
RELIGION & PHILOSOPHY

*What Is
Bribery?*

"Bribery" by Michael Philips, in *Ethics* (July 1984), University of Chicago Press, Journals Division, P.O. Box 37005, Chicago, Ill. 60637.

Suppose a policeman stops you for speeding, and you fold a \$20 bill around your driver's license before handing it over. Also suppose he takes it and lets you drive off with only a warning. Is that bribery? The answer is not so obvious, according to Philips, of Portland State University.

The American public, easily angered by malfeasance in government and business, often fails to make crucial moral distinctions. Suppose Senator Smith, always friendly to farmers, accepts a pair of box seats at a Washington Redskins game from the Rutabaga Growers Association. Has he been bribed? Consider a more complicated case: In the ante-bellum South, a slave owner pays a slave to "throw" a plantation boxing match on which he has a bet. In Philips's view, what the master offers is a bribe, what the slave accepts is not.

Philips says that bribery has three characteristics: The recipient accepts a payment to act on behalf of another; the recipient's actions violate a law or unwritten understanding; and the violation harms the interests of those who depend on the recipient or his office. What matters most is whether there is an agreement, explicit or implicit, between the two parties.

In the slave owner's case, the money offered is a bribe because he has violated an unwritten understanding with other slave owners. But the slave is guiltless because he has no stake in the morally corrupt system. Senator Smith is in the clear because he has made no agreements.

Sometimes, what passes for bribery is actually extortion. Extortion occurs when an individual demands to be paid merely to do his duty. As American businessmen overseas have discovered, entering the lowest bid on a project may not be enough: Somebody's palm must be greased. Bribery? No, although paying an extortionist is not necessarily free of moral taint. But that, says Philips, is another matter.

*Thoreau's
Darker Side*

"Thoreau and Anarchism" by Myron Simon, in *Michigan Quarterly Review* (Summer 1984), The University of Michigan, 3032 Rackham Bldg., Ann Arbor, Mich. 48109.

In his own day, Henry David Thoreau (1817-62) was known as a poet, a mystical nature writer, and a minor moralist of the American "transcendentalist" school. Many of his peers viewed him as a crank and misanthrope. Today, however, Thoreau is popularly regarded as a champion of the community of man, an architect of the strategy of non-violent resistance to the state, and a moral precursor to Mahatma Gan-