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Article · July 2014

DOI: 10.24297/jah.v2i1.417

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DISCOURSE ON MORALITY, CORRUPTION AND CHANGE IN CONTEMPORARY AFRICA: DOES INTENTION MATTER?

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ABSTRACT

Corruption is widely regarded as a condemnable act because of its effects on the wellbeing of the populace. More than the reason(s) for the supposed act of corruption, most scholars are of the view that the very act of 'diverting' public funds, with likely severe consequence(s), is unacceptable, and therefore immoral. But the question is: should the morality of an act be decided strictly based on the consequence(s) of such an action or should the intent of the 'performer' be considered? In this paper we shall be examining the 'consequences versus intent' factor in the definition of corruption within the public space, using T.M. Scalón's 'Predictive Significance'. In the final analysis, the work suggests that neither consequences nor intent is solely sufficient in evaluating the morality of corruption. We therefore suggest that both intent and consequences should be duly considered within the ambit of Scalón's 'Predictive Significance' when moralising corruption, most especially in Africa where change is much needed.

KEYWORDS: Corruption, intent, morality, public space, looters, the poor

Academic Discipline

Anthropology, African Studies, Politics

Type (Methos/Approach)

Critical Literary Analysis

Council for Innovative Research

Peer Review Research Publishing System

Journal: Journal of Advances in Humanities

Vol. 2, No. 1

jaheditor@gmail.com

www.cirworld.com



INTRODUCTION

What Robin Hood does (sic) is illegal but I wouldn't concur with the view that he is corrupt. For him, "robbing from the rich and giving to the poor" is a way to serve justice—equality. That is, his intention isn't corrupt... It's all about one's intention and the methods—with rationalization—he use.

- *G.E, An online forum discussant*

The best way to commence this piece is to make clear the background on which it is set. Corruption has today become 'a tolerated monster', somehow, in many countries all over the world (most especially in the developing countries) that the definition of a corrupt official, nay that of corruption, is taking another shape. Generally, corruption can be defined as "an unethical form of influence employed by people to get things they want" [5]. In public space, it is seen as

"the utilization of official positions or titles for personal or private gain, either on an individual or (group) collective basis, at the expense of the public good, in violation of established rules and ethical considerations, and through the direct or indirect participation of one or more public officials whether they be politicians or bureaucrats." [6]

It is generally regarded as an unacceptable conduit through which funds/money that should be utilized for the 'public' good are diverted into or made to find their ways into private pockets at the detriment of the segment of the economy/area that the funds have been budgeted to benefit [3]. Hence, many leaders have been accused, tried and sentenced for being 'corrupt' or being an accomplice to corrupt acts. However, some of these punishments have been criticized by a segment of the poor that the anti-corruption laws are meant to protect as 'harsh' and 'unjust', for diverse reasons. Some of these reasons are that:

1. The 'accused' is only trying to secure the funds for the entire populace.
2. It is because the 'accused' did not agree to siphon the funds with others.
3. It is because the 'accused' is from a particular ethnic group or used the funds to the benefit of a particular group.

While reasons (2) and (3) can be taken as 'frame-up' and 'not denying' corrupt act, reason (1) needs closer examination.

Today, in Nigeria (a West African country), for example, many past government officials and dubious private business moguls, who have been accused of mis-managing public funds but turn around to set-up charities, social enterprise companies and educational institutions are being hailed for having invested back into the system, rather than being shamed. To these skeptical public [7], these persons or *homolooters* [2] ought to be commended for not taken the stolen loot abroad (into Swiss Bank accounts). Indeed, many of them, including those involved in internet frauds also known as *yahoo-yahoo* boys, are celebrated by the communities [1] for the 'development' they have brought as a result of their investments (re-investment, if you like). This trend is baffling and worrisome. Like the opening quotation taken from an online discussion forum, can we refer to these persons as 'Robin Hood'? Does 'given back' obliterate the fact that they have soiled their hands with commonwealth? Do their 'discharge and acquittals' by the sleaze happy judiciary officials confirm their moral rightness in stealing with purpose? Can we for sure confirm that their intent at the time of stealing the funds was to 'give back' to the people? Even if that was their intention, does intention make stealing of public funds a morally permissible act, if reinvested? Does the public acceptance and acknowledgement of their 'goodwill' obliterate the fact that they diverted the funds? Can reason (1) be sufficiently justified based on intention principle?

MORALITY, ACTION AND INTENTION

Case One:

*President XY has less than six months to complete his term as the president of the federal republic of country X. There is over one billion dollars in the country's excess crude oil account. He is not comfortable leaving the money in the account at the expiration of his tenure because, to his mind, the incoming government will loot it. Commencing another project with less than six months to the end of his tenure means also that he will not be able to supervise and monitor the progress of the project to prevent abandonment. The President then decided to **divert** a high percentage of the funds into his wife's non-governmental organization caring for the aged and the youths the initial primary target of the funds. Two years after his tenure, the project has positively affected over 200,000 lives. Although he was arrested, he was later acquitted; and the beneficiaries of the project were with him all the way.*

Three points are clearly deducible from the case:

1. The President can be adjudged to have good intention to prevent stealing of public funds
2. The President diverted (stole, if you like) public funds into a private account
3. The President allowed the initial target beneficiaries of the funds to enjoy it.

These three deducible/inferred conclusions represented the action-intent nexus. The deontologists and teleologists have different arguments on the first two, while, the third is the intent-consequence determinant which will be explained more robustly later.

To the teleologists or consequentialists, the consequence of his (the President's) act, rather than the intention ought to determine the wrongness or rightness of his action. In this wise, DIVERSION of public funds will be considered as MORALLY UNACCEPTABLE, and therefore, wrong with no consideration of his intention. To the deontologists, most importantly those who subscribed to the Intention principle, however, the intent is a factor that needs consideration rather



than just the result or consequence. Hence, the deontologists will consider the intention, the duty and the universability of the President's act before concluding whether it is right or wrong.

But the salient questions at this point are: would that money has been put to better use had the President not corruptly taken it from the government coffers? Can anyone be so sure that the President's intention at the time of the diversion is to 'reinvest' in the youths through his wife's non-governmental organization? And why did he choose his wife's organization and not any other with good vision for the youths? Does eventual 'commissioning' of the projects justify the act as moral or morally permissible?

Let us consider another case study.

Case Two:

A popular ex-serviceman, X, is having mental disorder. As a result of this mental sickness, he beats his wife at slightest provocation. Because of this mental state of X, one of his domestic staffs, Y, decided to steal and hide his boss, X, double barrel gun. One day, Y went to church and the pastor's sermon for the day was on 'Morally Wrong Acts'. After the sermon, it was crystal clear that Y is a thief, having taken the gun without X's knowledge. But again, Y feels something is wrong with the argument that he is a thief. Should Y return the gun to free himself from the guilt of being a thief?

What is obvious from this case study is that the 'stealing' act of Y is intentioned towards saving X's wife from untimely death or harm which X can cause through the use of the gun. Of course, there is no doubt that Y has stolen, like in the case of the President in first case study above. But the intention is seen clearer or immediately visible: denying X's access to the gun. But this is likewise similar to that of the President in Case Study 1, who wants to prevent the in-coming President from having free access to the funds in the government coffers. In both cases, the substance of their argument rests on their intention at the point of taken the action. But beyond that, both have another thing in common, which is *the fear of the negative consequences of not performing their acts*. Let's at this juncture take a closer look at two concepts that are germane to our work: Intention and Permissibility

INTENTION AND PERMISSIBILITY

An intention, to the deontologist, is understood as what the agent's aim was when performing a particular act, Z, and how he or she saw Z as promoting his/her objective(s); and the permissibility of an act, Z, can be understood as whether an agent may Z. Permissibility therefore becomes a tool to dissuade an agent from promoting his or her objectives. Unlike intention which is personal, permissibility is social.

The deontologists are particularly convinced that intentions are sometimes relevant for determining the permissibility of an act. That is, they accept the dictates of the Intention Principle which states that: an agent's intention in performing an act can sometimes make an act that would otherwise have been *permissible impermissible*, all things being equal, and that which is *impermissible permissible*. The implication of this tenet is that although diverting public funds might be seemingly impermissible (somehow); it can also be a permissible act because of the intention of the moral agents in the case study 1 and 2 preventing looting and saving the endangered life of X's wife.

Scanlon [9] buttress this further with the argument that an agent's intention can affect the permissibility of an act in certain ways:

- a. if an agent's intentions have what is called the 'predictive significance' as features relevant to the action's likely consequences. What this means is that if my intention in breaking a promise is to harm you, this intention may affect the likely consequences of my action and raise legitimate concerns about future impermissible harms. But if it does not harm but promote wellbeing, the permissibility of such an act ought to change.
- b. if an agent's intentions affect the 'meaning' of actions, which can be defined as 'the significance, for the agent and others, of the agent's willingness to perform the action for the reason he or she does'.

The permissibility of corruption in selected instance lies, therefore, on the validity of its predictive significance feature buoyed by the deep meaning of the action. The implication is that such exceptions are sometimes necessary and needed in the society, regardless of the hard-line position of the teleologists.

CORRUPTION, MORALITY AND CONTEMPORARY AFRICAN SOCIETY: THE IMPERATIVE OF PREDICTIVE SIGNIFICANCE

Not all scholars dismiss corruption as vicious and without value in the society. The functionalists with their positive approach to social facts explain "corruption as a means of maintaining existing power structures and systems of political control in society" [4]. Rose-Ackerman argued that corruption can improve social welfare and economic efficiency by overcoming bureaucratic hurdles [10]. To Rose-Ackerman and many other functionalists, strands of corruption exist in almost all societies.

This positive view considers corruption as functioning to foster economic growth (or at least not undermining it) by facilitating inward investment and by increasing areas 'rents' can be collected, hence it is serving a function in the society as the proceeds are most likely ploughed into investment, somehow.

Generally, particular cases of corrupt practices/acts have to be adjudged morally permissible or impermissible based on four canons:



- the functionalist appraisal of corruption;
- the variation in acceptance/tolerance of corruption from society to society due to the socio-cultural processes in each society;
- the rule-governed nature of social behavior and morality, since, rules can be broken; and
- the predictive significance of certain corrupt acts.

In the discussion of the importance of intention in determining the morality of an action, one factor is important but it has always been swept underground. This factor is the benefit of posteriori evaluation of action. With the judges (observers), it has become easier than it once was for the agent to find himself in a moral dilemma. We (judges) have the benefit of hindsight which is not available to the agent (who was in a moral dilemma) at the time of intending the action. "The individual entangled in a dilemma seems debarred from discovering any way of acting rightly" [8]. This analysis further lends credence to the view that intention matters in morality in public space.

In most cases, this supposed moral dilemma is as a result of entrenched moral 'stereotype' in the society. This prejudice often blind the moral judges from considering the roles that white-blowers and 'changed' members of a corrupt cabal can play in engendering the much needed changes in the society. The 'whistle-blower' and 'changed thieves-in-government' are vital in exposing individuals and groups holding states to ransom. Hence they ought to be exempted for taking the bull by the horns to join those with genuine intention for development in societies.

Need we remind ourselves that without 'whistle-blowers' and 'changed thieves-in government' it would almost be impossible to engineer the much needed change that will expose the notoriously corrupt cabals feeding fat on African resources? In the eye of the law, these 'whistle blowers' and 'changed-thieves-in-government' are protected, cleared of 'wrong doings' and used as state witnesses. But they still end up not being accepted in the society. Why? While not making case for all legally recognized 'state witnesses', we are strongly suggesting that there is a dire need to reconsider the blanket use of the tenets of consequentialism in evaluating corruption cases. Not all impermissible corrupt acts are immoral. We must essentially give due consideration to the intent as well as the consequence of that intent. In other words, we must allow for predictive significance when evaluating corrupt acts, most especially in Africa. We must never forget the colonial and neo-colonial root of corruption in Africa [11] that have created these 'thieving cabal' or *homolooters*. The cabals, as it were, are so powerful that to dislodge them will be a herculean task without internal sell-out. Hence, we need to create a moral template to accommodate those who chose to change and team up with those questing for change and development. That moral template, as argued here, is 'predictive significance' which encourages a consideration of both intents and predictive consequences in evaluating corruption.

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**Bio**

Adeyemi J. Ademowo is a product of University of Ibadan, Ibadan and BIARI, Brown University, Rhode Island, US. He is on the faculty at the department of General Studies, Afe Babalola University, Ado-Ekiti, Nigeria, where he teaches courses such as Nigerian Peoples and Culture; Society, Culture and Health, Introduction to Peace and Conflict Studies, among others. He is widely travelled and published with articles in reputable journals such as Journal of Pan African Studies (Arizona), Journal of Culture and Environment (Ibadan), Caribbean Journal of Philosophy (Jamaica), Antrocom: Journal of Philosophy (Italy), Afro Asian Journal of Social Sciences (India), among others. His research interests include Anthropology of Space, language and development, culture of peace studies, corruption, NGO Management, cultural competency and religion and society.

