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- Fulfilling the Right to Water as a Socio-economic Right for the People of Kenya Kariuki Muigua
- Unequal Pay for Education of Equal Value: A Subtle Discrimination Against NON-SADC International Undergraduate Students - Lessons from Larbi-Odam V MEC for Education (North-West Province) 1998 1 SA 745 (CC), South Africa Johana K. Gathongo
- Decarbonising Africa's Agriculture and Forestry: Synergies and Trade-offs for Sub-Saharan Africa Caroline J. Kibiti
- Neg- Med Model; A Special Tool for Resolving Boko Haram Insurgency in Nigeria Prof. Adesina T. Bello
- Corruption and Sustainable Development: Tracing The Root Causes and Radical Proposals for Way Forward Henry K. Murigi
- Utilising Science and Technology for Environmental Management in Kenya Kariuki Muigua
- Realising Sustainable Use of Biomass Energy in Kenya: Appraising the Regulatory and Institutional Framework Oseko Louis D. Obure
- Uti Possidetis, Self-determination and Conflicts in the Horn of Africa: The Case of Eritrea's Secession from and Border Conflict with Ethiopia Berita Mutinda Musau

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Corruption and Sustainable Development: Tracing the Root Causes and Radical Proposals for Way Forward

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Introduction

This is an attempt to illustrate how the state of nature that was advanced by Thomas Hobbes presents itself in modern day corruption. The idea of corruption is not a new phenomenon, but it has generated debate as to what exactly is its source and solution. Corruption has several meanings most of which have been contested to an extent that there is no unanimous definition. This paper focuses on the use of power either by a government official or corporate official for personal gain. Thomas Hobbes central thesis is that the state of nature is a state of war and man will do the things that are necessary to ensure their self-preservation, safety, and success at the expense of others. The state of nature reveals human experience and interactions. Human interactions display the motives, intentions, behaviours of men. Corruption being one of the prevalent behaviours of men in modern day it is important to check it against the state of nature. This paper seeks to explore whether the idea of the state of nature can be located in the modern-day corruption. The paper will first deliberate on the context of Thomas Hobbes then consider the modern-day corruption.

Thereafter the paper will seek to show the overlaps between state of nature and corruption. This paper will focus on a conceptualization of the most notorious words of Thomas Hobbes which have generated numerous literary debates and thinking.

“... there is no place of industry; because the fruit thereof is uncertain; and consequently no culture of the earth no navigation, nor use of the commodities that may be imported by Sea; no

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commodious building, no instruments of moving and removing such thing as require much force, no knowledge of the face of the earth, no account of time no arts no letters no society and which is worse of all continual fear and danger of violent death and the life of man solitary poor nasty brutish and short”¹

Background information on Thomas Hobbes

Thomas Hobbes was born in April 1588 at the time of events of the Spanish Amanda and to understand the works of him it is critical to understand the context within which his ideas were being developed². To do this it is important to underscore the regime of the Kings in England at the time when Hobbes was writing. At that time there was a perception that the monarchy was the representative of God on earth. This is derived from the idea of divine right of Kings which was a critical response to the situation that plagued the aftermath of the reformation³. In defense of the theory on divine right of Kings Burgess argues that a response to the reformation was needed since there was a rejection of the jurisdiction of the Pope over secular authority of rulers. The answer to the reformation were compounded by the conflict introduced by Catholic and Calvinist hence the theory of divine right of Kings. In my view the divine right of Kings was based on the support of absolutist who viewed power as being top bottom approach. The King wielded more power than ordinary men. With the likes of King Henry VII and James VI of Scotland it was apparent that the Kings as the monarch were first among equals and were not subject to control by any earthly authority instead, they received power and instructions from God.

Hobbes rejected the idea of absolutism that is based on the deity of as the source of power and government. He rejected the idea of divine right of kings and proposed the idea of a philosophical absolutism. Instead, he suggested that a social contract should be premised on the idea that man is unable to find for

¹ Michael Cohen, Political Philosophy; From Plato to Mao, Pluto Press, London (2001) pp 47-63

² Baumgold, Deborah. “Hobbesian Absolutism and the Paradox of Modern Contractarianism.” European Journal of Political Theory 8, no. 2 (April 2009): 207–28. <https://doi.org/10.1177/1474885108100853>.

³ Burgess, Glenn. “The Divine Right of Kings Reconsidered.” The English Historical Review 107, no. 425 (1992): 837–61. <http://www.jstor.org/stable/574219>.

himself the solution to his problems. In fact, suggest that left unchecked men will destroy one another in the state of nature.

Thomas Hobbes Ideas of State of Nature

On the part of Hobbes, scholars have raised several difficulties with his main work the Leviathan. Stauffer, raises questions on the effect that Hobbes was hoping to have on religion by subordinating it to civil authority⁴. After a detailed analysis Stauffer argues that new evidence suggest that Hobbes was a doubting criticizer of religion which further provides the platform for explaining the state of nature. The state of nature according to Hobbes is in the form of (*bellum omnium contra onnes*) a war of all against all. Life is solitary, poor, nasty, brutish, and short. Hobbes believes that in the absence of an invincible absolute ruler men would all kill each other. He advocates for a very strong ruler who is beyond challenge by mere mortal. The Leviathan makes a larger-than-life acclaim that in state of nature the absolute monarch would keep men from killing each other. In my view Hobbes' argument is similar John Calvin's suggestion that man is totally depraved and incapable of doing any good unless his heart is quickened by the God. This appears to be a pessimistic view of human nature which is in their state of nature. The counter argument to the state of nature according to Hobbes is that man is good and has virtue. However, there is a problem since the available evidence suggest on how man operates in the idea of government is that human beings are untrusting of each other and would go to lengths to protect their rights. Hobbes writes against the backdrop of civil war which led to the king being beheaded so he could not in any way see how people could not live without doing harm to each other.

Comparison between Locke and Hobbes on State of Nature

John Locke presents several ideas on the state of nature chief among them is that man in the state of nature have a guarantee to life, property, and liberty⁵. There is an issue on the ideal state of nature with some scholars arguing that it is a historical state that would be found in the Garden of Eden where Adam was

⁴ Stauffer, Devin. "'Of Religion' in Hobbes's Leviathan." *The Journal of Politics* 72, no. 3 (2010): 868–79. <https://doi.org/10.1017/s0022381610000228>

⁵ John Locke, *The Second Treatise of Government and a Letter Concerning Toleration* (New York: Dover, 2002).

placed by God according to the book of Genesis. Others argue that the state of nature is a fictional state which exist in the ideas of society. These two arguments have not been resolved.

Ashcraft argues that there was an assumption that man resided in a tranquil community of friends, living together under the "law of reason."⁶ In the state of nature according to Locke, the state of nature is appealing, but one can discover no satisfactory reason for man's abandonment of that state for political society. Ashcraft suggests that the "natural liberty of man," according to Locke, "is to be free from any superior power on earth" and "to have only the law of nature for his rule." It is "a liberty to follow my own will in all things where the rule prescribes not"⁷. Locke defines freedom in such a way as to deny that Hobbesian man is "free." Men cannot be free in the state of war, Locke argues, because the relations between them are governed by force, not by law. In sum the state of nature is the cornerstone of Lockean political thought it is important for its political implications; and it was a focal point of intellectual controversy in the seventeenth century.

Locke on the other hand argues in the *Two Treatises of Government*⁸. He argues that natural rights were given to Adam in the garden of Eden according to the Bible. Human beings have right to life, property and liberty that cannot be given to them by the state. They are not available in the state of nature and hence people engage in a social contract which is a government that is limited by law. He argues that the work of government is to protect the rights of property liberty and life and will revolve against the government when it fails to do so and will recreate the government. Locke was writing in the context of the bloodless revolution of William III. Thomas Lloyd argues that the state of nature according to Locke all persons are free equal and independent which is a freedom based on morality in the natural law⁹. According to Waldorn there are three reasons

⁶ Richard Ashcraft, *Locke's State of Nature: Historical Fact or Moral Fiction?* *The American Political Science Review*, Vol. 62, No. 3 pp. 898-915, 1968.

⁷ *Ibid*

⁸ *Ibid*

⁹ D. A. Lloyd Thomas *Routledge Philosophical Guide to Locke on Government*, Routledge. New York, 1988.

for war in the state of nature¹⁰, the first touches on structural rather than psychological in that there is coercive authority that ensures that all must behave in an aggressive manner in order to defend themselves. Secondly, the cause of conflict is the competition for the same goods and thirdly, war is purely about egoism where everyman thinks of himself and hating to see the same in others. This is related to the notion that there is some form of competition in the group. Hobbes considers society as a mixture of selfishness, violence and fear topped with a healthy dollop of deceit, the last there to make

State of Nature and Social Contract – the dynamic duo (Hobbes and Locke)

There are several similarities between what Hobbes argues and Locke who came after him. First, they agree on the idea of social contract. There is a view by both that human beings are equal in the state of nature and will act and react in a similar way in that state. Hence, they come together and bestow power over their affairs to another. In sum, Hobbes and Locke correctly diagnose the state of man and the need for a social contract. Secondly in the state of nature is for the original state of mankind. Lloyd argues that Locke agrees with Hobbes that moral rules have application to those who are in the state of nature they are often not followed and the state of nature which is exactly Hobbes view on the state of war¹¹. There appears to be a contradiction within the body of what Locke is suggesting qualifying his work from that of Hobbes. Locke fails to take the pessimistic view of man yet arrives at the state of nature where the law is not observed. Also, the idea that when government fails to act appropriately there is a right to revolt seems to me to suggest that the system has the potential of being broken and in my view is always broken. These premises bring the two to agreement on the dominant feature of human nature that they either are broken or will be broken.

Power and Politics in the State of Nature

First, the main difference is on the idea of government which Hobbes argues exists to protect us from ourselves. The absolute monarch exists to ensure that

¹⁰ Jeremy Waldron, Hobbes Ed by David Boucher & Paul Kelly in *Political Thinkers; From Socrates to present*, Oxford University Press. New York. pp 185-198, 2009.

¹¹ Ibid

we are protected from our state of nature which is brutish and inclined to do evil¹². Locke argues that government exist to protect natural rights to life, property and liberty. The success of government is based on how it protects the life liberty and property of the populace which has donated power to the individuals. Secondly the locale of the sovereignty or power or put differently the source of ultimate power by the people over the government was not agreed upon in the works of Locke and Hobbes. Government is an agent of the people or a ruler. Hobbes automatically argues that the government whose power is resident in the absolute monarch as an absolute ruler. This power cannot be taken away once it has been donated to the absolute monarch. Locke on the other hand argues that power resides in the people and that the government is an agent and should the government fail in its mandate i.e. to protect rights liberty and property then a revolution will erupt and the government will be replaced.

Forsyth argues that for Hobbes political order was granted full autonomy and is best exercised by the utility of war¹³. Locke on the other hand argues that the power of government can be limited which makes him a constitutionalist. He insists that Hobbes was a relentless secularist who refuted the source of power being deity since human nature can exist apart from theism. He argues that Locke's structure of government is supplement to Kingdom of God as portrayed in his state of nature. Lastly, on the question of the right to rebellion Hobbes doesn't see how to overthrow government because it is an absolute monarch who is powerful. Locke on the other hand sees nothing impossible with a revolution when the government fails to cater for the natural rights to life, property and liberty.

Thomas Hobbes on Corruption

Starting from a pragmatic assessment of human nature, Hobbes strengthens the case for a powerful political and social apparatus organizing the society. He brought a new style of argument to political theorizing that is both persuasive

¹² Baumgold, Deborah. "Hobbesian Absolutism and the Paradox of Modern Contractarianism." *European Journal of Political Theory* 8, no. 2 (April 2009): 207–28. <https://doi.org/10.1177/1474885108100853>

¹³ Murray Forsyth, *Hobbes's Contractarianism; A Comparative Analysis*. In *The Social Contract from Hobbes to Rawls*. Ed David Boucher and Paul Kelly, Routledge, New York. (1997) pp 39-50.

and effective. His main idea is that social organization however committed to fairness and equality may be motivated by a struggle between its members and it would be both authoritarian and in egalitarian¹⁴. Two main principles can be derived from the works of Hobbes. First people are motivated by selfishness meaning that when left to their own devices they always come into conflict. Secondly, self-preservation is the highest law and even the state cannot overstep this mark. Initially Augustine's pessimism about corruption was colored by the problem of original sin—the 'corrupt root' of human nature¹⁵

An even narrower conception of political corruption can be seen in Harrington's view that of Thomas Hobbes was less concerned with the conditions for popular government and, indeed, considered it an anathema¹⁶. By conceptualizing political legitimacy in terms of a contractual bargain between self-interested individuals seeking protection of life and property, Hobbes's thought played a pivotal role in the post-medieval rejection of the Aristotelian framework in Western political thought. Nonetheless, Hobbes's 'modernity' was still colored by a striking use of the analogy of the body politic in his analysis of the various 'infirmities' and 'diseases' to which a commonwealth may be exposed. He did not, however, refer to the corruption of the body politic itself, and thus tended to use the term corruption in ways much closer to modern usage¹⁷.

This is exemplified for instance in his frequent denunciation of the use of bribes to 'buy' judicial opinion or the corruption of 'counsellors' who have been 'bribed by their own interest'. Hence, in Chapter 26 of *Leviathan* he discusses the role and characteristics needed of judges and speaks of the necessity that their judgments are not corrupted by reward (p. 195). For Hobbes, '*all Laws (laws) dependeth (depends) on the Authority Sovereign (sovereign) and the 'interpreters' (judges) appointed by the sovereign to*

¹⁴Michael Cohen, *Political Philosophy; From Plato to Mao*, Pluto Press, London (2001) pp 47-63

¹⁵ Saint Augustine, 1998 [413-26 AD], p. 556.

¹⁶Cotton, James. "James Harrington and Thomas Hobbes." *Journal of the History of Ideas* 42, no. 3 (1981): 407–21. <https://doi.org/10.2307/2709184>.

¹⁷ Cotton, James. "James Harrington and Thomas Hobbes." *Journal of the History of Ideas* 42, no. 3 (1981): 407–21. <https://doi.org/10.2307/2709184>.

apply them honestly and in line with their '[i]ntendment or meaning' (p. 190). Consequently, he warned of the danger of '[f]alse judgement' procured by 'corruption' of judges or witnesses (pp. 192, 212). For Hobbes, then, corruption in cases of judicial application of the law was tantamount to the vicious subversion of sovereign power but could also refer to what Harrington calls 'cognitive corruption' or the distortion of judgment by money, affection or misconstrued self-interest, all of which also subvert sovereign authority¹⁸.

Corruption and Economic Crimes

Corruption is to be found everywhere and manifests itself in different formats. However, this paper concedes that there is a difficulty in defining corruption. This definitional difficulty is located in all spheres of social studies and is also found in attempting to define corruption. There are several perspectives that can help define corruption. First, moralist tend to view corruption as a scourge on society¹⁹. Revisionists argue that corruption is inevitable and a necessary form of adjustment process²⁰. However, later scholars have defined corruption as an individual decision that seeks the maximization goods for personal benefit at the cost of society²¹ Holmes (2016). Secondly there is no universal definition of what corruption is in the legal spheres²². In Kenya today the law defines corruption as to include offences such as bribery, fraud, embezzlement or misappropriation of public funds, abuse of office, breach of trust, dishonesty in taxes among other offences that relate to public office²³. This definition is limited to the context of public officials and generally to those dealing with public office affairs. This cannot be a universally applicable definition for corruption.

¹⁸ Ibid

¹⁹ Miller, Seumas. "Defining Corruption." Chapter. In *Institutional Corruption: A Study in Applied Philosophy*, 64–88. Cambridge: Cambridge University Press, 2017. doi:10.1017/9781139025249.004.

²⁰ Ibid

²¹ Holmberg, S., & Rothstein, B. Dying of corruption. *Health Economics, Policy and Law*, 6(4), 529–547, 2011. <http://doi.org/10.1017/S174413311000023X>

²² Corruption is not defined in the United Nation Convention against Corruption (UNCAC) and other regimes.

²³ Section 2 of Anti-Corruption and Economic Crimes Act, 2003

The third challenge that arises is determining whether to look at the wider scope within which corruption occurs or to confine it to the person. Miller argues that there are two forms of corruption that is institutional corruption and personal corruption²⁴. The later deals with the moral character of persons and consist of the despoiling of their moral character. The person's moral character is affected and can thus not be said to be virtuous. Institutional corruption on the other hand is in the realm of the processes that are put in place in society to systematically deal with violations of rights of the individual as explained below. The problem with these categorizations is that it places difficulty to fit the idea of the anarchic system of society envisaged by Thomas Hobbes of the state of nature. In that regard therefore, the definition of corruption that adopted in this paper the betrayal, abuse or misuse of entrusted power for personal gain and at the expense of the greater society as defined by Dobel²⁵. Schmitz defines corruption as a principal agent problem where a person is entrusted with power for a purpose of carrying out a particular fiduciary responsibility when using the measure of discretion in service of personal agenda²⁶. He argues that corruption should not be viewed only in the lenses of something rotten instead it is abuse of power. Indeed, he extend the definition of corruption to the question of discretionary power where he suggests that pretending to lack discretionary power is a way of exercising discretionary power which at some point becomes abuse and can be defined as corruption.

Theory of Corruption

Dobel attempted to introduce a theory of corruption by locating the works of Plato, Aristotle, Thucydides, Machiavelli and Rousseau²⁷. The theory of

²⁴ Miller, Seumas. In *Institutional Corruption: A Study in Applied Philosophy*, iii-iii. Cambridge: Cambridge University Press, 2017.

²⁵ Dobel, J. Patrick. "The Corruption of a State." *The American Political Science Review* 72, no. 3 (1978): 958–73. <https://doi.org/10.2307/1955114>.

²⁶ Schmitz, David. / *An anatomy of corruption*. In: *Social Philosophy and Policy*. 2018 ; Vol. 35, No. 2. pp. 1-11.

²⁷ These are realist theorist who view the world system as being anarchic full of competition for survival. The selection of these four historical figures is not to be viewed as negating the influence of other scholars.

corruption according to Dobel involves five propositions. Firstly, a corrupt state is to be accompanied by a breakdown in attributes of civic loyalty and virtue. Moral loyalty and civic virtue are necessary to maintain a stable political order. The breakdown of loyalty and order begins the downward spiral of social relations. Secondly, the breakdown introduces competition between the classes in society based on inequalities that are driven by human capacity for pride and selfishness which accompanied by an extensive inequality in wealth, power and status. This is rooted in the need for survival of the individual of the classes. Thirdly, the moral quality of life based on the inequalities created by class generate factions which become the objective centers of wealth, power, police, and policy. These factions become the tool for encouraging selfishness or limited loyalty to membership of community. Fourth, these factions are then spread across the entire citizenry and the police, law enforcement, and public offices become the tools of factions and class. This disenfranchise the populace who are more polarized therefore seek reform which if not attained lead to violence and institutional anarchy. Lastly, the final corruption of the state involves the failure of the citizenry to voluntarily support the primary structures i.e., education, family, life, religion, and military. There are several defining features of corruption²⁸.

Miller²⁹ on the other hand locates five main pillars under which corruption thrives which in my view adequately explained the theory advanced by Dobel³⁰. First, he considers the personal character of corruption where the corrupt actions involve a person who is a corruptor and/or a person who is corrupted. There can never be corruption without two or more players. Second, he argues that an action is corrupt only if it undermines or is of a kind that tends to undermine an institutional purpose, process, or person.

²⁸ Moral corruption is used to mean the loss of capacity for loyalty, where the progressive privatization and self interests becomes the normal motive for most actions

²⁹ Miller, Seumas. "Defining Corruption." Chapter. In *Institutional Corruption: A Study in Applied Philosophy*, 64–88. Cambridge: Cambridge University Press, 2017. doi:10.1017/9781139025249.004.

³⁰ Dobel, J. Patrick. "The Corruption of a State." *The American Political Science Review* 72, no. 3 (1978): 958–73. <https://doi.org/10.2307/1955114>.

Here he argues that the causal character of corruption goes beyond the individual. Mostly the individual is not interested in the collapse of the institution or framework under which he operates. Instead the concern is to ensure that there is continued existence of the institution for future benefit. A good example is that where votes cast in an election are manipulated to favour a candidate who had an overwhelming win even without the manipulation of the votes.

Third, persons who perform corrupt actions are morally responsible for so doing (the moral responsibility of corruptors), notwithstanding they are not essentially blameworthy if, for example, they were coerced. Fourthly unlike persons who corrupt, persons who are corrupted are not necessarily morally responsible for being corrupted when they exist in a condition that is corrupt and are trying to survive out of a difficult corrupt society. Lastly, acts of corruption necessarily involve a corruptor who performs the corrupt action through an occupant of an institutional role and, therefore, uses the opportunities afforded by his or her position and/or a person who is corrupted qua occupant of an institutional role. These five pillars explain the intricate relations between and individual within an institution but do not clearly demonstrate the behavior of society generally.

Corruption a Higher Level of Competition

In general, premeditated crime is worse than that arising from a sudden passion and crimes undermining the law are worse than those of no effect. Punishment must be sufficient to deter a rational criminal, whilst being essentially positive in its aim, a notion which includes for example the deterring of others. The punishment inflicted must be greater than the benefit of the crime and any ill effects that by chance strike the wrongdoer are not to offset against the eventual sentence for these are not inflicted by the authority of man.

It is often a temptation to dismiss corruption as a fact of life rooted in flaws of human nature and analyses the acts of corruption as isolated individual acts. However, there is unanimous agreement among theorists that the source of systematic corruption lies in patterns of inequality. Granted most corrupt

activities rely on the individual moral choice and depend on the human capacity for avarice and evil. Under the inequality certain groups of individuals have a de facto or legally sanctioned priority of access to wealth, power and status. In India economic offences constitute a class apart type of offences and need to be visited with a different approach in the matter of fundamental rights. The economic offence having deep rooted conspiracies and involving huge loss of public funds needs to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country³¹. In 2003 the justice minister Honorable Kiraitu Murungi while addressing the 11th International Anti-Corruption Conference on Sunday 25th May 2003 in Seoul, South Korea, on 25th May 2003³², he stated as follows;

“Where I come from we don’t wait to read about corruption in newspapers or magazines. In my country one does not have to wait until the effects of corruption are relayed by images on television. Where I come from corruption is part of our lives. Before our own eyes we have seen it fill our roads with potholes; deny medicines to our hospitals; literally remove desks from our classrooms. Corruption has undermined our agricultural sector and thereby our attempts to feed ourselves as a nation; corruption has denied fresh water to parched sections of the nation; corruption has systematically eaten away at the very fabric of our society. You will allow us, therefore, to assert before this distinguished gathering that for us corruption is not merely a crime, it is a crime against humanity.”

³¹ Supreme Court of India *Nimmagadda Prasad vs C.B.I.*, Hyderabad on 9 May, 2013 a decision by a Bench consisting of Justice P. Sathasivam, M.Y. Eqbal

³²This speech may be found at http://iacconference.org.s3-website.eu-central.amazonaws.com/documents/11th_iacc_plenary_When_Corruption_Is_A_Crime_Against_Humanity.doc and is also carried in “Justice and Economic Violence in Transition” (*Springer Science & Business Media 2013*) at page 161. It has been argued that this was one of the instances where Kenya had shown the greatest potential on the fight against corruption.

Source of Corruption - Distributive Injustice

Practical inequality in the ownership and control of wealth can be justified on two grounds first the limited but legitimate claim to distributive justice and the need to generate surplus wealth to finance the government and the common good. John Rawls theory of justice speaks to this idea succinctly. The idea of distribute justice focuses on the second part of the theory of justice. The idea that distribution of what is gathered must be for public good.

Distributive justice seeks to address the allocation of resources in the context of the past present and future generations. It is an economic theory that considers both the concept of justice in the political economy and economic systems. It seeks to resolve the problem of choice in the social system. The idea is to regulate the conduct of institutions so that public good is produced as a consequence. In advancing the argument, Rawls makes several assumptions. One that the basic structure is regulated by a just constitution that secures liberty of citizens. Secondly that there is fair as opposed to formal equality of opportunity. Thirdly, the government guarantees that certain minimums are met in the society.

With these assumptions John Rawls argues that the government may be divided into four branches that preserve certain social and economic conditions³³. First, the allocating branch is required to ensure that the price system is working in a competitive manner to prevent unreasonable creation and domination by market powers. This branch ensures that taxes are minimal and rights to property are defined correctly to enhance equality. Secondly, the subsidisation branch deals with creation of employment that those who desire to work have a free choice to make on their occupation of choice. The two aspects deal with efficiency and effectiveness of markets.

Thirdly, the transfer branch considers that a competitive price may not be sufficient to offer opportunity for adequate distribution of good. It offers a balance on the wage and earnings in the context of the claims and needs of the society. Different institutions meet different needs. Moreover, the

³³ John, Rawls. *Theory of Justice* Cambridge, Massachusetts, Harvard University Press, 1971.

principles of justice regulate the whole structure. The idea here is to ensure that the wage earned is equivalent to the claims and needs of the individual. Lastly, the distribution branch ensures that there is approximate justice to ensure that there is adequate taxation in adjusting the right to property. This is more so in terms of the inheritance attained. The goal here is to raise revenue that the course of justice requires. The idea is to check that there is balance in society by imposing necessary adjustments to ensure ends of justice. The issue that emerges is whether the additional taxes on the wealthy can be said to be just as two wrongs cannot make right.

Lastly, he argues that on duty in the theory of justice it is important to note that natural duty exist to support and further just institutions. The first duty is to comply with and perform ones share in the just institution and secondly to assist in the establishment of just arrangement when they do not exist. To this end he argues that just disobedience. He begins by explaining how to deal with unjust laws. He argues that unjust laws to not all stand at par. As such each situation calls for an examination on the cause of the unjust arrangement and whether non-compliance is justified. Civil disobedience is defined as “a public nonviolent conscientious yet political act contrary to law usually done with the aim of bringing about change in the law policies of the government”. The conscientious refusal is the noncompliance with a more or least direct injunction or administrative order based on a shared concept of justice or other ground. Civil disobedience is justified when (1) the normal appeals to political majority made in good faith have failed and (2) the legal means for redress have proven of no avail, (3) appeals to have the law repealed have been ignored and no success on legal protests. In other words, all legal avenues have been exhausted.

Anti-dote for Corruption

The Basis for Equality is not premised on morality of man or his ability to exhibit attributes that endear him to societal norms. Instead, equality is applicable to all and in all cases. It is not lost to Rawls that this may be an impractical idea since all human beings are innately different and cannot be similar in composition. However, equality can only be assured in the content of the principles of justices discussed above. Schmitz argues that the virtue

of social institutions is to establish a rule of law that holds a community together not by virtue of imposing a vision of justice but by virtue of enabling people to know what to expect from each other and to invent even better ways of being of service to each other³⁴. Equality does not presuppose that one must assess the intrinsic attributes of one's worth. Equality is an attribute of nature and not merely a procedural matter that requires compliance. Equality is not pegged on one's morality instead it is a natural attribute that operates in the concept of justice and not a matter of procedural compliance. Chang (2008) argues that whether a country is corrupt or not depends on two things. First the stage of economic development and its political landscape. Chang argues the earliest stages of a country's development find it easier to be corrupt e.g., underpaid civil servants are unable to resist the taking. The other idea especially for dictators is that no leader is monolithic personality. They need foot soldiers who will fight for them. The dictators need the essentials or what is referred to as the winning coalitions or agency. Secondly, they need the influential who are in the middle class and play a key role in selecting the leaders and interchangeable.

Conclusion

In the final analysis it is clear in my mind that Hobbes (who makes more sense to me) and Locke both agree on the state of nature and social contract. They agree that God, as argued by divine right of kings, is not the source of the idea of government. They however differ on how to move from their common agreement in their conceptualization of Government and how to power is exercised. To this end I find that they have made the correct diagnosis of the problem of nature of man in the state of nature but their different diagnosis for Hobbes absolute monarch and Locke constitutionalism both have difficulties.

³⁴ Schmidtz, David. An anatomy of corruption. In: Social Philosophy and Policy. 2018; Vol. 35, No. 2. pp. 1-11.

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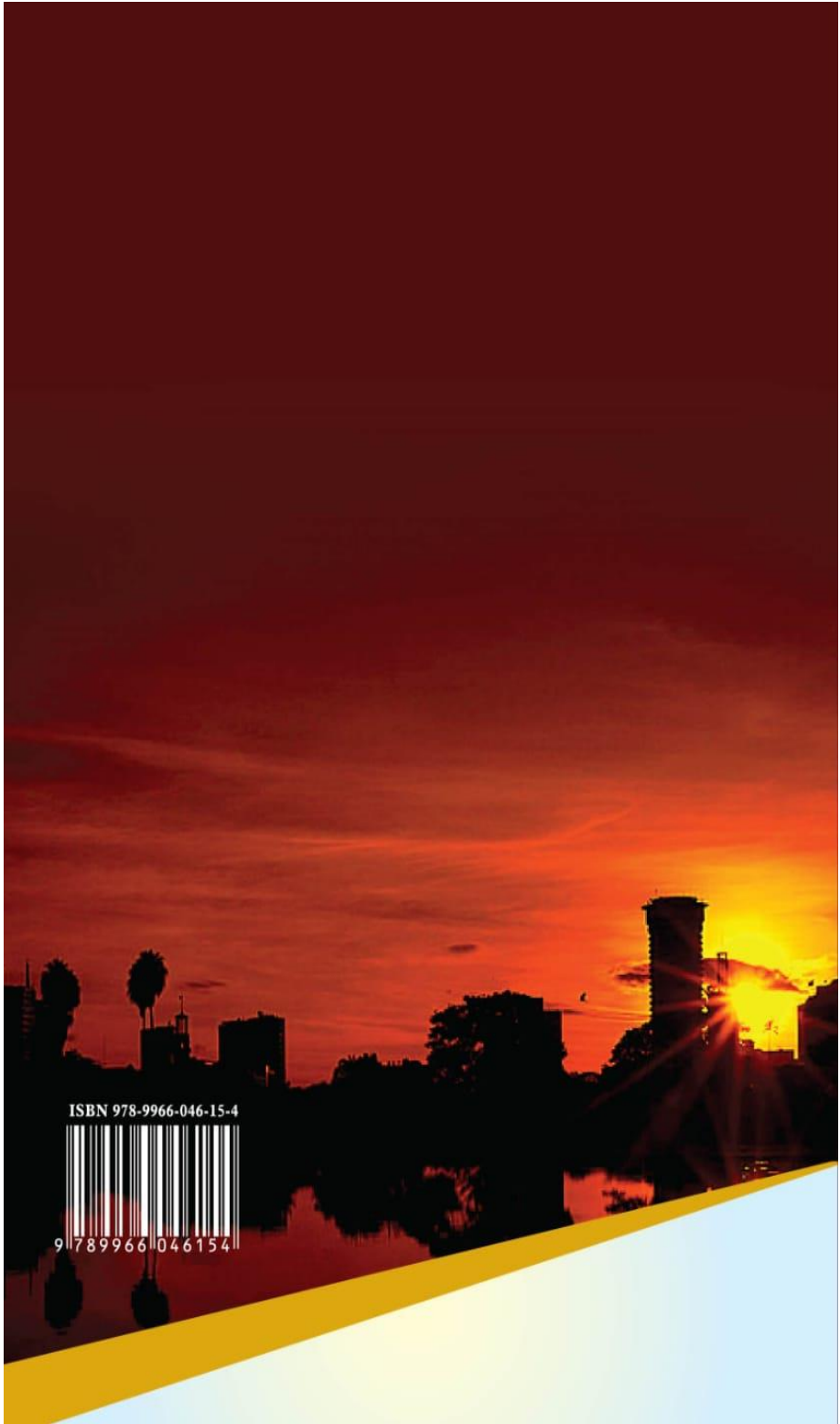
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