Moral Complicity Theory: The New Frontier against Syndicate Corruption in Uganda

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SYNDICATE CORRUPTION

Area of Study  OBJECTIVES

Development Ethics

Key words
• Syndicate Corruption
• Moral Complicity Theory
• Organizational Ethics

• Learn about an ethical analytical tool that can be an effective strategy in the fight against syndicated corruption.
• To discuss normative analysis as an aspect that contributes to development reforms in Uganda.
THE PROBLEM

• It is now generally agreed that corruption is the lead obstacle to development in Uganda.
• The ordinary citizens and enterprises, according to the Inspectorate of Government, are often required to give unsanctioned payment to public officials to access basic goods and services.
• The Inspectorate of Government estimated that bribes totaling UGX 116 billion were paid to public officials, by both rural and urban residents, in the year 2013.
• Tax payers’ money has been lost through irregular payments for works not executed or to ‘ghost’ workers.
• A mandatory validation exercise for government employs uncovered 8,589 ‘ghost’ employees receiving monthly pay checks adding up to UGX. 4,563,318,131.
• Other corrupt deals involve procurement anomalies, mismanagement of donor funds, irregular land transaction, among others.
• Although public financial management reforms undertaken by the government of Uganda have made it difficult for individual public servants to engage in corrupt deals unnoticed, corruption has evolved to a much more complicated network of ‘syndicate corruption’.
In moral analysis, syndicated corruption appears to pertain to moral complicity theory.

Traditional moral complicity theory holds that “under certain conditions, those who participate in a cooperative activity that is morally evil may be held responsible as accomplishes.”

But there are different levels of participation which distinguish between culpable and permissible, and as stated in two principles: formal (direct) cooperation, and material (indirect) cooperation.
Formal complicity (cooperation)

- Formal cooperation (complicity) attaches to any persons who endorses in word or deed the wrongdoing of the primary agents. The intention is the same.
- One intends the evil of the primary agent and participates in it by advising, counseling, promoting, or condoning.
- The formal cooperation may be explicit or implicit.
• Explicit – e.g. A official of the Lands Office assists an official of National Forest Authority to falsify documentation for purpose of obtaining land on a gazetted forest.
• Implicit – e.g. One lends his building to the official of the Lands Office. He uses it for printing false documents. The owner of the building knows but is not involved in the illegal activities.
• It is always wrong to cooperate formally in evil whether explicitly or implicitly.
Material cooperation (complicity) attaches to persons who foreseeable but unintentionally act (participates) in a way that encourages further wrongdoing by other people or agencies. Material cooperation may be immediate (proximate) or mediate (remote).

Immediate material cooperation is the actual doing of the evil one disapproves of and thus is morally equivalent to formal cooperation. Immediate material cooperation is never permitted.

A person is opposed to falsifying documents but supplies the papers. Immediate material cooperation is not morally permissible.
Remote (or mediate) material cooperation attaches if one or more intermediaries stand in the causal pathway between those who cooperate and those who engage in wrongdoing.

The more remote the material cooperation, the more likely it is to be permitted on the basis of the principle of double effect.

A principle of a school who buys food for the students from a farm on grabbed land and is unable to buy the food anywhere else.

The good effect must be sufficiently desirable to compensate for allowing of the evil effect.
Organizational ethics has a role in combating moral complicity in syndicate corruption.

Organizational ethics ensures that ethics is prioritized at all levels and across a range of domains. Ethics education and consultations targets the improvement of ethics at the level of decisions and actions. Improving ethical leadership helps promote an environment and culture that prioritizes ethics. Examining and improving the systems (processes) and structures leads to competencies in preventive ethics.