

Seumas Miller. *Institutional Corruption: A Study in Applied Philosophy.* Cambridge University Press 2017. 330 pp. \$99.00 USD (Hardcover ISBN 9780521869461).

‘Corruption’ has become an unavoidable word in discussions of American politics in the past year, filling the pages of print news and popular websites, and being spoken relentlessly on political podcasts and television news media. Earlier this month, a reporter for *New York Magazine* argued that it is *corruption*—not Russia—that is Donald Trump’s greatest political liability (Chait, April 1, 2018). Others have argued that corruption in the Trump administration needs to be the central issue and main talking point of the 2018 midterm elections (Yglesias, M. ‘Trump’s Corruption Deserves to be a Central Issue in the 2018 Midterms.’ *Vox*. March 1, 2018). Furthermore, just days before finalizing this review, Elizabeth Warren, Democratic Senator from Massachusetts, called the Trump administration the ‘most corrupt administration ever’ (Foran, C. ‘Sen. Elizabeth Warren: Trump administration the “most corrupt... ever.” *CNN: CNN Politics*. April 25, 2018). Talk of corruption is not unique to the Trump administration, of course. There has also been ongoing critique of corruption on Wall Street, in financial institutions that are taken to be ‘too big to fail,’ and in our criminal justice systems in general, and policing institutions in particular. However, despite constant charges of corruption in the institutions that shape and govern our lives, it appears that there is very little clarity on what precisely such charges amount to. In other words, until now, there has not been a sustained attempt to clearly define what corruption *means*—what sorts of activities count as corrupt and why—and what we are to *do* about corruption when it is identified in our institutions. This is precisely what makes Miller’s book, *Institutional Corruption: A Study in Applied Philosophy*, both incredibly important and incredibly timely—perhaps even more so than he anticipated it would be while writing it. In some sense, recent discussions of corruption have been *in need* of this work, or one like it, to give conceptual clarity to the term ‘corruption,’ specifically in institutional contexts, and to make sense of why exactly institutional corruption matters morally.

The aim of Miller’s work is to develop distinct philosophical analyses of corruption, collective responsibility, and integrity systems, and to then apply those concepts to actual cases in the public and private sectors with an eye toward developing mechanisms for understanding and combating corruption in its many forms. The text is organized into three parts: part I defines and develops the conceptual tools he will rely on throughout, namely corruption, power, collective responsibility, and abuse of authority; part II surveys integrity systems and other anti-corruption mechanisms, including whistleblowing and internal and external investigations; part III focuses on corruption and anti-corruption mechanisms in a number of specific institutional settings, including business, finance, policing, and government. These parts weave together to offer the reader both a conceptual framework and practical guidance to apply to combatting corruption in the institutions around us.

In the Introduction, Miller introduces the reader to the concept of ‘corruption’ by way of several paradigm cases, many of which are likely to be quite familiar to contemporary readers, particularly those situated in an American context. He uses these cases to get readers to consider, in a preliminary way, how corruption is enacted and what it can do within institutions. Corruption, Miller tells the reader early on, is not to be taken as synonymous with (or reducible to) legality—corruption is a *normative* concept. Corrupt actions are not necessarily illegal acts, and not all unlawful activity is constitutive of corruption. Similarly, while all corrupt actions are immoral, not all immoral actions are corrupt actions (2). Corruption, Miller notes, comes in many forms—economic, political, judicial, academic, and so on. The varied forms of corruption often stem from

diverse motivations, which can include such things as economic gain, desire for increased status or power, and/or sexual gratification, among others (3). Insofar as our lives are predominantly shaped by institutions, many of the forms of corruption that we are likely to encounter are themselves institutional.

The various needs of members of society (i.e., for food, protection, etc.), Miller argues, generate the collective moral responsibility to establish and maintain social institutions which provide those collective social goods to its members (35). The relevant goods are, Miller qualifies, those which ought to be made available to the entire community, insofar as they are desirable goods, and goods to which the whole community has a joint moral right (40). For each member of society to have their needs met, viz., their needs-based rights fulfilled, depends on the fulfillment of those rights by certain others. This is because, Miller contends, in modern society ‘most individuals rely on social institutions, whether private sector organizations operating in competitive markets... or else publicly funded organizations... to produce the foodstuffs, maintain security, and provide for the various necessities to fulfill their needs-based rights’ (43). Furthermore, they (for the most part) rely on businesses operating in competitive markets to provide paid jobs that enable them to pay for the basic necessities of life, and to generate taxes to fund a variety of other collective goods necessary for the production and distribution of these basic necessities. The successful (read: not-corrupt) functioning of institutions is thus integral to the fulfillment of needs-based rights, and thus to the production and maintenance of a well-functioning society more generally. On this view, then, institutional corruption is both a moral and social problem, insofar as it is a process that fundamentally compromises the provision of the collective goods definitive of the institution in question (46).

In order to understand institutional corruption more fully, Miller contends, we first need an understanding of social power, given that power and corruption have a symbiotic relationship (47). While I agree with Miller that analyses of power (and specifically social power) are needed in any discussion of corruption that intends to be complete, Miller falls short of supplying a truly comprehensive discussion of social power that captures all of the relevant literature. Specifically, Miller’s lack of engagement with feminist accounts of power weakens his analysis, insofar as it fails to adequately attend to the multiple, intersecting dimensions of identity that influence power in concrete and material ways. Miller contends that ‘the most salient form of social power is the power of large hierarchical organizations, such as governments, military organizations, and corporations’ (53). However, attention to feminist thinking about power would suggest that social identities which intersect with those organizations, such as race, class, gender, and sexual orientation, and the hierarchies within them, are equally (if not more) important than the organizational hierarchies of institutions, and indeed may *cause* the organizational hierarchies to be set up as they are in some instances. Take for example Miller’s analysis of Donald Trump (55), in which he attributes Trump’s electoral success in the 2016 US presidential election to his social power, which Miller attributes to his celebrity status. However, a feminist intervention into this text might suggest that even more than Trump’s generic status of ‘celebrity,’ his wealthy, white, straight, cis-male attributes contribute to his social power, and thus his election to the US presidency (and indeed, these features of his identity are inextricably linked to his possessing celebrity in the first place).

With his respective accounts of institutions and social power in hand, Miller then turns to defining corruption itself. Miller begins constructing the account by identifying what he takes to be the five constitutive features of institutional corruption: 1) the personal nature of corruption, or the idea that corruption necessarily involves a person who is corrupting and/or a person or people who are corrupted (67); 2) the causal nature of corruption, namely that it has the effect of undermining

some established institutional aim or purpose (68); 3) the moral responsibility of corruptors, or the blameworthiness that the actors have in virtue of their corrupt intentions and the related knowledge or foresight of the likely detrimental effects (74); 4) the distinction between corruptors and those who are corrupted, where those who are merely corrupted are not themselves morally responsible for bad effects, while the corruptors are morally responsible (78); and 5) the involvement of institutional actors, viz., a corruptor who performs a corrupt act *qua occupant of an institutional role* (81).

Related to the idea of coercion and/or beneficent intent, in chapter 4, Miller takes up the idea of *noble cause corruption*, in which institutions that ‘have an important collective good as their *raison d’être*’ yet ‘rely on morally problematic means,’ including, notably, the use of violence (89). These include, but are not limited to political, military, and policing institutions. Acting for ‘the sake of the good,’ Miller argues, can in some cases motivate corrupt action. While I think this is a generally interesting concept, it is unclear to me that all would agree with the first premise—namely, that the institutions for which noble cause corruption could potentially be a feature, in fact, always have beneficent aims. Many might argue that military and policing institutions, for instance, are at their core immoral institutions. For example, as an example of noble cause corruption, Miller considers a police officer engaging in corrupt activity in order to achieve the ‘morally desirable’ outcomes of convicting perpetrators and ultimately subjecting them to the criminal justice system. Surely, not all would agree that these are in fact ‘morally desirable outcomes’ (especially those who are critical of the criminal justice system and/or the prison industrial complex). Where Miller suggests that uses of ‘deceit, violence, and so on’ can be morally justified, in terms of the ‘publicly sanctioned, legally enshrined, ethical principles’ of military and policing institutions insofar as they are ‘publicly endorsed, morally legitimate’ practices (102), we can question whether everyone endorses these institutions and their uses of deception, threatening, and even deadly force, and whether all would agree that these institutions are in fact morally legitimate. I will not argue for these positions in any detail here, nor do I intend to endorse them. Rather, I am suggesting the possibility that some might hold these institutions as intrinsically corrupt, and without noble cause in most, if not all, cases. I also question whether the frequency of using these immoral methods affects our understanding of the institutions as legitimate or noble—if the institutions routinely rely on deceit and/or violence, can we still, in good faith, refer to them as ‘noble?’

After the discussion of noble cause corruption, Miller then turns to an in-depth analysis of various types of institutional corruption, namely bribery, nepotism, fraud, and abuse of authority (106). This chapter dialogues well with the point made in the opening of this review, insofar as the Trump administration has been accused of each kind of institutional corruption surveyed (‘bribing’ sex workers not to disclose their interactions with the President, nepotism in the hiring of Ivanka Trump and Jared Kushner to positions they are arguably not at all qualified for, various Trump administration officials being under investigation for fraud and involvement in other cyber-crimes, collusion with foreign governments, extraction and misuse of private data, and so on, the firing of various officials, including but not limited to FBI director James Comey, and so on). Miller then goes on to show how these various forms of institutional corruption have a detrimental impact on public trust (121-122). This is problematic to the extent that the trust of the public is a necessary precondition for the fulfillment of many institutional aims (191).

In part II of the book, Miller focuses on anti-corruption mechanisms in practice. He begins with a discussion of integrity systems, which can be either reactive or preventative (154-160), though he advocates for holistic systems which bring together both (163). Integrity systems help ensure that institutional duties are met and that there is no corruption (190). Often, they involve self-regulation, which results from motivating attitudes through training and education programs. Such education

and training programs are not static, but rather require ongoing reflection and frequent revision (193). They could also, however, involve ‘whistleblowing,’ or the process of making known some alleged immoral, corrupt, and/or criminal activity being undertaken by some institution, by putting it on public record (206-209). In the last third of the book, Miller focuses on corruption within particular institutional settings: market-based institutions, banking and finance institutions, police organizations, and finally the overarching institution of government. His work in this third part of the book does a great job of challenging the pervasive idea that corruption most often results from ‘a few bad apples,’ and instead shows that corruption can be (indeed, often is) organizational and systemic.

In *Institutional Corruption*, Miller has offered a critically important engagement with past and ongoing instances of corruption in our institutions, and uses these engagements to offer a theoretically sophisticated (though incredibly clear and engaging) philosophical account. I applaud Miller on this timely work, which will prove to be an important grounding point for the continuing discussions of corruption taking place in our current political climate.

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