rich, the unimportant and the important. . . . The principle that 'judgment belongs to God' was enormously important, for it removed the basis and the authority of the law from the human realm and placed it firmly on an absolute principle of divine authority.*¹⁸

Many years after the giving of the injunctions in Deuteronomy, Jehoshaphat reminded the judges of Judah that they were not judging "for man but for the Lord" (1 Chr. 19:6). They were not to be partial or take bribes because "God will have no part in . . . partiality or the taking of a bribe" (2 Chr. 19:7). Judges who accept bribes lose their impartiality and become partial to those who bribe them.

Bribery Distorts Justice

A second reason why God forbids bribery is because bribery "distorts justice" (Deut. 16:19). A. J. Gamble writes, "There is a constant stress in the Old Testament on the dangers of bribery and its effect in destroying proper and impartial justice."¹⁹ God wants the administration of justice carried out righteously (Deut. 16:18). Those administering justice are not to do anything that would undercut God's goal of justice. Taking a bribe undercuts justice. God does not want justice perverted. But bribery causes men "to pervert the ways of justice" (Prov. 17:23).

For example, Isaiah denounced those in his day who because of bribery let the guilty escape justice by declaring them innocent and who took away the rights of those who were

innocent “Woe to those . . . who acquit the guilty for a bribe, but deny justice to the innocent” (Isa. 5:23). This double wrong is the worst kind of perversion of justice.

Bribery distorts justice and destroys impartiality by the effect it has on those administering justice. All administrators who accept a bribe are affected--those who are wise and righteous and those who are wicked. At the very least "a bribe blinds the eyes of the wise" (cf. Deut. 16:19; 1 Sam. 12:3) who would otherwise be "clear sighted" (Exod. 23:8).

A bribe not only blinds the eyes of the wise, but it also "perverts the words of the righteous" (Deut. 16:19). Bribes can cause normally righteous administrators to make statements and pronouncements they otherwise would not have made. Many Hebrew judges recognized their potential loss of impartiality and were careful to disqualify themselves from cases that might strain their impartiality. As *The Jewish Encyclopedia* states:

*The Talmud cites a number of instances where judges refused to try cases in which the parties litigant were persons who had befriended them. There was no question of bribery in the form of money involved in such cases, but the judges refused to try them upon the broad ground that one might be bribed, by kind words or by feelings of friendship, to incline the scales of justice in favor of one of the parties; and that therefore, in order to preserve absolute impartiality, the judge should not stand on intimate footing with either of the parties.*²⁰

Bribery has an even greater effect on those who are inclined toward wickedness. For a bribe they will deny justice to the poor (Amos 5:12), the orphan, and the widow (Isa. 1:23). They will make deals with a rich man to do whatever he wants done (Micah 7:3), even to the extreme of killing an innocent person (Deut. 27:25; Ezek. 22:12).

Bribery is a Form of Dishonest Gain

A third important reason bribery is forbidden is because it is a form of dishonest gain (1 Sam. 8:3). Craigie comments:

*A bribe disrupted the true course of justice by appealing to the baser side of human nature. Justice would no longer be a 'right' of all men; what was called justice would become a hypocritical system serving only those who were wealthy enough to manipulate it.*²¹

Eccl. 7:7 teaches that "a bribe corrupts the heart." Part of its corrupting influence is in turning administrators of justice away from a motivation centered on justice toward a greed-centered motivation in which dishonest gain is acceptable.

Samuel's sons are an example of this. Unlike their father, they "turned aside after dishonest gain" (1 Sam. 8:3). The Hebrew word translated "dishonest gain" has the connotation "to cut off what is not one's own, or in the slang of our day, to 'rip off'."²² Commenting on this word John N. Oswalt says, "It is very easy for the acquisition of personal gain to become the ruling motive of one's life, obscuring duty, honesty and the rights of others."²³

The desire for personal gain by Samuel's sons influenced the elders of Israel to request a king and become more like the surrounding nations (1 Sam. 8:5). As a result, the people of Israel became less like the people of God. "God had called the nation of Israel to be different from all other nations but bribery helped reduce the chosen people of God to the standard of the ordinary nations of the world."²⁴

THE RIGHTEOUS REJECT BRIBES

Samuel, in sharp contrast to his sons, is an example of a truly righteous judge who never took a bribe or "anything" that was improper (1 Sam. 12:3,4). Isaiah declares that the righteous man "rejects unjust gain" (Isa. 33:15). The righteous man may be offered a bribe, but he rejects it. The righteous man's attitude of rejection toward a bribe is not a reluctant rejection. The word "rejects" is the same word found in Amos 5:21 where God despised the hypocritical external worship of Israel.

Isaiah also declares that the righteous man "shakes his hand so that they hold no bribes" (Isa. 33:15). This describes the righteous man's actions; he doesn't make any provision to receive bribes. Isaiah's reference to a hand shake is a vivid reminder to me of two different types of handshakes I witnessed at the Philippine Bureau of Immigration. In one type of handshake, the hand is extended toward the person with the palm perpendicular to the floor and the thumb pointing upward in the way that people normally shake hands. When you extend your hand in this way, it is hard to hold money in your hand or to pass money to the other person.

In the other type of handshake money can be discreetly passed from one person to the other. The immigration official's palm is parallel to the floor facing upward. The other person's palm is parallel to the floor facing downward with the thumb tucked under the palm. The hands slide past one another pausing briefly for a shake. The immigration official's hand then quickly goes into his pocket or into his desk drawer.

The righteous person refuses to take bribes. God promises him life (Prov. 15:27) and security and food (Isa. 33:16). But whoever accepts bribes brings trouble to himself and his family

(Job 15:34; Prov. 15:27) and falls under the condemnation of God and is branded by Scripture as "cursed" (Deut. 27:19,25).

THE ORIGIN OF ISRAEL'S OUTLOOK ON BRIBERY

In spite of all we have considered thus far some might say, "Perhaps Israel's outlook on bribery came, at least in part, from the nations around her or from her own natural inclinations."

But Michael L. Goldberg's statements indicate just the opposite: "In the ancient Near East almost every society regarded the practice of judges taking gifts from litigants as being perfectly moral and absolutely legitimate."²⁵ Commenting on Near East law codes Goldberg says:

*The laws of Ur-namma (ca. 2100 B.C.), of Lipit-Ishtar (ca. 1975 B.C.), of Eshnunna (pre-1700 B.C.) and even of Hammurabi (1711-1669 B.C.) are silent on the issue [of bribery], as if to imply that for these legal systems, the subject of judges' accepting gifts, was no real issue at all.*²⁶

J. J. Finkelstein adds, "Both the Nuzi and Assyrian documents reflect a rather flexible attitude toward at least some forms of bribery. It was not only a common practice, but was recognized as a legal transaction."²⁷ God's commands prohibiting judges from accepting gifts made Israel a "striking exception"²⁸ to the surrounding nations.

There is also no evidence that Israel was naturally inclined against bribery. On the contrary at various times in Israel's history her judges or leaders "sold judgement for money."²⁹ This occurred most frequently, but not exclusively, during the time of the Kings. Israel often followed her natural inclinations rather

than the commands of God and acted like the nations around her rather than the people of God.

Israel's outlook on bribery did not come from the nations around her or from her own natural inclinations, but from the repeated instruction of God. God gave specific instruction forbidding bribery at important times in Israel's history (Exod. 23:8; Deut. 16:19; 2 Chr. 19:17). God periodically reinforced His injunctions against bribery by raising up prophets to denounce Israel's backsliding into bribery. Four prophets specifically rebuked Israel when she slid back into bribery (Isa. 1:23; 5:23; Ezek. 22:12; Amos 5:12; Micah 3:11; 7:3).

APPLICATION OF THE OLD TESTAMENT TEACHING ON BRIBERY

Some might claim God's prohibitions against bribery were suited only for Israel for a particular time and context and are not universally applicable for His people today. Yet we observe that God outlawed bribery very early in Israel's history--in the book of Exodus during the time when He began to form the Hebrews into a nation. He denounced bribery throughout the Old Testament--in the Pentateuch, in the Historical Books, in the Psalms and Wisdom Literature, and in both the Major and Minor Prophets. Although contextual circumstances changed dramatically during the course of Israel's history, God repeatedly reaffirmed His early condemnation of bribery.

It is also significant to note that God specified that the principles of impartiality and justice were to be applied "not only for the people of Israel, but also, . . . among foreigners."³⁰ In addition, God rebuked Israel for bribing other foreign leaders or people (1 Kgs. 15:18-20; 2 Kgs. 16:8; Ezek. 16:33). This affirms that God desired Israel's actions be characterized by justice and

impartiality and by an absence of bribery, not only toward her own citizens, but also toward the people of other nations.

There is nothing in the Old Testament that points toward a limited or temporary application of the commands against bribery. Rather the Old Testament Scripture gives those commands the widest possible application. The Old Testament portrays God's prohibitions against bribery as being rooted in His eternal impartial character and His universal concern for justice for all mankind, not in any contextual factors.

Key Applicational Questions

The Old Testament teaching concerning bribery is especially helpful in determining whether or not a particular gift may be a bribe. A key question to ask concerning any "gift" is, "Is this a bribe according to the Scripture?" We have already noted that most variance bribes clearly fall within the Scriptural boundaries of a bribe because they are a distortion of justice. Whether or not a transactional bribe is truly a bribe is a much more difficult issue. Furthermore, the distinction between transactional and variance bribes is not always clear, particularly in those settings where the culture's laws are very different from the written laws.

In seeking to evaluate whether a particular "gift" is actually a bribe in that cultural context, it might be helpful to ask three key questions arising out of the Old Testament teaching on bribery. The key questions and some auxiliary questions that may shed light on the key questions are:

1. Is it pursuing justice or distorting justice?
 - Is it hurting or taking away the rights of the innocent?
 - Is it letting the wicked escape justice?
 - Does it promote or obscure the carrying out of duties?

2. Is it undercutting impartiality and promoting favoritism?

Is it impairing the judgment of those who are otherwise impartial? (Are they making statements or pronouncements they otherwise would not have made?).

Does it result in favoritism toward some and unfavorable treatment of others?

3. Is it motivated by greed or dishonest gain?

Is it associated with extortion in anyway?

Is it solicited or demanded?

Is it given secretly and cunningly?

What do righteous men do in this situation in this culture?

These questions asked by the sincere seeker of God's perspective should help shed light on whether or not a particular practice is bribery according to the Old Testament Scripture.

Since bribery and extortion are closely related, let us look at the Old Testament perspective concerning extortion.

Chapter 4

Old Testament Perspective Concerning Extortion

Insights from Hebrew Words

Two Hebrew words are sometimes translated "extort" or "extortion" or "extortioners" in the Old Testament. The first word *mutz*, "extortioner," is found only in Isaiah 16:4. Not much is known about *mutz* except that it has the idea of "squeezer."¹ An extortioner is one who squeezes people's money or possessions out of them.

Another Hebrew word sometimes translated "extort" or "extortion" is *ashaq*. It means to "oppress, wrong, extort."² It is "concerned with acts of abuse of power or authority, the burdening, trampling, and crushing of those in lower station."³ The idea of *ashaq* is somewhat broader than extortion; it is closer to "oppression," which is the way it is most frequently translated.

Extortion is a common means of oppression. But it is not the only means of oppression. For example Hosea 12:7 uses *ashaq* with the idea of fraud by a merchant employing an inaccurate scale to defraud his customers.

Other Hebrew words also carry the idea to "oppress," "afflict," or "rob." They include *yana*, *lahas*, *sarar*, *gazal*, *rasas*, *shadad*, and *ana*.⁴ However, none of these terms is translated "extort" or "extortion."

Ashaq and its derivatives are the only words, besides *mutz*, which are sometimes translated "extortion" (Lev. 6:2,4; Ps. 62:10; Eccl. 7:7; Isa. 33:15; Jer. 22:17; Ezek. 22:12,29; 18:18). In these passages the translation "extortion" rather than "oppression" does not appear to be dictated by the context. The context in these passages does not clearly point to a specific case of extortion; nor does the context demand extortion as the only suitable translation. Some other forms of oppression, besides extortion, could have been in view.

However, in all of these passages either one or more of the other Hebrew words for oppression are used, or else other specific forms of corruption such as robbery, bribery, usury, or fraud are listed in the passage. When two different Hebrew words for oppression are used in the same verse, it would be awkward to translate them both "oppression." Therefore, *ashaq*, is rendered "extortion" in those instances. When specific forms of corruption are listed, the more specific "extortion" seems more appropriate than the more general "oppression."

Although no Hebrew word corresponds exactly to extortion as we are using it, *ashaq* and its derivatives come closest. So when the Old Testament denounces oppression, then extortion as a specific form of oppression is certainly included in the denunciation.

Summary Statements Concerning the Old Testament's Teaching on Extortion

In order to discover what the Old Testament teaches concerning extortion we will focus on those passages where *ashaq* or its derivatives are used.⁵ The following summary statements use "extortion" rather than "oppression" since we are focusing on extortion and since extortion is a form of oppression.

1. Extortion is explicitly identified as a sin (Lev. 6:2-4; Isa. 30:12-13). It "is a grievous sin against which Israel was warned in stern terminology."⁶ Ezekiel 18:18 says, "But his father will die for his own sin, because he practiced extortion, robbed his brother and did what was wrong among his people." Extortion is not only a sin against the people it affects; it is also "a breach of faith against God"⁷ (Lev. 6:2). Those guilty of extortion were required to make full restitution to the injured party plus an additional twenty percent (Lev. 6:5). Jerusalem was punished by God because of the extortion in her midst (Jer. 6:6).
2. Extortion is specifically prohibited by Old Testament Scripture (Lev. 19:13; Deut. 24:14; Zech. 7:10). It is strongly condemned by God (Ezek. 22:7,12-31). "Oppression is denounced frequently in the O.T."⁸ L.M. Peterson states, "The OT has no patience with the plea that the extortioner is within the law; legally or illegally, it is always wrong."⁹ In a similar vein, J.E. Hartley writes, "Even if a person is legally right, he cannot be righteous and take advantage of another person for his own profit (cf. Am. 2:6-8; 4:1)."¹⁰
3. Extortion is frequently and closely associated with robbery (Lev. 6:2,4; 19:13; Deut. 28:29; Ps. 62:10; Jer.

22:3; Ezek. 18:18; 22:29). Robbery and extortion often parallel one another in Scripture. They are a similar crime. Both are a type of stealing. Both are viewed as wrong by God.

4. Extortion is closely associated with the denial of justice (Eccl. 5:8-10; Isa. 59:13-14; Ezek. 22:29; Mal. 3:5). The Scripture pictures extortion and justice as totally incompatible (Jer. 7:5-6). Good administrators of justice not only do not practice extortion; they punish the extortioners and defend the victims of extortion (Jer. 22:3; Ps. 72:14; Zech. 7:9-10). "In the ancient Near East, the ideal king was expected to protect the oppressed and needy members of society."¹¹ God commanded the king to deliver the oppressed from their oppressors as part of his administration of justice (Jer. 21:12). Likewise, when God instructed the King of Judah and his subjects to do what was just, He commanded them to rescue the victims from their oppressors (Jer. 22:3).
5. Widows, orphans, the poor, and aliens are often the targets or victims of extortion; therefore, they are frequently mentioned in the prohibitions against extortion and in the denunciations of extortion (Prov. 14:31; 22:16; Ezek. 22:7, 29; Jer. 7:6; Amos 4:1; Zech. 7:10; Mal. 3:5). Other categories of people who are specifically mentioned as not to be oppressed are one's neighbors (Lev. 19:13; Ezek. 22:12), one's companion (Lev. 6:2), one's employees regardless of whether they are aliens or fellow countrymen (Deut. 24:14), and the children of the needy (Ps. 72:4).

Does this mean it is permissible to oppress or extort people who do not fall in these categories? No, it does not. These categories of people are specifically singled

out because they are the least able to defend themselves, and therefore, they are more vulnerable to extortion and other forms of oppression. For this reason "The Lord upholds the cause of the oppressed" (Ps. 146:7 NIV).

6. Extortioners may experience short term gains, but the long term consequences will not be good. They will eventually come to poverty (Prov. 22:16). God will testify against them (Mal. 3:5). Extortion will turn the one who was once wise into a fool (Eccl. 7:7). The extortioner will not be satisfied with the money he extorts (Eccl. 5:10).

By oppressing the poor and defenseless extortioners demonstrate their contempt for God (Prov. 14:31). God in turn may intervene on behalf of the oppressed widows and orphans and kill the oppressors leaving their wives as widows and their children as fatherless (Exod. 22:23-24). Conversely, God promised the people of Judah the temporal blessing of dwelling in the land if they would practice justice and refrain from oppression (Jer. 7:6-7).

7. Even when extortion becomes common practice, God holds the individual who practices it guilty.

Extortion was not an uncommon practice during Old Testament times. L.M. Peterson points out, "Much extortion went on along the caravan routes. Leaders of brigands would force merchants to pay tribute not to be robbed."¹² Peterson also cites Ezekiel 22:29 as proof that "extortion was a common crime" in Ezekiel's day.¹³ Allen calls oppression "one of the pervasive and persistent sins of many Israelites."¹⁴

Ezekiel brought a scathing indictment from God against those who practice extortion (Ezek. 18:18). Yet Ezekiel was careful to declare that the son of an extortioner should not be punished for his father's evil deeds (Ezek. 18:19-20). The clear implication is that the guilt falls on the individual. Even when extortion is widespread or has become institutionalized, the guilt of each person's evil deeds falls on him. The fact that extortion is a common practice is not a legitimate excuse.

8. Bribery and extortion are closely associated in several places in Scripture (Isa. 33:15; Ezek. 22:12; Amos 5:11-12). The righteous man rejects both bribery and extortion as a means of gain (Isa. 33:15). Ezekiel 22:12 and Amos 5:12 point to bribery and extortion as the same type of sin. Both deprive people of justice. Both are incompatible with God's character and the manner in which God's people are to conduct themselves.

Old Testament View of the Victims of Extortion

We have seen that the Old Testament is crystal clear in its condemnation of extortion and those who practice it. But what about the victims? In the case of bribery the guilt falls on both the bribe giver and the bribe taker. What about extortion? Are the extortioner and his victim both guilty?

The Old Testament presents the person being extorted as a victim. There does not appear to be any Scripture where the victim is specifically admonished not to yield to the extortioner. Nor is there any hint that he is guilty if he gives into extortion. The focus of the Old Testament Scripture is on condemning extortioners and admonishing those having any responsibility in

the administration of justice to defend the victims and punish their oppressors.

LINES OF DEFENSE TO AID THE VICTIMS

Human Government

The governmental authorities are an important line of defense against oppression. In the New Testament Romans 13:1-4 and 1 Peter 2:13-14 state that governmental authorities are established by God to punish those who do evil and praise those who do good.

Although this principle is not so clearly and concisely stated in the Old Testament, it is certainly evident in God's dealings with the nation of Israel.¹⁵ For example, in Jeremiah 22:1-5 God commands the King of Judah and his officials to "Do what is just and right. Rescue from the hand of his oppressor the one who has been robbed" (Jer. 22:3 NIV). Psalm 82 and Isaiah 3:13-15 portray scenes of God judging the judges and officials of Israel for their failure to carry out justice on behalf of the poor and oppressed.

Isaiah 10:1-2 points out that those charged by God with the responsibility of upholding justice sometimes pass laws or issue decrees which are purposefully designed "to withhold justice from the oppressed" and rob widows and orphans (Isa. 10:2 NIV). Ecclesiastes 5:8 declares that we should not be surprised when we observe these kinds of oppressive practices. Jesus later revealed deeds like these come from men's hearts (Mark 6:20-23).

Ecclesiastes 5:8 says,

"If you see oppression of the poor and denial of justice and righteousness in the province, do not be shocked at

the sight, for one official watches over another official, and there are higher officials over them" (NASB).

Christian Ginsburg interpreted the hierarchy of officials watching over those beneath them as a positive influence to limit injustice. He wrote,

*The lawless tyrant is not absolute, there is another magistrate above him, who will check his violence and unjust conduct, and there are still higher magistrates to watch even over this superior on, to call him to account for duties neglected.*¹⁶

Leupold, on the other hand, sees oppression as a common evil that honeycombed the entire fabric of government throughout the various grades of officialdom. Over him that was high there was a higher, who was also on the watch as to how he might gain advantage over his inferiors.¹⁷

Whichever interpretation is correct, it is safe to say that one of the purposes of government officials is to watch over one another to uphold justice and prevent oppressive practices. But tragically civil officials sometimes perpetrate the very acts they are suppose to prevent.

Psalm 82 is a case in point. The judges and officials of Israel, who were "pledged by their office to uphold the law, had trampled upon it for their own selfish ends."¹⁸ Instead of defending the oppressed, they were defending the unjust oppressors (Ps. 82:2-3). Instead of rescuing "the weak and needy" from the wicked, they were showing "partiality to the wicked" (Ps. 82:2,4 NIV). MacLaren eloquently expresses the perversion of these officials when he writes,

they who were set to be God's representations on earth, and to show some gleam of His justice and compassion,

*were ministers of injustice and vicegerents of evil, fostering what they should have crushed, and crushing who they should have fostered.*¹⁹

Therefore, "God Himself appears . . . not to judge His people; but to judge the judges of that people . . . to reprove the rulers and magistrates for their open and shameful perversion of justice."²⁰

The result of such perversion of justice is "all the foundations of the earth are shaken" (Ps. 82:5). Commenting on this verse Perowne says, "The dissolution of society is the inevitable result of corruption in high places."²¹ Leupold comments that "such miscarriage of justice . . . undermines the very foundations of law and order in a land."²² Psalm 82:5 closely parallels the destruction of stability in the land because of bribery that Solomon speaks of in Proverbs 29:4. The deterioration of society portrayed in these verses matches what has happened in the Philippines in recent years.

The judges condemned in Psalm 82 are judges of Israel. But the condemnation is not limited to them. Perowne says,

*The language of the Psalm is so general that it might belong to any period of the history; and the history itself and the utterance of the prophets show us that the evil here denounced was not the evil of any one age, but of all.*²³

Although some officials practice extortion today, other officials should not follow their example. Nor should they look the other way when they observe their fellow officials perpetrating such acts. Yet, at times oppressive actions may so permeate the ranks of civil or religious administration that upright officials may be rendered powerless to effectively thwart extortion.

God's Intervention in Response to Prayer

Several passages clearly show that the civil or religious authorities are not the only line of defense for the extortion victims or potential victims. The victim or potential victim may pray to the Lord for His protection and intervention (Ps. 72:12-14, 119:121-122; Exod. 22:22-24). God will either rescue the oppressed (Ps. 12:5; 72:14; 103:6) as He has done in the past (1 Chr. 16:21; Ps. 105:14), or He will punish the oppressors (Jer. 22:17-23; Ezek. 22:13-18; Amos 4:1-2; Zech. 6:12-14; Mal. 3:5), or He will do both (Isa. 59:13-18). However, God's deliverance of the oppressed and punishment of the oppressors may not occur immediately. Often some time passes before the deliverance and/or punishment takes place. As time passes it is crucial to remember that "God is the guardian of justice, He watches over the administration of it."²⁴

God apparently first looks for a human being to deliver the oppressed and punish the oppressor. But when no one can be found, He Himself takes action as Ezekiel 22:29-31 says,

The people of the land practice extortion and commit robbery; they oppress the poor and needy and mistreat the alien, denying them justice. "I looked for a man among them who would build up the wall and stand before me in the gap on behalf of the land so I would not have to destroy it, but I found none. So I will pour out my wrath on them and consume them with my fiery anger, bringing down on their own heads all they have done, declares the Sovereign Lord.

Isaiah 59:59:12-18 and Jeremiah 22:3-5 also testify that God is not limited to people in intervening on behalf of those who call upon him and delivering retribution on those who defy His commands.

The person who is under pressure to submit to extortion is wise to call upon the Lord for His intervention and seek help from appropriate civil and/or religious authorities and righteous people. He would do well not to readily yield to the extortion, but resist when possible.

Resistance to Extortioners

Resistance would seem particularly appropriate when it is unclear if the official is hoping for or soliciting a transactional bribe or actually using extortion tactics. It is often not easy to know a person's true intentions. Resisting puts pressure on the official to reveal his intentions and to either make an overt extortion threat or render the appropriate service. It would be easier to solicit help and build a case against the official if he makes an overt threat. It is possible the official is merely inefficient or incompetent. By giving the official money too quickly a person may inadvertently be rewarding inefficiency or incompetency and contributing to the corruption of an official. The official may develop a habit of delaying action hoping money will be given to him. Some officials might be restrained from going deeply into bribery or extortion if their potential victims would put up more resistance.

It is often easier for those who have some social standing or financial resources to resist, than it is for those who are at the bottom of the socio-economic scale. Those at or near the bottom of the socio-economic scale in Third World countries often have so few resources upon which to fall back, that their very survival may be at stake if they try to resist. In many countries most missionaries and some national Christians have sufficient social standing or financial resources to better enable them to resist. But it may cost more in time, money, inconvenience, and even suffering to resist rather than to yield.

In light of these realities, when God's people see or hear of a victim of extortion, they should look on him as the victim he truly is; and not be judgmental of him for not resisting. When possible they should seek to help the victim and take appropriate action against the extortioner.

Concluding Thoughts

In this chapter and in the preceding chapter on bribery in the Old Testament, the principle of justice has consistently emerged. "Even a fairly casual reader of the Old Testament will observe a deep concern with law and justice."²⁵ In this examination of bribery and extortion in the Old Testament, God's high regard for justice has become abundantly clear. Many of the verses which speak of bribery or extortion also contain some reference to justice or injustice in the very same verses or in nearby verses in the same passage. Both bribery and extortion attack justice. Bribery distorts justice. Extortion denies justice.

Closely coupled with the principle of justice is the principle of impartiality. Many of the Old Testament passages concerning bribery show that bribery destroys impartiality and thereby undermines justice. In the verses which speak of extortion the concept of impartiality is certainly present, even when the words "impartiality" or "partially" are absent. The extortioner doesn't treat people impartially. He extorts from those who are relatively defenseless--the poor, the widows, the orphans, the weak, and the aliens--not the rich and powerful. Administrators of justice are exhorted to protect the disadvantaged--not because God is partial to the disadvantaged over others; but so they can stand on equal footing with others in regard to justice. God recognizes some people need special care if they are to receive impartial treatment.

How much of the Old Testament teaching on bribery and extortion can be applied today? To what extent can it be applied? There does not appear to be any cultural, contextual, or theological factors which would lead us to believe the Old Testament teaching on bribery and extortion should be limited to the nation of Israel or to the Old Testament period. But before we can answer these questions fully, we must consider the teaching of the New Testament concerning bribery and extortion.

Chapter 5

New Testament Perspective On Bribery and Extortion

Although the Scriptural teaching on bribery is discovered primarily in the Old Testament, the New Testament is not silent on the subject. It contains "a variety of material bearing on bribes, judges, and the responsible exercise of power."¹

BRIBERY CASES

Chief Priests and Judas

The first incident of bribery recorded in the New Testament occurred with the payment of thirty pieces of silver to Judas to betray Jesus (Matt. 26:14-16; Mark 14:10; Luke 22:3-5). Judas solicited this bribe by going to the chief priests and asking them what they would be willing to give him in exchange for making it possible for them to arrest Jesus privately. The chief priests were delighted at Judas' offer, "because, being on the inside, he could choose the most opportune time to hand Jesus over to them. [And thus] . . . they could avoid . . . a riot of the people."²

The chief priests agreed to pay Judas and eventually gave him thirty silver coins. Carson points out that this was "a paltry amount . . . the value of a slave accidentally gored to death by an ox (Exod. 21:32)."³

The payment to Judas was clearly a variance bribe because it resulted in the breaking of a moral norm i.e., a friend should not betray an innocent friend for money. Luke 22:3 informs us that Judas' betrayal was prompted by Satan. Satan's involvement is a further confirmation that the betrayal was clearly wrong. The bribe, although it was a relatively small sum, resulted in a grave injustice. When Judas realized what he had done, he was filled with remorse for betraying Jesus; he returned the bribe and hanged himself (Matt. 27:3-5).

Chief Priests and the Guards of Jesus' Tomb

Matthew 28:11-15 records the only other clear occurrence of bribery in the New Testament. It took place when the soldiers who had been guarding the tomb of Jesus reported the events surrounding Jesus' resurrection to the Jewish chief priests. The chief priests and elders decided to give a large sum of money to the soldiers in exchange for the soldiers giving a false version of what happened to the body of Jesus.

In this case the bribe givers were high ranking Jewish religious and political leaders (chief priests and elders). The bribe takers were not high ranking Roman officials--but low ranking Roman soldiers who were relatively poor.⁴ The immediate object of this bribe was to secure the false testimony of the soldiers for the purpose of discrediting the resurrection story.

This was clearly a variance bribe. The truth was distorted by the false testimony of the soldiers. They violated the norm to tell the truth about events related to the carrying out of their duty as

soldiers. Instead of telling the truth, they accepted the bribe and lied about what had happened.

In this instance there is no indication that the bribe was initiated by the guards. This was not a case of extortion. The soldiers initially did their duty by going to the chief priest and reporting "everything that had happened" (Matt. 28:11 NIV). The chief priests and elders initiated the bribe.

Although this passage doesn't explicitly state that the chief priests were wrong to initiate the bribe, it strongly implies it. The chief priests intended to distort the truth, and their actions resulted in truth being distorted. In this instance the bribe givers were just as guilty as the bribe takers, if not more so. With their knowledge of the Old Testament law the chief priests were aware that the first commandment forbidding bribery was in the context of giving false testimony (Exod. 23:1-3,8). Yet, they willfully broke that command by bribing the soldiers to lie.

The same Jewish leaders who had given Judas a relatively small bribe, resorted to a much larger bribe with the soldiers (Matt. 28:12).⁵ They also promised the soldiers, "If this report gets to the governor, **we will satisfy him** and keep you out of trouble" (Matt. 28:14). Morrison wrote that the verb *peisomen* (satisfy) is used here as a euphemism to convey the following: "We have the means, as you can readily apprehend, of getting such things hushed; and you may depend on us using these means." Money was one means they had at their disposal, as they had just demonstrated.⁶ Lange also sees *peisomen* as a euphemism in this passage. He views bribing the governor as a means they would have used if needed.⁷ Likewise, Carson agrees that the Jewish leaders plans "to 'satisfy' the governor may well have involved further bribery."⁸

Pilate was the governor to whom the Jewish leaders referred when they promised the soldiers they would "satisfy" the governor. There is some disagreement whether these soldiers were the temple guards assigned by Pilate to the Jewish leaders on an ongoing basis, or another group specifically dispatched by Pilate to secure Jesus' tomb in response to the chief priests' request in Matthew 27:64. In either case Pilate would have had the final authority over the soldiers. However, there is no disagreement with Philo's assessment of Pilate as a governor who welcomed bribes.⁹

This incident illustrates the progressive escalation that often occurs when people resort to bribery. The chief priests gave a small bribe to Judas probably thinking that it would take care of their problem with Jesus. Having started down the path of bribery they handed over a large bribe to the soldiers and were apparently ready to bribe Pilate if needed.

There is only one other instance in the New Testament where bribery possibly occurred. That instance is in Acts 12:20 when a delegation from Tyre and Sidon "won over Blastus the king's chamberlain." Alexander suggests bribery might have been the means of winning Blastus over.¹⁰ But we do not know if Blastus was influenced by a bribe or by some other means.

Attempted Bribery or Extortion Cases

Simon the Sorcerer and Peter

Acts 8:18-23 cites a clear case of attempted bribery. The bribe was offered by Simon, a sorcerer who had been practicing magic in Samaria. Simon claimed to be great, and virtually all the Samaritans had been bewitched by his magical arts for a long time; they viewed him as possessing the power of God (Acts 8:9-11). When Simon heard Philip's preaching in Samaria and

saw the miracles Philip performed he made a profession of faith and was baptized (Acts 8:13). When Simon saw Peter and John bestow the Holy Spirit on some of the Samaritan believers by laying hands on them, he offered them money for the ability to bestow the Holy Spirit on whomever he wished.

Simon's offer was an attempted variance bribe, although he may not have seen his offer as breaking a norm. Yet he was wrong to offer money for something that could not properly be obtained by money. Simon desired "to have spiritual power for the wrong reasons and to gain that power by the wrong method."¹¹

Peter refused Simon's money. He condemned the offer, and he condemned the wrong thinking behind the offer i.e., that the gift of God could be bought with money (Acts 8:20). Peter also exhorted the offerer to "repent of this wickedness" (Acts 8:22 NIV).

Peter's condemnation of the offer and the offerer is of particular significance because the Old Testament condemnations of bribery focused primarily on the bribe taker. But in this instance, it is the bribe giver and the offer itself which are explicitly censured.¹² In other instances the censure of the bribe giver and the offer is implied rather than stated.

Felix and Paul

The cases we have considered thus far involved either actual or attempted variance bribes. However, Acts 24:26 records a case of what could be classified as a solicitation of a transactional bribe. The incident occurred while Paul was in the custody of Felix in Caesarea. Felix heard Paul's case and promised to come to a decision when Lysias arrived in Caesarea and he could question him (Acts 24:22). Lysias was the commander who had

rescued Paul from the ambush attempt in Jerusalem. However, Felix never decided Paul's case even though it seems clear that he recognized Paul's innocence. Felix appears to have used Lysias' absence as an excuse to keep Paul in custody.

Felix evidently kept Paul in custody for two reasons. First, Felix wanted to please Paul's Jewish accusers. Acts 24:27 reveals that Felix left Paul in prison when he was succeeded by Festus because he wished "to do the Jews a favor." It seems clear, although not explicitly stated, that Felix's desire to please the Jewish religious leaders was also a factor in his long detention of Paul. A second factor for not deciding Paul's case was that Felix hoped that Paul would offer him money, and to that end Felix frequently and repeatedly conversed with Paul over a two year period (Acts 24:26). Felix "gave Paul every opportunity to arrange for a bribe; in familiar private conversation this could easily be done."¹³

If Paul had given money to Felix it would have been more like a transactional bribe than a variance bribe. Paul was innocent of the charges brought against him. Felix apparently recognized his innocence. Felix had heard Paul's case, but he delayed in making a decision. 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.

Felix's repeated summoning of Paul could be called a type of mild extortion for a transactional bribe. Although the text does not indicate Felix demanded money from Paul or threatened Paul, he apparently let it be known that he was looking for a bribe. Felix's continued unjust incarceration of Paul could be considered as a form of extortion. There was at least an implied demand for money in order for Paul to be released and an implied threat of continued imprisonment if no money was paid. Paul felt

the pressure from not being able to go on his usual missionary journeys.

This incident closely resembles the type of situation that occurs frequently in the Philippines where a public official delays action on what could be a routine transaction and gives a subtle hint that the process could be speeded up. Because Acts 24:24-27 contains many parallels to the problem of bribery in the Philippines, it is a crucial passage. However, it is a narrative passage and does not explicitly answer some important questions such as, "Why didn't Paul give money to Felix?" Although, there is insufficient data to definitely answer this question, it is helpful to consider some possible explanations.

One possible explanation is that Paul did not have sufficient money to offer Felix a bribe. Numerous commentators have theorized that Felix took Paul's comment in Acts 24:17 about bringing gifts to the poor as an indication that Paul had a considerable sum of money or at least had access to finances. Although Paul had probably already disposed of the funds mentioned in verse seventeen, it is likely he and his friends could have come up with enough money to satisfy Felix without too much difficulty.

A more plausible explanation of why Paul didn't give money to Felix is that Paul did not think it was the right thing to do. This raises another question--"Why didn't Paul think it was right?" It is possible Paul did not pay Felix because he was a Roman citizen and wanted to obey Roman law. "The taking of bribes was forbidden by *Lex Iulia de repetun dis*." But this law was "more often than not violated by governors."¹⁴ Roman law also "required that causes should be heard speedily."¹⁵ From the viewpoint of Roman justice a strong case could be made for Paul giving money to Felix to receive justice. After all, Felix

"neglected his official duty, and kept his prisoner in cruel suspense," in violation of Roman law.¹⁶

Perhaps Paul refused to give a bribe for the sake of his witness toward Felix. He had discussed with Felix matters of justice i.e., "righteousness, self-control and the judgment to come" (Acts 24:25). On the other hand, it could be argued that Paul's confinement restricted his ministry; he could have ministered to many more people in a wider area had he not been confined. As time wore on it probably became clear to Paul that Felix was much more interested in money than in the gospel. The writings of both Josephus and Tacitus testify to the corrupt character of Felix.¹⁷

Acts 24:16 gives a possible clue for Paul's action. Paul said, "I strive always to keep my conscience clear before God and Man." If Paul viewed the Old Testament commands against bribery as still in force, it would certainly explain his two year resistance of Felix's pressure to pay.

If Paul viewed the Old Testament injunctions against bribery as no longer in force *or* only in force in the case when the payment would distort justice, then he could have given Felix money with a clear conscience before God and explained his action to the believers who might have been offended. Paul is not known as a champion of rigid adherence of the letter of the law. But then again, if Paul had felt free to give Felix money, he might have refrained from doing so in order to "give no offense either to Jews or to Greeks or to the church of God" (1 Cor. 10:32). Any or all of the above possibilities, except lack of funds, could have been factors in why Paul and his friends did not give money to Felix to secure his just release.

All things considered, Paul's actions tend to support the following stances: (1) Follow the ideal moral behavior rather

than the real or common behavior. The ideal behavior in both Roman and Hebrew culture was not to give or receive bribes, although deviation from this ideal was not uncommon in both cultures. (2) The Old Testament injunctions against bribery are still in effect. (3) Transactional bribes are included in the Scriptural prohibitions against bribery. Paul's actions do not prove any of the above stances. However, his actions provide the most support for the first stance and the least support for the third stance.

The Unjust Judge and the Widow

Luke 18:1-8 records a case of an unjust judge denying justice to a widow. Noonan suggests the unjust judge in this passage postponed action waiting for an access payment from the widow before he would hear her case.¹⁸ Although the judge was unjust and apparently did not receive an access payment, the woman was very persistent. Her persistence paid off, and the judge finally gave her the justice she desired. This passage is instructive from the viewpoint of a person to whom justice is being denied by an unrighteous official. God's promise in Luke 18:7-8 that He will "bring about justice for His elect" should encourage Christians to be persistent with civil servants and to pray to God for justice, trusting God, not bribes, to bring about justice according to His timetable.

Extortion Condemned

By Jesus and Paul

The New Testament does not have a great deal to say about extortion, but what it does say is condemnatory. The word "extortion" appears in Matt. 23:25 and Luke 11:39 in the King James Version. These verses record Jesus' scathing indictment against the scribes and Pharisees as being "full of extortion." The

term "extortioners" appears four times in the King James Version (Luke 18:11; 1 Cor. 5:10-11; 6:10). In 1 Cor. 6:10 Paul declares that extortioners will not "inherit the Kingdom of God."

The Greek word translated "extortion" in these verses is *harpagē*; the word *harpax* is translated "extortioners." Both words are derivatives of *harpazo* which means to snatch or seize.¹⁹ "In secular Gk.[Greek] and the LXX [Septuagint], it has the meaning to steal, carry off, drag away."²⁰ In the Septuagint *harpazo* was used to translate the Hebrew word *gazal* meaning to take away or rob.²¹ Hence, the NIV and the NASB render *harpax* as "swindlers" or "robbers" in Luke 18:11, 1 Cor. 5:10-11, and 1 Cor. 6:10, rather than "extortioners." The NASB renders *harpagē* as "robbery," rather than extortion in Matthew 23:25 and Luke 11:39; while the NIV renders it "greed."

Although a distinction can be made between extortion and robbery, extortion is one way to rob or snatch away another person's possessions. So even though extortion in its narrowest sense may not be specifically condemned in these verses, one cannot categorically say these verses do not include extortion in their condemnation.

By John the Baptist

Luke 3:12-14 sheds some additional light on the New Testament view of extortion. It shows how John the Baptist dealt with two groups of officials who had opportunity to misuse their position for financial gain.

The first group was the tax collectors. These people "had purchased for themselves the right to collect various indirect taxes, mainly customs and tolls."²² They were more like customs officials than income tax agents operating a system which "abounded with abuses."²³ John instructed these tax collectors,

"Don't collect any more than you are required to" (Luke 3:13 NIV). They were "to take only their legitimate tolls and commissions and resist the temptation to greed or extortion."²⁴

Liefeld observes that John

*does not advocate overthrow of the system but rather advocates a reform of the abuses. Since these abuses arose out of individual greed, a radical change in the practice of the collectors themselves was required.*²⁵

The second group consisted of soldiers. In verse 13 John gave the soldiers two "don'ts" and one "do." The first "don't" was, "don't extort money." Fitzmeyer says, "The position that a soldier held in ancient Palestine apparently enabled him to intimidate people and secure money."²⁶ The second "don't" was "don't accuse people falsely." Soldiers also did this for the purpose of getting money from the accused. Both extortion and false accusation are distortions of justice. The "do" in verse 13 is "be content with your pay." This shows that discontentment with pay (and perhaps greed) was the driving force behind the extortion and false accusations practiced by some soldiers.

Marshall points out that these "soldiers' remuneration was in fact low."²⁷ Their low pay is particularly significant, since the low pay of government officials is often cited as a justification for extending transactional bribes to officials or excusing their extortion of transactional bribes. Yet, John clearly advocates contentment and honesty, even under these circumstances.

The case against corruption of officials based on this passage would be even stronger if the tax-collectors and soldiers addressed had been Gentiles. However, we cannot be sure that they were; they probably were Jews. Fitzmeyer states the tax-collectors were Palestinian Jews. He believes the soldiers were "Jewish men enlisted in the service of Herod Antipas."²⁸

Marshall basically agrees, but includes the possibility that some of these were Gentile soldiers when he writes:

*They were not Roman soldiers, but the forces of Herod Antipas, stationed in Perea (possibly including non-Jews . . .) or perhaps Jewish auxiliaries used in Judea for police duties; they may have been employed to assist the tax-collectors in their duties.*²⁹

Nevertheless, this passage expresses what God's people should do, and it reinforces the Old Testament commands against extortion and false charges. It also weakens the position which says that low pay is a justification for bribery or extortion. Having examined some important New Testament passages related to bribery and extortion, we are ready to set forth some general principles.

New Testament Affirms the Old Testament Principles Impartiality and Justice

Although the New Testament does not explicitly restate the Old Testament commands against bribery, neither does it picture in a favorable light those instances when bribes were given or offered. In Paul's dealings with Felix, when a bribe might have been justified, it was not used. In addition the New Testament strongly affirms the Old Testament principles of impartiality and justice.

In the Old Testament "those who exercised judicial functions always had to be aware that it was in God's name that they acted, and this demanded absolute impartiality" because of God's absolute impartiality.³⁰ God's impartiality is affirmed in the New Testament in Acts 10:34; Romans 2:11; Galatians 2:6; Ephesians 6:9; Colossians 3:25; and 1 Peter 1:17. Paul states simply and clearly, "For there is no partiality with God" (Romans

2:11). *The NIV Study Bible* comments that this is "a basic teaching of both the OT and the NT."³¹

God's People Should Be Impartial

The New Testament also affirms that God's people are to be impartial (James 2:1,9; 1Tim. 5:21). *The NIV Study Bible* says of James 2:1, "God does not show favoritism--nor should believers."³² James 2:9 says, "But if you show partiality, you are committing sin and are convicted by the law as transgressors." This is a ratification of the Deuteronomy 1:17 command "you shall not show partiality in judgment; you shall hear the small and great alike. You shall not fear man for the judgment is God's."

Along similar lines Paul wrote Timothy, "I solemnly charge you in the presence of God and of Christ Jesus and of His chosen angels, to maintain these principles without bias, doing nothing in a spirit of partiality" (1 Tim. 5:21). The immediate context of this exhortation is in respecting and rebuking elders, but the principle of the impartial judgment has a much broader application than in dealing with elders.

Scripture is clear that believers are to imitate God (Eph. 5:1) and not be partial or show favoritism. The God we are to imitate is "a judge ever vigilant, incorruptible, discriminating in no one's favor. . . . [We] are specifically admonished to be like him in not discriminating."³³

Jesus' Example of Impartiality

Jesus modeled God's impartiality during His earthly ministry. Jesus' impartiality is seen in the way he made room for children, Gentiles, notorious sinners, outcasts, the socially respectable, the poor, the rich, and every other category of people. He was fair, just, and impartial with each person and

group. Even while the scribes and chief priests were trying to trap Jesus, they recognized him as an impartial teacher (Luke 20:21) and sought to use His impartiality to trip Him up.

The image of Jesus as the impartial judge is unmistakable in such passages as Matthew 25:31-46; Acts 17:31; 2 Corinthians 5:10; and Revelation 20:11-15. Christ the impartial teacher and judge is the norm for his people to imitate today, just as the administrators of justice in Israel were to imitate God by being impartial.

Justice: An Underlying Principle

After reflecting on the Old Testament Scriptures related to bribery and the New Testament passages which give insight on bribery, it appears clear that "justice" is the underlying principle which the Old Testament commands against bribery are designed to uphold.

All three reasons the Old Testament gives for condemning bribery relate to the principle of justice. The distortion of justice is one of the three reasons set forth in the Old Testament explaining why bribery is wrong. Another reason bribery is wrong is because it undermines impartiality. Impartiality relates directly to justice; it is necessary to uphold justice. God's impartiality describes and assures His justice. In the same way, the impartiality of judges favors the pursuit of justice. The third reason bribery is condemned is because it is a form of dishonest gain. Dishonest gain undercuts impartiality and thus thwarts justice.

The Old Testament passages forbidding extortion and the New Testament's condemnation of extortion also point to justice as the underlying principle. The close association between

extortion and the denial of justice was spelled out in some detail in the preceding chapter.

Justice as a key component of God's expectation of His people is expressed in Micah 6:8--"What does the Lord require of you but **to do justice**, to love kindness, and to walk humbly with your God?" This expectation is not limited to the Old Testament. The New Testament affirms the Old Testament principle of justice in many passages. For example, part of Jesus ministry was to "proclaim justice to the Gentiles . . . [and to] lead justice to victory" (Matt. 12:18-20). Jesus reaffirmed the principle of justice when he called it one of "the weightier provisions of the law" (Matt. 23:23). Klaus Nurnberger says, "The criterion of justice [from the OT] is not abandoned in the New Testament but radicalized. One sacrifices one's own rights when the rights of others are in danger."³⁴

We are "to do justice" because that reflects the unchangeable character of God whom we are to imitate. "Justice and love are central to God's moral character. If these are virtues that characterize God, so that he always acts out of justice and love, then they should characterize us too."³⁵ Justice is truly "a pivotal feature of a Christian social ethic."³⁶

Should our striving to do justice be limited to the Christian community? (The specific New Testament commands we examined concerning impartiality, James 2:1,9 and 1 Timothy 5:21, were in used the context of the church.) However, the principle of justice extends beyond the church into society as a whole. God intends for justice to permeate human society.³⁷ Therefore, Christians are not "out of line when they insist on justice as a common social-ethical norm in a pluralistic society."³⁸

Holmes shows that while the setting for the Old Testament's emphasis on justice was the theocracy of Israel, the setting for the emphasis of justice in the New Testament includes not only the church, but a "non-Christian culture, a religiously and morally pluralistic society."³⁹ Holmes cites Romans 13 and 1 Peter 2 as a New Testament basis for pursuing justice and "the equitable treatment of all parties," even in a secular society.⁴⁰ Romans 13 emphasizes the role of government in pursuing justice, while 1 Peter 2 emphasizes the righteous conduct of the believer in a pagan context as well as the role of human rulers in upholding justice. Monsma also makes a strong case that the pursuit of justice is the job of government and a "moral duty" of Christians.⁴¹

Gamble, while recognizing there are "certain qualifications" in the application of the Old Testament in modern society, also argues "that a proper and impartial system of administration of justice is ethically demanded."⁴² He supports his argument by pointing to the following: (1) the principle of justice is "based on the character of God Him self;" (2) "Israel was intended ethically, as well as religiously, to be an example and enlightenment to the nations;" (3) "even in the Old Testament there is concern over the denial of rights by pagan nations."⁴³

The Distance Between Bribery and Justice

Bribery and injustice are not identical, but there is a close relationship between bribery and justice. The distance between the surface commands forbidding bribery (variance bribes) and the underlying principle of justice appears to be very small. This is because the commands prohibiting bribery do not appear to be closely tied to any cultural problem or situation. They seem to be supracultural expressing God's will for His people.

Although the distance between justice and the injunctions against bribery is small, there does appear to be a slight distance. There may be some instances where a legal norm is in direct conflict with one of God's norms. In those rare instances God's norm and His absolute justice should be sought. In some extremely rare situations a bribe might be justified in stopping a grave injustice, such as an unjust execution of an innocent person by a corrupt regime, when all other possible avenues have been exhausted.

What about transactional bribes? Since it is not absolutely clear if transactional bribes are actually bribes according to Scripture, the Key Applicational Questions set forth in Chapter Three can help determine if the principles of impartiality and justice would in any way be compromised. If impartiality or justice would be compromised, then that particular transactional bribe is in fact a bribe from the Scriptural viewpoint and should not be given.

Particular attention should be given to the principle of impartiality. Impartiality is less abstract and complex than justice. Therefore, impartiality is usually easier to determine than is justice. Yet, impartiality is essential to safeguard justice. If it is undermined, then justice will eventually suffer.

Also, careful consideration should be given to the overall effect of transactional bribes rather than just isolated incidents. Transactional bribes can and do undercut justice. They lead to injustice by corrupting those who receive them, by favoring the rich and discriminating against the poor, and by perpetuating injustice in societies where corruption has become a way of life. Those without financial resources are deprived of justice where transactional bribes have become a routine practice.

Extreme care must be exercised in evaluating whether a particular payment would uphold or undercut justice, because we tend to see justice from our own partial view point. What is one man's justice is another man's injustice. Therefore, a transactional bribe would only be justified in those instances when not giving one would result in grave injustice and when other alternatives had been exhausted.

Summary

The New Testament affirms the Old Testament's censure of the variance bribe. It adds to the Old Testament's condemnation of bribe takers by providing specific instances condemning bribe givers, bribe offerors, and the offer of a bribe. It illustrates how bribery can escalate from small bribes to large ones. It records Paul's resistance of Felix's attempted extortion or solicitation of a transactional bribe. And it shows John the Baptist telling low paid soldiers not to use their position for extortion.

The New Testament clearly affirms the Old Testament principles of impartiality and justice. Justice is the underlying principle behind the Scriptural commands forbidding bribery and extortion. The pursuit of justice should be central to a Christian social ethic and in the government in a society. The distance between the commands against bribery and the underlying principle of justice seems very small.

We have found nothing in the New Testament to suggest the Old Testament prohibitions against bribery and extortion should not be applied today. On the contrary we have found much to affirm the Old Testament perspective concerning bribery and extortion. Having looked at bribery in the Old and New Testaments let us focus on bribery in the Philippines.

Chapter 6

Bribery In The Philippines

"Widespread" and "rampant" are frequently used to describe bribery in the Philippines. Bribery, extortion and influence buying are a

*common part of life for nearly every person dealing in public services and in other levels of society as well. Such methods . . . have become so widespread in the larger urban areas of the Philippines that many companies and organizations hire men whose sole responsibility is to make operation easier by 'taking care of' officials who might pose problems.*¹

Bribery is included in the more frequently used term of "graft and corruption." Since 1973, when I moved to Manila, I have noticed that graft and corruption have been regular themes in the Philippine press. For example in 1982 the *Philippines Sunday Express* reported that the payment of "grease money" to public officials to facilitate transactions was "the most common manifestation of corruption which seems to permeate even the lowest levels of the government bureaucracy."² Studies indicate widespread graft and corruption throughout agencies involved in "financial, revenue, regulatory, and licensing" activities.³ The extent of graft and corruption at the higher levels of government

under Philippine President Marcos shocked not only Filipinos, but also, people all around the world when the former President fled the country in 1986 and his ill-gotten wealth became public.⁴

Historical Development of Bribery in the Philippines

The widespread corrupt practices in the Philippines and the attitudes toward these practices developed over a long period of time with deep roots in Philippine cultural values.

Became Entrenched Under the Spanish

The Spanish, who ruled the Philippines for over 300 years, auctioned off most government offices and positions ranging from constables to clerks.⁵ Corruption was fostered by those who had bought their positions. "Most took advantage of corrupt practices such as bribery and extortion."⁶

Bribery and extortion became deeply embedded in government and society during Spain's long rule. Blair and Robertson cite numerous incidents of bribery and corruption in the Philippines during the Spanish period including bribes given by friars, bishops, and other members of religious orders.⁷ Filipinos came to expect bribery in government and developed a fatalistic tolerance toward it. Such widespread corruption helped create a "negative image" toward governmental institutions.⁸ The institutions of government became for the Filipino the notorious arms of restriction, control, repression; the personal representatives of government were agents of abuse and oppression.⁹ The negative view toward governmental institutions in the Filipino mind reinforced reliance on the family and family ties rather than on government.

The Filipino family is a bilateral extended family system. It is extended even further through the *compadre* system, in

which a prominent man in the community, sometimes a political figure, is chosen as a sponsor at the child's baptism in the Roman Catholic Church. That person becomes the child's godfather and the *compadre* of the parent. At times the godfather helps in dealings with government either directly or as a intermediary. In return the godfather "receives small gifts or free labor services in election campaigns and other political situations."¹⁰

The *compadre* system reinforces the Filipino tendency to work through an intermediary whenever possible. In those cases when personal intermediation was not possible, many relied on "intermediation for a price" as a substitute.¹¹

Decreased Under the Americans

When the Spanish rule ended in 1898 and the American period began, the negative attitude toward government began to gradually improve along with some decrease in corruption. The system of government under the Americans was less conducive to bribery and extortion than the Spanish system. But old habits change slowly, and as government expanded during the American administration many Filipinos helped extended family members land government jobs. Nepotism became very widespread.¹² People relied on their relatives within the government, rather than on government per se.

This reliance on relatives remains a prevalent pattern. Philippine theologian Emerito Nacpil states, "The Filipino social world is . . . primarily structured by kinship relations, and for the most part he never really gets out of this kinship structure."¹³ As a result "he feels obligated to employ a relative who is not qualified for a job. A great deal of nepotism, graft, and corruption in public and business life has been traced to this factor."¹⁴

Reinforced During and After World War II

The Japanese occupation of the Philippines during World War II resulted in a "breakdown in morals and social discipline" and conditions which "bred corruption."¹⁵ The occupation reinforced values centered on the person's extended family and revived the old negative attitudes toward government. During the war "the Filipinos considered it a virtue to rob and cheat the Japanese."

Philippine political scientist Onofre Corpuz points out that a "wave of large-scale graft hit the nation in the years immediately after liberation from the Japanese occupational rule."¹⁷ During the war the Philippines had suffered extreme deprivation, which created an enormous demand for goods following liberation. After liberation the United States turned over large amounts of surplus military stocks and supplies to the new Philippine government for distribution to the people. The subsequent distribution of these stocks by the Surplus Property Commission was riddled with corruption. The widely publicized scandals involving government officials of the newly independent Philippines, did not help improve the government's negative image.¹⁸

Unfortunately the scandalous habits of action from the early post-war years "persisted . . . long after the military stockpiles and wartime deprivation had gone."¹⁹ Why was there a continued tolerance toward wholesale graft and corruption?

Contributing Factors toward Continued Tolerance of Bribery

Corpuz believes one of the two principle contributing factors "was the demoralization in Filipino society due to the Japanese wartime occupation (1942-1945), when it was

considered both morally proper and patriotic to sabotage the activities of the enemy government."²⁰ The second factor contributing to a tolerant attitude toward corruption, according to Corpuz, is "the conflict of values due to social and technological change in a transitional society."²¹ Since World War II the Philippines has been in a period of transition from a traditional society to a modern one.

Conflicting Values in a Society in Transition

Modern society, with an expanded scope of government is very different from traditional society. In the traditional society people relied on kinship groups. But modern society demands a degree of reliance on official administrative procedures. Research into corruption in developing countries points to "traditional values and customs that conflict with the requirements of modern bureaucracies" as one of five conditions which contribute to corruption.²²

In the traditional society social morality was based on personal nonlegal norms centered around "what is best for my family." But modern society stresses a social morality based on impersonal legal rules centered around what is best for society as a whole.²³ This creates a dilemma in the minds of many Filipinos of two different and sometimes conflicting value systems. Here is how Corpuz expresses this dilemma:

*The norms and values brought by the modern culture take their place in the individual's mind alongside the norms and values of the traditional culture. Neither set of values has displaced the other. The result has been the lack of a single system of norms and standards accepted by Filipino society as the determinant of right or wrong in public life.*²⁴

In acting out this dilemma Nacpil says that the Filipino "attempts to personalize that which would better remain impersonal, such as legal procedures, objective norms bureaucratic operations, administrative standards, and institutional structures."²⁵ As a result he may seek an intermediary who has some kind of relationship to a particular civil servant to intervene on his behalf. The matter is not settled based on its merits, but based on personal relationships. Or a civil servant may give attention to requests based on the status of the one making the request. Those without much status may resort to transactional bribes to receive the attention they should be given.

Most Filipinos recognize that corruption and bribery are not in the best interest of society. Bribery is condemned in public speeches and in the press. Yet, on a personal level there is a tendency for many Filipinos to operate more sensitively to family obligations and reciprocal relationships than to the "rule of the law."²⁶ When they feel it is in their interest to offer a bribe, many do so. Nacpil explains this apparent inconsistency in this way, "Consciously they affirm the values of modernization . . . unconsciously, however, they still operate by and large on the basis of the values of the traditional culture."²⁷

Father Jamie Bulatao attributes this conflict in values to what he calls "Split-level Christianity." He says, "Split-level Christianity may be described as the coexistence within the same person of two or more thought-and-behavior systems which are inconsistent with each other." Bulatao believes this inconsistency "is either not perceived at all, or is pushed into the rear portions of consciousness." The conflicting systems coexist without the person feeling a sense of inconsistency. One reason why many Filipinos do not feel this inconsistency, according to Bulatao, is because the two sets of responses were learned in two dissimilar settings i.e., the school setting and the street or home setting.²⁸

Gorospe similarly explains the conflict in values in terms of "school values" versus "home values." School values are taught in school or church and reflect ideal behavior i.e., what one ought to do. School values are somewhat "industrial, scientific, and democratic;" they benefit society as a whole. Home values, on the other hand, reflect "the prevailing social values" (traditional cultural values) of what people in the community actually do. When there is a conflict in values, home values usually win out over school values in terms of actual behavior.²⁹

Let us consider some Philippine cultural values and how they might contribute to corruption.

Some Traditional Cultural Values

Hiya

Hiya (shame) is one of the strongest traditional cultural values influencing the behavior of Filipinos.³⁰ Most Filipinos will go to great lengths to avoid being shamed. Douglas Elwood relates how *hiya* can contribute to corruption:

*A person's desire to avoid shame may be so strong that he is reluctant to take a definite stand or express a contrary opinion even when it is clearly his duty to do so. A public official, for example, who sincerely wishes to be honest and legal in his public behavior may be "forced", by fear of being shamed, to extend special favors which go against the public interest. The person seeking the favor will very often remind him of his obligation to grant it and of the **hiya** which will surely result if the favor is denied.³¹*

Smooth Interpersonal Relations

Hiya leads to a high priority on smooth interpersonal relations (SIR). The Filipino seeks to maintain SIR and avoid

conflict and stress in interpersonal relationships so that he is not offended (shamed) and does not offend (bring shame upon) the other party. If a person has a request that requires the action of a government office, he may bring along some extra pesos for the clerk because he knows "grease money" is often needed to facilitate the request and because he doesn't want any conflicts. He will seek to read the clerk's actions and interpret any comments the clerk makes. He may interpret a comment like, "We have had so many applications today." as meaning "If you want yours processed, you should make it worth my while." So he slips some pesos into his application, even though that may not have been what the clerk meant. The clerk slips the pesos out of the application and into her desk drawer, not wanting to shame the petitioner and glad to have some extra money. Nacpil concludes, "Because the Filipino prizes 'smooth interpersonal relations,' he is willing to sacrifice other values."³²

A go-between is another way to maintain smooth interpersonal relations and avoid possible shame particularly on risky transactions. It is common practice when seeking the help of an intermediary to give him a preliminary gift.³³ If the intermediary regularly takes care of transactions with a particular government office, he in turn knows how much and to whom to give money to secure the desired services. By doing so, he keeps a smooth working relationship with the people in the office.

Tayo-Tayo

Tayo-tayo (just us) is an expression that reflects the Filipino value of "small group centeredness."³⁴ *Tayo-tayo* usually means "my family first" or "my group first." It tends to reflect an attitude that sees the group as an end in itself and places the interests of the group, whether it is family, close friends, political party, etc., above all other loyalties or responsibilities. If used in reference to a political party, it may mean putting what is best for the party above what is best for the country. This attitude may

place the group above all others even if it infringes on the rights of others. A government official may place his extended family before impartially executing the duties of his office and hire an unqualified family member. Or he may do an official favor for a friend even when it violates the standards of his office and is not in the public interest. Gorospe believes, "The *tayo-tayo* mentality has led to graft and corruption in the government."³⁵

Fatalism

A fatalistic outlook on life is another aspect of traditional Philippine culture. Because of his fatalistic view of life the Filipino tends to be "oriented to the past or immediate future only, for he sees the long range future as entirely or largely, outside his control."³⁶ This outlook also causes him to accept "a traditional status as though it were assigned to him by divine wisdom."³⁷ Elwood believes a fatalistic attitude

*tends to support the unwillingness to disturb the status quo, implied in the hiya concept. The hiya value in turn, tends to reinforce the conviction that there is little or nothing we can do about our "assigned status" in life.*³⁸

A fatalistic attitude works against resisting extortion or solicitation of bribes because the person thinks, "Who am I to try to fight the system? What else can I do but go along?" It also encourages transactional bribes. For example, a person might think, "I am not an important person, so if I want my request attended to, I had better give some thing." It also works against the official who does not particularly approve of bribery. He may think, "Those all around me take grease money. I can't change things. What can I do anyway?" In my interviews with Filipinos, when I inquired about attitudes toward bribery and why they thought bribery was widely practiced, it was not uncommon to hear replies such as, "It is a way of life, so why try to fight it? What can I do?"

Utang Na Loob

Another traditional Philippine cultural value which should be considered is *utang na loob* (debt of gratitude). Philippine sociologists describe it as follows:

*Utang na loob is a feeling of indebtedness which is incurred when one receives a favor, service, or goods, and it carries a deep sense of obligation to reciprocate when the appropriate moment comes.*³⁹

For example, your friend's house catches on fire. You invite your friend and his family to stay with you while his house is being repaired. Having no other alternative, he and his family stay with you until the house is repaired. Sometime later your daughter goes to your friend, who is a government worker, seeking a job. Because of *utang na loob* he feels obligated to hire your daughter even though he might not have otherwise done so.

Utang na loob is a very important "operating principle in Philippine interpersonal behavior."⁴⁰ "If one decides to hire an employee, make a purchase, leave an employer, or even cast a vote, *utang na loob* is likely to be a factor."⁴¹

Therefore, we should consider if there a relationship between bribery and *utang na loob*. For example, someone goes to a government office seeking a permit. He gives a nice watch to the official in charge of issuing permits. Does the official grant the permit because of *utang na loob*? No--not if he is a stranger. Mayers points out that *utang na loob* is usually a factor in dealings between friends and relatives, rather than strangers.⁴² Anthropologist Charles Kaut who has studied *utang na loob* in depth says that the type of gift which results in *utang na loob* is only given to someone with whom there is "some sort of preexisting relationship precluding rejection [of the gift]."⁴³ Kaut also states that the type of gift which results in *utang na loob* is a

"voluntary and disinterested gift" and is "given with no obligation" intended.⁴⁴ So in this example *utang na loob* would not be a factor.

However, if the person was a friend of the official and gave him the watch as a Christmas gift some weeks or months before seeking a permit, then *utang na loob* might play a role in the granting of a permit. Rev. Bert Vitalis believes that "in *utang na loob*, a gift may be given in anticipation of future need for assistance that may arise."⁴⁵ But if the recipient of the gift or favor perceives it was given in anticipation of something in return, then it is not the type of gift which normally results in *utang na loob*. So when the person comes for the permit, if the official perceives that the watch was given in anticipation of seeking a permit, then *utang na loob* would probably not be a factor. The official may issue the permit to reciprocate for the watch; but then he would feel no further obligation. *Utang na loob* usually carries a sense of ongoing obligation.

Most of the Filipinos whom I interviewed said that they do not think there is a relationship between bribery and *utang na loob*. Those who think there might be a relationship pointed to reciprocity as the common element. Yet the reciprocity in each seems to be very different. Most of those interviewed spoke of the differences between the two. Their answers generally reflected the view that a bribe usually involves money given at the time the favor is requested in exchange for the favor with no further obligation. They stressed *utang na loob* involves reciprocal favors, not money, between friends without expecting anything in return, but resulting in a feeling of long-lasting obligation.

Let's suppose a somewhat different situation in which a person who goes to his friend, an official, requesting a permit which the official then grants. Even then, the man might not feel

utang na loob toward the official for granting the favor, unless it was a special request, because it usually results when the favor "is not requested."⁴⁶ If he did feel *utang na loob* in this situation or if the official knew his friend needed a permit and offered to get one without it being requested, then the proper time to give a gift to express *utang na loob* would be sometime later--not near the time when the permit was granted.⁴⁷

Therefore, it seems unlikely that *utang na loob* has a direct relationship to bribery. But we cannot discount that some people use *utang na loob* in an improper and manipulative manner as a kind of bribery or extortion. Also, there is little doubt that *utang na loob* contributes to nepotism in government and preferential treatment for some people. Those two factors work against fair and impartial treatment and foster an atmosphere conducive to corrupt practices such as bribery. *Utang na loob* becomes a problem to the extent it interferes with objective and competent performance of one's responsibilities according impersonal norms which treat all people with equity.

It would be helpful for Filipino Christians to further explore these and other cultural values not considered in this book which may relate to bribery or extortion. Evelyn Miranda-Feliciano has examined a number of cultural values in relation to Christianity in her book *Filipino Values and Our Christian Faith*.⁴⁸

Governmental Intervention in the Economy

Gould and Amaro-Reyes identify another condition conducive to corruption when it interacts with the problem of conflicting values as "the extent to which the government intervenes in the domestic economy." They conclude that the greater the intervention by the government the more opportunities for public officials to use their offices for corrupt practices.⁴⁹

Since World War II there has been an ever increasing intervention by the Philippine government in the domestic economy. Anderson illustrates one aspect of this in relation to starting a new business: "Government assistance at the start of an enterprise, rare in the pre-1945 period, became common from 1945-1949 and almost universal between 1950 and 1962."⁵⁰

Although there has been an increase in governmental intervention, trust in the integrity of the government has remained low by those both inside and outside the government. For example, Gould and Amaro-Reyes report,

*a 1966 survey of 100 middle-level civil servants from twenty-five agencies in Manila . . . found that graft and corruption were ranked first among objects of national shame and second among the most important national problems.*⁵¹

Along similar lines Bunge writes,

*A study released by a research team of the University of the Philippines in December 1982 showed that 77 percent of the interviewees described government agencies as corrupt and that the public had very little respect for government officials.*⁵²

Low Pay: A Possible Contributor?

The low salary level of many working in the public sector is often cited as a cause of bribery and extortion. James Gregor reveals, "By 1980 there were 750,000 new workers entering the employment market annually." Many were taking low paying government jobs. Gregor continues, "The large pool of available labor kept public service salaries low and increased the disposition among government employees to seek more income through bribery and corruption."⁵³ Low pay of government employees was one of the most frequent answers given by the

Filipinos whom I interviewed as to why they think bribery and extortion are widely practiced in the Philippines.

In addressing the growing problem of extortion by policemen, Cicero Campos, a retired Philippine Constabulary general and chairman of the National Police Commission, "blames the problem on low salaries." A patrolman's starting salary is "well below the government's poverty line . . . for a family of five." The commission recommended an "increase in police salaries as a step toward curbing corruption."⁵⁴

Low pay may be more of a rationalization or a contributing factor rather than a primary cause. Rafailzadeh's survey of economic literature on bribery and corruption in less-developed countries points to "low incomes of public employees" as a possible cause of bribery and corruption.⁵⁵ But it should be noted that bribery and extortion are widely practiced by civil servants whose salaries are considerably higher. If low pay were a principle cause of bribery and extortion, then one would expect those who receive higher salaries to be less involved. But that does not appear to be the case. In the Philippines many high-paid officials have engaged extensively in corrupt practices.

Alatas acknowledges "insufficiency of salary" as a factor in "low-level corruption." But he says,

*Often tidal [widespread] corruption starts among the top officials and businessmen. As prices rise and administration becomes chaotic, lower ranking government officials adopt the practice in an effort to maintain their livelihood.*⁵⁶

Alatas sees insufficient salaries of civil servants as an effect of corruption because corruption adversely affects government revenues. Less revenue is collected by the government; therefore,

many civil servants do not receive an adequate salary. For this reason, Alatas views low pay as an indicator of the degree to which corruption has become rooted in the government.⁵⁷

Politicians and government leaders have periodically sought to reduce bribery and corruption. Often these efforts have been politically motivated. For example in the years before the declaration of martial law in 1972, Burley reports,

*not until the cost of smuggling reached such startling proportions did public opinion . . . assert itself sufficiently to convince the politicians that an anti- corruption policy was worth more votes than could be bought through corruption.*⁵⁸

During the martial law years, President Marcos instituted a series of clean-up campaigns "to weed out corrupt public officials (known as 'backsliders'), both civil and military." Thousands of government employees were removed from office over the years, including many who had been initially "protected from prosecution" by Marcos and "carefully cultivated, because they would deliver the local votes for or against a national politician."⁵⁹ It now seems clear that the motivation behind these "clean-ups" was to build up the power base of Marcos and his cronies by weeding out corrupt officials from the opposition party and replacing them with people from their own party. Many of the replacements were just as corrupt as the ones they replaced. All during this time Marcos was systematically pillaged the country through corrupt practices on a scale that far exceeded those who came before him.

In recent years the Philippine government has taken some steps to try to reduce corruption by public officials. In 1978 the government created the Tanodbayan, a special legal agency for investigating and prosecuting corrupt government officials. "In 1981 a law against corruption was amended to impose stiffer

penalties of 10 to 15 years' imprisonment, forfeiture of properties, and permanent disqualification from public office."⁶⁰ To my knowledge most of the cases pursued by the Tanodbayan have not involved bribery, but other forms of corruption, such as the misuse of public funds. The Aquino administration has made a provision for people to report cases of bribery to the Tanodbayan by anonymous letter in order to initiate an investigation. It is unclear if these actions are having an impact on the long-standing toleration of bribery.

It appears to me that most Philippine government employees who have actually been prosecuted for corruption have been relatively low-level officials or workers. Gunnar Myrdal points out that knowledgeable people on the Asian scene stress "corruption among minor officials cannot be combatted if it is not first stamped out at higher levels."⁶¹ Several knowledgeable Filipinos whom I interviewed also stressed that to be effective any government crackdown on bribery in the Philippines must start at the top and work downward.

Summary

Bribery became deeply embedded in the Philippines during the Spanish rule and continues to be tolerated today. The toleration of bribery by the people and government can be explained in part by the conflict in values in a society in transition from a traditional way of life to a modern one. Although most Filipinos believe bribery is wrong, many either succumb to it or tolerate it. They tend to distrust the government and rely more on family ties, intermediaries, and reciprocal relationships rather than administrative procedures. A fatalistic outlook works against resisting bribery and extortion and favors following the path of least resistance. The government has progressively become more involved in the business affairs of

daily life, but seems to lack the resolve to take drastic action to significantly reduce the bribery problem.

With this backdrop in view, let us apply a biblical perspective on bribery and extortion to the Philippines and suggest alternatives to bribery which can be modeled by missionaries and national Christians in the Philippine context.

Chapter 7

Applications of Scripture To Bribery In The Philippines

Variance Bribes Are Condemned

In applying the Scriptural teaching on bribery to the Philippine context, let us first consider which practices fall under the condemnation of Scripture and which do not. Variance bribes are often initiated by the briber to evade a Philippine law. However, sometimes a government official takes the initiative offering to suspend the law in a particular case in exchange for money, even though the merits of the case do not warrant it. Most Philippine laws are generally fair and just. So it would be unusual that a variance bribe would actually support or uphold justice as might be the case in a society with grossly unjust laws. These types of variance practices distort justice, are often motivated by greed, and clearly fall under the condemnation of Scripture as bribery.

Although most Philippine laws are fair and just, some laws are unrealistic. This is especially true of custom fees which may place duties, taxes, or fees of 100- 200 percent or higher on some imported products such as electrical appliances or

electronic goods. Customs officers accept bribes to overlook these items or else greatly undervalue the item. For example, a new television that sold for \$400 in Hong Kong might be valued at \$100 and the appropriate customs charges levied on that basis. Information about customs duties is not published in a form readily available to those who come and go from the Philippines. So the traveling public is often unaware of what the precise fees are supposed to be. Because of this uncertainty and because of the lack of uniform enforcement of these laws, many people take their chances and resort to bribes if it looks like they will be charged too much.

Laws which are unrealistic and open to uneven enforcement provide more opportunity for bribery to occur. Therefore, in seeking to reduce bribery, it would be helpful if these kinds of laws were modified to be more realistic, clearly communicated to those effected by them, and evenly enforced.¹ However, although these laws may provide an opportunity for bribery, they do not provide a legitimate excuse for it. Scripture stands opposed to those who offer or receive bribes in relation to these type of laws. For while these laws may be somewhat unreasonable, they are certainly not grossly unjust. The primary motivation of the bribe receiver in these cases is personal gain, and the primary motivation of the bribe giver is to escape paying what is legally due.

Extortioners Are Condemned

Much of the crime committed by policemen or soldiers in the Philippines involves extortion. "For example, traffic policemen extorting motorists for unauthorized, on-the-spot 'fines' are a common sight on Manila's busy thoroughfares."² This may occur when a motorist violates a traffic law and a policeman uses his discretionary powers to extort a variance bribe for his own personal gain rather than to justly enforce the law or issue

the appropriate warning. A policeman may resort to overt extortion threatening greater adverse consequences than what is just under the law or extorting money when no law has been broken. All of these practices clearly fall under the condemnation of Scripture. The Old Testament condemns extortion in general, and John the Baptist specifically condemned extortion by soldiers. These types of practices involve the unjust use of authority, oppress the victims, and undermine the public confidence in those sworn to enforce the law.

Another common practice in the Philippines occurs when an official requires a person to make an unauthorized payment to insure the official does what he is supposed to do in the first place. This is extortion of a transactional bribe. While Scripture does not categorically condemn transactional bribes, those who extort them are guilty of extortion and are thus condemned. Both the extortioner of transactional bribes and the extortioner of variance bribes are both condemned by Scripture.

The extortioner of transactional bribes is guilty of oppressing the one who is entitled to his services. He is also guilty of failing to carry out his official duties without inducements other than what is prescribed by law. For many years the Philippine Penal Code has classified bribery and extortion as "crimes committed by public officers."³

In bribery both the giver and receiver are guilty. In extortion the guilt falls primarily on the extortioner. John Ting says, "In the Bible, the greater condemnation seems to be leveled against those who exploit their power to demand bribes than those who give under pressure."⁴ Philips states, "Moral justifications and excuses for complying with the demands of an extortionist are easier to come by than moral justifications and excuses for offering bribes."⁵ According to Joseph Farraher,

moral theologian of Gregorian University, giving a bribe to an extortionist "may be tolerated . . . if it is the only practicable way to obtain a decision that should be made." But Farragher adds that "efforts should be made to change the system which permits such action."⁶

Unfortunately, it is not always easy to distinguish extortion from bribery in the Philippines. The distinction between bribery and certain forms of extortion is often not clear. This is because the official may be very subtle in his solicitations from the petitioner. He may deliberately set aside the petitioners papers to continue reading the newspaper or say, "Oh, it's time for *merienda* [coffee break]." These cues tell the petitioner if he wants his request attended to without delays and problems, he should give something to the official. The petitioner, not wanting problems or delays, often slips the official some money. He may even say, "This is for your *merienda*."

Another contributing factor to the muddying of the distinction between bribery and extortion is the Philippine cultural value of maintaining smooth interpersonal relations. Filipinos often anticipate and read subtle cues in order to maintain smooth interpersonal relations. The petitioner would usually rather pay than cause a scene, as long as the amount is not too great. The petitioner is a victim, but not exactly a reluctant victim. He has come to expect this and quickly complies.

Although the government might not approve of this practice, it is not likely to do much to stop it, as long as it receives the payment due under the law. One Cabinet undersecretary stated,

The bureaucratic nature of government lends itself to extortion of bribes. If a petitioner for any sort of favor

*wants to receive timely attention to his request, he must be prepared to pay a bribe."*⁷

Unless extortion is overt, habitual, and the victims are willing to testify against the extortioner, it is hard to gather evidence and prosecute such crimes even if there is a desire to do so.

Transactional Bribes Are Questionable

What about the transactional bribe in which the petitioner freely offers a bribe in exchange for speedy service? Some might look at this as a 'tip' given for fast service. Many people would tend to look at this as a bribe rather than a tip, since they have a mentality that a tip is offered after the service is performed. In some cultures a pre-tip is extended in anticipation of prompt service. However, in some cultures a pre-service tip is extended in anticipation of prompt service. My experience in the Philippines and interviews with Filipinos indicate the appropriate time to tip in the Philippines is after the service is rendered. Tips are given openly and encouraged, while transactional bribes are usually given subtly. Almost all the Filipinos whom I interviewed made a clear distinction between a tip and a bribe. And two out of every three people I interviewed indicated it is not appropriate to tip a government worker. It should also be noted that it is more than timing that differentiates a transactional bribe from a tip. The transactional bribe is given to "a public official, and a sanction, though often mild [such as delays], is often imposed for nonpayment."⁸

In examining transactional bribes from a Scriptural viewpoint, we discovered they were bribes if they resulted in partiality in the administration of justice. It was suggested earlier that we ask key applicational questions including, "Is it undercutting impartiality and promoting favoritism?" But the answer to this question is not always clear. To time-oriented

Americans with a "first come first served" mentality, serving a person who came later before one who was there earlier, would show favoritism. Many Filipinos would not view it this way.⁹ As long as his request is approved, he would not necessarily feel that he was treated unfairly if someone's request, submitted after his request, was approved before his.

Furthermore, in many instances in the Philippines it is not a case of giving the official something so he will attend to your request instead of someone else's; but rather that he will attend to your case instead of leaving the office early or taking a long coffee break. The net short-term result may be that he processes more requests than he would have if no grease money had been offered.

However, studies indicate the long-term results are less than desirable. Francis Lui used a queuing model to test the results of customer service when bribery is permitted in order for the server to receive more bribe revenue and thus speed up work output. The results were compared with those when bribery is not allowed. Lui's abstract states, "None of the customers are [sic] better off with bribery."¹⁰ Gould and Amaro-Reyes report on findings in India that show "the practice of giving 'speed money' was actually the cause of administrative delays because civil servants got into the habit of holding back all papers from the clients until some kind of payment was made to them."¹¹ Uzobeyi Anigboh reports similar results in Nigeria where the expectation of bribes is "directly responsible for causing" administrative delays.¹²

After discussing the arguments given by those who point to the benefits of corruption versus those who point to the negative effects of corruption, Gould and Amaro-Reyes conclude with the following statement:

*The available data suggests that corruption has a deleterious effect on administrative efficiency and political economic development. Even under circumstances of benign corruption, the costs incurred in administrative and political performance far exceed the benefits derived from relative gains in economic efficiency.*¹³

Alatas shows that those who claim to see some positive aspects of corruption do so on the basis of theoretical models or deductive theories rather than actual instances.¹⁴ The actual effects of bribery in less developed countries boggles the mind.¹⁵

Earlier we acknowledged that asking the Key Application Questions stated in Chapter Three may show that a transactional bribe is not really a bribe in certain cases. However, there are dangers in offering transactional bribes even under the "purest circumstances." Transactional bribes tend to foster greed and lead to more extreme forms of bribery and corruption.¹⁶ This in turn perpetuates the cycle of corruption that tends to exclude the poor, who cannot afford a bribe, from "many public services designed for their benefit."¹⁷ The missionary who gives transactional bribes may unwittingly be contributing to the oppression of those people at the lowest end of the socio-economic scale, those for whom the Scripture tells us God is especially concerned. Because transactional bribes fall into the category of doubtful things, this problem needs to be thoroughly examined by the Filipino Christian community.

Filipino Christians and missionaries as the people of God need to be careful not to perpetuate the cycle of bribery and corruption in the Philippines. Instead they should model the ideal behavior as the Apostle Paul did with Felix. In the Philippines the ideal behavior is not to give or receive bribes.

By avoiding even transactional bribes whenever possible, missionaries and Filipino Christians reinforce ideal values and help break the cycle of bribery.

This does not completely rule out showing appreciation to an official for his assistance in the form of a gift. But to avoid the dangers we have discussed money should not be given. Also it would be better to give the gift sometime after the service has been completed, to give things that are not very expensive, and not to give something every time. For example, after a customs official has inspected a shipment of Christian books or Bibles, it might be appropriate to give him one. Or you might give a clerk with whom you regularly deal a small gift at Christmas or on her Birthday. These type of gifts can be given openly, show appreciation, and are unlikely to create favoritism or encourage corruption.

Teach Concerning the Bribery Problem

Another way to help break the cycle of bribery is for Filipino pastors and foreign missionaries to teach what the Scripture says concerning bribery. During the eight years I lived in the Philippines I never heard a sermon or message that addressed the subject. 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. It seems strange to me 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. Although the book addresses many important social issues, only one page is devoted to "The Public Servant" with only a few sentences related to providing impartial treatment to the people.¹⁸

Rodney Henry indicates that in the Philippines Christianity in general and Protestant Christianity in particular has answered many of the ultimate questions in life, but has often not seriously addressed many of the questions of everyday life. Henry applies this to the spirit world, but it also applies to many other areas of life.¹⁹ Nacpil make a similar charge when he states, "The churches do very little to equip their people for life in the real world; they train their laity mainly for participation in the activities of the church."²⁰ Jacano charges that Protestants on the island of Panay have often failed to teach the Bible in such a way that the people grasp how it relates to their everyday life.²¹

This is a crucial time to address this subject. One reason is because of the transition taking place in Philippine values. The dilemma of conflicting values during the present period of transition helps create a hunger to know what is right and why it is right. Teaching what the Bible says about bribery can help solve this dilemma by reinforcing those values that work against corruption.

In addition, the shocking corruption under Marcos and some who followed him and the ill effects on the Philippine economy has set the stage for Filipinos to seriously consider the subject. It illustrates the truth of Prov. 29:4, "The King gives stability to the land by justice, but a man who takes bribes overthrows it." The systematic tearing down of the Philippine economy and the resulting devastation brought upon countless Filipinos provides a powerful illustration of the destruction that bribery brings to the nation. It should be used to help jar people out of a complacent attitude toward bribery. In addition, the betrayal of Jesus by bribery and the bribery associated with "cover up" story about the resurrection should serve strong illustrations in the Philippine setting where Good Friday is the most sacred and faithfully observed holiday of the year. It

would be wise to point out the progressive escalation of bribery in that account and compare it to what has happened in the Philippines.

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. It is time for the people of God, who have purer motives for denouncing bribery, to address this issue

Simply teaching that bribery is wrong is insufficient. Long-standing practices change slowly unless the values behind them change.²² Values change by instruction and example which demonstrate a better way. Instruction on the character of God is foundational. The natural tendency of man to think he can manipulate God needs to be effectively counteracted. Gorospe states, "Many Filipino Catholics make novenas to obtain favors from God. They feel they have done something for God and expect Him in turn to reciprocate. Confession, praying to Mary, attending Mass and doing good deeds replaced animistic sacrifices and rituals as ways of gaining God's favor. . . They feel they have done something for God and expect Him in turn to reciprocate."²³ Teaching on "God who cannot be bribed" and to whom we owe "a debt of gratitude" brings the character of God into clearer focus for Filipinos in both Christian nurture and evangelism. From the foundation of God's character, we should give specific application showing why we are not to show favoritism or offer or receive bribes. It should be shown that bribery contradicts God's impartial character, distorts justice, tears down the nation and is a form of dishonest gain.

Paul's experience with Felix in Acts 24 is a passage which should not be overlooked when teaching concerning bribery because it contains many parallels to the current Philippine setting. Illustrations from people in the Philippines who resisted extortion and solicitations of bribes and who refused to accept bribes should be incorporated into the instruction. The biblical teaching on contentment should not be overlooked.

The giving and receiving of variance bribes and other practices which distort justice, such as the use of one's office to extort transactional bribes, should be strongly condemned. Since transactional bribes do not clearly fall within the Scriptural boundaries of a bribe, and given the history of bribery in the Philippines, the foreign missionary should not be too quick to condemn those who submit to extortion for transactional bribes or those who give or receive transactional bribes. An understanding approach of suggesting and demonstrating alternatives would be more appropriate. 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.

Instruction concerning bribery needs to be related to Philippine cultural values. Gorospe believes that many Filipinos are not consciously aware of the conflicting values present in their lives. Therefore, he calls for helping people become aware of the "two inconsistent norms of morality" which are operating in their life. One norm he calls "the ideal Christian norm of morality." He calls the other "the actual Filipino norm of morality."²⁴ Bringing people to an awareness of this conflict of norms in their own life is an important initial step to reconciling the conflict.

Bulatao thinks one reason why Filipinos are often unaware of the inconsistency of values in their "Split-level Christianity"

is because they have not seen "actual models in whom the split has been overcome." He believes if Christian authority figures get closer to the people and the situations they face, they will be better able to translate the "Christian system of thought and action" into the everyday life of the people.²⁵

Gorospe acknowledges certain Filipino values have contributed to corruption. But he advocates integrating Filipino values with Christian values rather than discarding Filipino values "as altogether evil."²⁶ He believes, "We should accept and preserve whatever is positive and good and reject what is exaggerated, corrupt or evil."²⁷

Espiritu and other Philippine sociologists also recommend this approach. They suggest exploring, understanding, accentuating, and reinforcing the "positive aspects" of Filipino cultural values while discouraging "their negative aspects."²⁸ For example they advocate balancing the desire for smooth interpersonal relations, which may sacrifice "truth, accuracy, and precision, with the value of sincerity and authenticity so that the Filipino individual can become tactfully truthful, considerate but firm, kind and consistent." Concerning *utang na loob* they emphasize it "reflects deep gratitude, thoughtfulness, and appreciation for any act of kindness received and in turn a willingness to be of help when needed." However, "when abused it can be manipulative and a hindrance to freedom of decision."²⁹ Therefore, it should be balanced by teaching *utang na loob* toward God in response to Christ's voluntary sacrifice for us. That truly is a debt that we cannot repay but one which demands our highest allegiance and commitment. Gorospe also refers to Jamie Bulatao's suggestion to modify *utang na loob* to apply not only to individuals but also to the people of the community in order to foster a loyalty to what is best for the community as a whole.³⁰

Likewise, *hiya* (shame) has positive aspects, but it can be a problem when it is given a higher place than honesty, impartiality, and responsibility. One possible correction is to expand *hiya* to include *hiya* toward God to avoid being ashamed before Him. Passages such as Mark 8:38 can be utilized to instill a desire to avoid being shamed before God as an even higher priority than avoiding being shamed before other people.

Demonstrate Alternatives to Bribery in Philippine Context

In addition to teaching on bribery and reforming cultural values into harmony with Christian values, foreign missionaries and Filipino Christians can help break the cycle of bribery by demonstrating alternatives. For example, when I moved back to the Philippines in 1981, I was careful to abide by the Philippine customs laws in shipping my household effects. The broker handling my shipment told me that he would need some extra money to facilitate the release of our shipment through Philippine customs. I responded that I was willing to pay any customs and duties owed to the government, but that I would not pay grease money. He said in that case I had better go to customs with him, because the customs men would think he had been given "grease money" and would expect him to give them some. Even though it meant I had to make a long trip to Manila when our shipment arrived (probably costing more than a transactional bribe would have), I went to customs with my broker. I sought to be pleasant and patient with the customs officials. Although, it usually takes a day or more to get through port customs, we finished in a few hours with no problems. When we were almost finished the broker leaned over to me and whispered, "God is with you." My actions were not only a powerful witness to the broker, but also demonstrated an alternative to a transactional bribe.

I can imagine the impact that a Christian government official would have, if when offered grease money, he would graciously decline it saying, "Don't worry. I will help you. Use that to help some needy person." Indeed, during the course of interviewing Filipinos, I came across a former university professor and lawyer who is now a government employee who does this. He indicated that when he is offered a bribe he turns it down. But to soften the impact of repudiating the person's offer he suggests the person give the money to the church. In doing so he does not compromise his convictions or office, but he also maintains smooth interpersonal relations and does not shame the one making the offer.

Luke 14:12-14 and Eph. 6:7-9 are helpful passages from the perspective of the official who turns down bribes. Both passages establish the principle of divine reciprocity i.e., God pays for the poor (Luke 14:14) and God rewards for good service (Eph. 6:7)--if not now then at the future resurrection. Officials who refuse to use their office for personal gain should receive praise and encouragement from the Christian community and be regularly assured that God will reciprocate in His time.

The example of the widow's persistence with the unrighteous judge in Luke 18:1-8 demonstrates another alternative to bribery applicable to the Philippine context. Persistence and prayer go a long way in obtaining appropriate action in the Philippine context if you treat those in authority with respect. The standard reply for a request at many Philippine government offices seems to be "Come back tomorrow." My standard reply is "It's okay--I'll just wait here." But such a reply should be given graciously with a smile on the face and a prayer in the heart. Getting angry, losing patience, or telling off the clerk are not only a poor witness, but are often counterproductive. While waiting it is important to keep

visible. "Out of sight, out of mind," is an adage which should not be forgotten.

Jose Rapanut, an officer in the Baguio City Department of Local Government and Development, suggests another alternative to bribery. Rapanut says that it has become customary for Filipinos to file their transactions with the government at the last minute which produces an atmosphere of bribery. Bribery occurs because a person wanting to beat the deadline is willing to pay a bribe so that his papers will be attended to immediately. A Filipino attorney whom my wife interviewed also pointed to the habit of waiting until the last minute as one reason why Filipinos sometimes offer bribes. Rapanut believes that bribery could be diminished if people would file the papers well in advance.³¹

However, not all situations will be easy. A Filipino under the threat of extortion may face far greater pressure than a missionary would face, because the missionary often has a relatively high status and more resources upon which to draw. Just as the Psalmist prayed that God would preserve him from oppression (Ps. 119:121-122), so missionaries and national Christians can pray that God would preserve them from those who seek to extort bribes. While in the midst of the pressure to offer a bribe, they need to cling to God's promises, remembering God promises life to those who hate bribes (Prov. 15:27) and justice to those who ask and trust Him for it (Luke 18:7-8), and remembering that the righteous who refrains from bribery "will never be shaken" (Ps. 15:5).

Resisting extortion and refraining from bribery in the Philippines may result in suffering. 1 Peter 3:13-17 brings God's perspective to that situation. Blessing results for those who suffer for doing what is right (v.14). The believer need not fear the threats of corrupt men but he should remain steadfast to

Christ and be ready to give an answer in defense of his conduct (v.14-15). In the Philippine context, he may be asked such questions as "Why don't you give me something to take care of it for you?" An answer given "with gentleness and respect" (v.15) which upholds God's standards is likely to have a significant impact in that setting. The missionary or national Christian who does not give grease money will probably spend more time, effort, and even money in dealing with officials than those who give grease money. But he will probably have more opportunities to witness and demonstrate genuine Christian character in places where compromise and corruption have become common.

Sometimes in our eagerness to carry out our "mission" we may overlook those opportunities God gives us in unpleasant or routine situations to carry out an "unanticipated mission." The unanticipated mission may at times have a greater impact than the announced mission because it demonstrates true Christian conduct in the kind of everyday situations with which Filipinos can easily identify. The gospel has been lived out far more in the hospitals, schools, and churches in the Philippines than in government offices. Yet, an authentic Christian lifestyle and witness in those offices may have the greater impact. This conclusion is reinforced by Alatas. After an extensive study of corruption in Asia from a historical and political viewpoint Alatas states, "Saintly and charismatic religious personalities have been the most important single factor mitigating corruption throughout Asian history."³²

Missionaries and national Christians should also remember the consequences when King Asa, under pressure, sought to work things out by a bribe, rather than relying on the Lord (1 Kgs. 15:18). Although the bribe accomplished the short run objective, which it often does, the long range consequences were disastrous (2 Chr. 16:9). Conversely, we should

remember how Paul withstood Felix's solicitation for a bribe for two years. This provided Paul the opportunity to give a strong witness for Christ to Festus and King Agrippa. It should also be recalled that God used the foreign King Cyrus to free the exiles and rebuild Jerusalem without giving Cyrus any payment or bribe (Isa. 45:13).

Filipino pastors and Christian leaders need to help their fellow countrymen as well as foreign brothers forge ways of dealing with these difficult situations and encourage and help those who suffer for their stand. "It may not be easy to conform to Biblical standards in our fallen world and if a member of the community suffers in doing so, the community needs to support him."³³ Remember God is looking for people to intervene on behalf of those who are unjustly oppressed.

The Christian community should support government actions to clean up corruption, to provide an adequate wage for civil servants, and to modify unreasonable laws which provide much latitude for corruption. Appropriate prophetic denunciation of gross injustice may also be called for. But it would be wiser for national Christians rather than foreign missionaries to take the lead in matters of civil action and prophetic denunciation.

Finally, mission boards need to devote more attention to helping missionaries deal with this issue. Special attention should be given to the new missionary because it is often when the new missionary first arrives that he faces these situations at customs or immigration. Just as God alerted the young nation of Israel to the problem many years ago, mission boards today need to alert new missionaries to the bribery problem and to suggest ways to deal with it. Ready or not many young missionaries will come face to face with the solicitation of a bribe.

Chapter 8

Summary

And you shall not take a bribe, for a bribe blinds the

Bribery is defined in a variety of ways. But the common element in the various definitions is that whatever is given, is either given with the intention to influence, or received with the intention of being influenced. The transactional bribe/ variance bribe framework, based on whether or not a substantial norm has been varied, is helpful in examining bribery in the Bible and in the Philippines.

Extortion, as viewed in this book, is the action of a public official to extract from people what he has no legal or moral right to. It has similarities to robbery and is the complement of bribery. It is very close to the solicitation of a bribe except it demands payment rather than requesting payment. But it is often difficult for the victim to distinguish between a strong request and a mild demand.

Old Testament Perspective on Bribery

Shochad is the primary Hebrew word used in reference to bribery in the Old Testament. After examining the passages

where *shochad* occurs, it is clear that a bribe in the Scriptural sense includes, but is not limited to, any gift offered to or accepted by any administrator of justice which adversely affects the administration of justice. The variance bribe is the type of bribe usually in view when bribery is condemned in Old Testament. The picture concerning transactional bribes is less clear. But it is clear that when a transactional bribe causes someone to be partial in his administration of justice, then from an Old Testament stand point it is a bribe, and hence condemned.

A close examination of the Hebrew terms referring to those who are commanded not to take bribes, shows that the Scriptural prohibitions concerning bribery apply to virtually everyone in the civil government or religious administration.

The evidence suggests that Israel's outlook on bribery did not come from the nations around her, or from her own natural inclinations, but from the repeated instruction of God, who outlawed bribery very early in Israel's history. Although contextual circumstances changed dramatically during the course of Israel's history, God repeatedly reaffirmed His early condemnation of bribery throughout the Old Testament. There is nothing in the Old Testament that suggests a limited or temporary application of the commands against bribery. It portrays God's prohibitions forbidding bribery as being rooted in His impartial character and universal concern for justice for all mankind, not in any contextual factors.

Bribery is wrong because it contradicts God's impartial character, distorts justice and is a form of dishonest gain. Whenever in doubt whether a particular practice is a bribe, it is useful to examine that practice in light of why bribery is wrong from the biblical perspective and ask, "Is this a bribe according to the Scripture?" If it is, then it should not be given. The following questions are suggested to evaluate whether a

particular practice is actually a bribe in the biblical sense in that cultural context:

1. Is it pursuing justice or distorting justice?
 - Is it hurting or taking away the rights of the innocent?
 - Is it letting the wicked escape justice?
 - Does it promote or obscure the carrying out of duties?
2. Is it undercutting impartiality and promoting favoritism?
 - Is it impairing the judgment of those who are otherwise impartial?
 - Does it result in favoritism toward some and unfavorable treatment of others?
3. Is it motivated by greed or dishonest gain?
 - Is it associated with extortion in anyway?
 - Is it solicited or demanded?
 - Is it given secretly and cunningly?
 - What do righteous men do in this situation in this culture?

An Old Testament Perspective on Extortion

In the Old Testament extortion is called sin and forbidden. It is closely associated with robbery, bribery, and the denial of justice. It is often directed at those who are relatively defenseless such as the poor, widows, orphans, and aliens. Extortioners may experience short term temporal gains, but are condemned by God and will sooner or later come under His judgment.

The Old Testament portrays the person being extorted as a victim who should be defended. It condemns extortioners and admonishes those having any responsibility in the administration of justice to defend the victims and punish their oppressors. The victims are encouraged to pray to the Lord for His protection and intervention. Resistance to extortioners by victims is

recommended when possible, but not required by Scripture. God's people should seek to help the victims and take appropriate action against the extortioners whenever possible.

A New Testament Perspective on Bribery and Extortion

The New Testament does not overturn the prohibitions against bribery, but continues to paint bribery in an unfavorable light. It affirms the Old Testament's censure of the variance bribe. It adds to the Old Testament's condemnation of bribe takers by providing specific instances condemning bribe givers, bribe offerors, and the offer of a bribe. It illustrates how bribery can escalate from small bribes to large ones. It records Paul's resistance of Felix's attempted extortion or solicitation of a transactional bribe. And it shows John the Baptist telling low paid soldiers not to use their position for extortion.

The New Testament strongly affirms the Old Testament principles of impartiality and justice. Justice is the underlying principle behind the Scriptural commands forbidding bribery and extortion. The pursuit of justice should be central to a Christian social ethic as well as one of the chief functions of the civil government. There is very little distance between the biblical commands against bribery and the underlying principle of justice.

I find nothing in the New Testament to suggest that the Old Testament prohibitions against bribery and extortion should not be applied today. On the contrary, I find much to affirm the Old Testament perspective concerning bribery and extortion. Nothing in Scripture suggests that the prohibitions against bribery are limited to any particular time or culture. They have a timeless and universal application.

Bribery in the Philippines

Bribery became deeply embedded in the Philippines during the Spanish colonial rule and continues to be tolerated today. The continued toleration of bribery can be explained in part by the conflict in values in a society in transition from a traditional way of life to a modern one. Although most Filipinos believe bribery is wrong, many either practice it or have a fatalistic tolerance of it. They tend to distrust the government and rely more on family ties, intermediaries, and reciprocal relationships rather than on the prescribed procedures.

Several cultural values, including a fatalistic acceptance of the status quo, work against resisting bribery and extortion and favor following the path of least resistance. An array of social problems and inequities continue to provide an atmosphere conducive to corruption. The government has progressively increased its intervention in the domestic economy, requiring Filipinos to interact with governmental agencies more than ever before. It has taken some steps to reduce corruption, but the efforts to reduce bribery and extortion have for the most part been ineffective.

Applications to the Philippines

In applying the biblical teaching concerning bribery and extortion, the giving and receiving of variance bribes and other practices which distort justice and violate Philippine law, such as the overt or subtle use of one's office to extort or solicit transactional bribes, should be condemned.

Each potential transactional gift should be carefully and objectively examined by criteria which reflect a biblical stand, such as the Key Application Questions, to determine if it might

be a bribe. A transactional gift should be avoided if there is the slightest chance it might be viewed as a bribe.

Now is a critical time for missionaries and Filipino Christians to teach a biblical view of bribery and extortion and provide specific application to the problems people face. The bribery problem and certain Philippine cultural values provide a springboard to correct a distorted view of God. Instruction should reinforce the positive aspects of Philippine cultural values and seek to correct the negative aspects from the Bible in order to bring those values into conformity with Scriptural values. This can best be done by Filipino Christians, although missionaries may be catalysts in this process.

Above all missionaries and Filipino Christians need to model ideal behavior and demonstrate alternatives to bribery such as, patient persistence, prayer and dependence upon God, gracious refusal of bribes, and advanced planning. Victims and potential victims of extortion and bribery should be encouraged to resist and given alternatives for doing so. They should be supported when they suffer and not judged if they should give in under pressure. In addition, Christians in the Philippines need to support reforms such as modification of unreasonable laws and increases in wages for civil servants. They should denounce injustice whenever it appears regardless of who is involved. With God's help by doing all these things they can help break the cycle of bribery, and communicate and demonstrate God's truth in the Philippine context.

It is my hope that Filipino Christians and missionaries will build upon the ideas of this book to shed further light on this subject and model additional alternatives, so that the body of Christ in the Philippines may have a greater witness and influence for the glory of God.

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CHAPTER 6

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²⁸Douglas J. Elwood, "A Theological Approach to Some Traditional Filipino Beliefs About Man," *Southeast Asian Journal of Theology* 11 (Spring 1970): 50.

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³⁴*Ibid.*, 45.

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⁴¹*Ibid.*, 258-259.

⁴²Rev. Bert Vitalis, interview by author, 11 November 1987, written notes, International School of Theology (Asia), Baguio City, Philippines.

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⁴⁵Gould and Amaro-Reyes, *Effects of Corruption*, 15.

⁴⁶Anderson, "Buy and Sell," 661.

⁴⁷Gould and Amaro-Reyes, *Effects of Corruption*, 15.

⁴⁸Frederica M. Bunge, ed., *Philippines, a Country Study*, Foreign Area Studies The American University, (Washington, D.C.: United States Government, 1984), 195.

⁴⁹James A. Gregor, *Crisis in the Philippines: A Threat to U.S. Interests*, with a Forward by Sen. Howard H. Baker Jr., (Washington, D.C.: Ethics and Public Policy Center 1984), 43.

⁵⁰"Crimes by Policemen rise in Philippines; low salaries are cited," *Orange County Register*, 23 September 1988, (O)4.

⁵¹Bijan Rafailzadeh, "The Economics of Bribery in Less Developed Countries With Special Application to Iran" (Ph.D. diss., The University of Michigan, 1984), 72.

⁵²Alatas, *The Problem of Corruption*, 90, 138.

⁵³Ibid., 90-91.

⁵⁴T. M. Burley, *The Philippines: An Economic and Social Geography*, (London: G. Bell and Son Ltd., 1973), 139.

⁵⁵Bernard Wideman, "Cracking Down on the 'Backsliders'," *Far Eastern Economic Review* 86 (29 November 1974): 23.

⁵⁶Bunge, *Philippines*, 194.

⁵⁷Matthew L. Angiwan, statement made in class on Christianity and Social Issues, International School of Theology (Asia), Baguio City, Philippines, 1987.

⁵⁸Gunnar Myrdal, "Corruption: Its Causes and Effects," in *Political Corruption: Readings in Comparative Analysis*, ed. Arnold J. Heidenheimer, (New York: Holt, Rinehart, and Winston, Inc., 1970), 544.

CHAPTER 7

¹Myrdal cites a study in India which recommended reducing to a minimum the discretionary powers of civil servants in their dealings with the public as a short-term means of reducing bribery. It also recommended "simpler and more precise rules and procedures for political and administrative decisions that affect private persons and business enterprises." Myrdal, "Corruption: Causes and Effects," 543.

Gorospe adds, "Law is not the main problem in the Philippines, but the unwillingness or inability of corrupt officials to enforce the law equally for all." Gorospe, "New Morality," 361-362.

²"Crimes in Philippines," *Orange County Register*, O4.

³Abueva, "What Are We in Power For," 203.

⁴John Ting, "Biblical Ethics in a Fallen World," *Evangelical Review of Theology* 7 (October 1983): 329.

⁵Philips, "Bribery," 630.

⁶Joseph Farragher, "Bribery," *Encyclopedic Dictionary of Religion*, 1979, 1:524.

⁷Bernard Wideman, "Cracking Down on the 'Backsliders'," *Far Eastern Economic Review* 86 (November 29, 1974): 24.

⁸Reisman, *Folded Lies*, 70.

⁹Although the average Filipino may not be as time-oriented as the average American, those whom I interviewed indicated time is an important motivator in relationship to transactional bribes. The most frequent response I received to the interview question "Why do Filipinos sometimes offer bribes?" was "to speed things up."

¹⁰Francis T. Lui, "Essays on the Economics of Corruption (Queing, Bribery, Deterrence, Crime, Punishment)" (Ph.D. diss., University of Minnesota, 1985), abstract.

¹¹Gould and Amaro-Reyes, *Effects of Corruption*, 33.

¹²Uzobeyi A. Anigboh, "The Extent to Which Corruption Has Hindered the Effective Implementation of Economic Development in Africa: A Case Study of Nigeria from 1970 to 1983" (Ph.D. diss., Howard University, 1984), 289.

¹³Gould and Amaro-Reyes, *Effects of Corruption*, 28.

¹⁴Alatas, *The Problem of Corruption*, 30.

¹⁵Summaries of some of the negative effects of bribery are found in Rafailzadeh, "Economics of Bribery," 240, and in Alatas, *The Problem of Corruption*, 25-26, 92-97.

¹⁶Alatas affirms, "The type of bribery alleged to promote efficiency has the tendency to develop and extend the habit in areas where it is difficult to promote efficiency." Alatas, *The Problem of Corruption*, 18.

¹⁷John S. Nichols, "The Real Victims of Foreign Bribery," *Revista del Desarrollo Internacional*, 18 (1976): 39.

¹⁸Richard P. Poethig, ed., *Philippine Social Problems from a Christian Perspective*, (Manila: United Church of Christ in the Philippines, 1963), 135-136.

¹⁹Rodney Henry, *Filipino Spirit World*, (Manila: OMF Publishers, 1986).

²⁰Nacpil, "A Gospel for the New Filipino", 120.

²¹F. Landa Jocano, "Conversion and Patterning of Christian Experience in Malitbog, Central Panay, Philippines," in *Acculturation in the Philippines: Essays on Changing Societies*, ed. Peter G. Gowing and William Henry Scott (Quezon City, Philippines: New Day Publisher, 1977), 65.

²²Mydral points to changes in moral values as a key long-term solution to bribery. Mydral, "Corruption: Causes and Effects," 543.

²³Gorospe, "Filipino Values," 211.

²⁴*Ibid.*, 196.

²⁵Bulatao, *Split-Level Christianity*, 10-14.

²⁶Gorospe, "Filipino Values," 208.

²⁷*Ibid.*, 209.

²⁸Espiritu and others, *Sociology Philippine*, 75.

²⁹*Ibid.*, 76.

³⁰Gorospe, "Filipino Values," 223.

³¹Jose Rapanut, comments made in class on Christianity and Social Issues, International School of Theology (Asia), Baguio City, Philippines, 1987.

³²Alatas, *The Problem of Corruption*, 54.

³³Ting, "Biblical Ethics," 333.