

Orgcrimocracy: The Ultimate Cost of Corruption

Although high school civics usually consists of platitudinous sentiments of patriotism, we were taught one essential lesson: a country is not defeated by enemies from without until it has decayed from within. And we are decaying from within.

The signs of decay are ubiquitous: the destruction of the beauty and the pollution of natural environment, the crumbling physical and social infrastructure, identity politics and group antagonism, drastic class and social inequality, the degradation of language, a failing system of education and anti-intellectualism, the substitution of conspiracy theories for critical thinking, drug use and addiction, increasing rates of suicide, decreasing longevity, sexual predation, mass incarceration, mass shootings, the injection of propaganda and mindless rhetoric in our political discourse and in the media, the inane doctrine of political correctness, the squandering of our resources through endless war, the politicization and hypocrisy of our religious institutions, and, most obviously, the malfunctioning political system. These are the symptoms of corruption, but its hidden cost is the loss of trust without which no economy, polity, or society can function.

Corruption is a general phenomenon that ranges from simple negligence and petty bribery to gross negligence and corporate crime with society wide impact. It is endemic in the human condition, but in a well ordered society it is kept at a minimum. If left unchecked, it becomes legalized and normalized as economic interests capture the political process resulting in a government that values the economic freedom of corporations over the political liberty of its citizens. The high rate of incarceration for individuals while corporate crime goes unpunished is one obvious result.

Much corruption occurs in oak paneled board rooms, but some takes place in plain sight on a daily basis. The archetypical example is the complete control the weapons industry exerts over federal and state governments through its lobbying arm of the NRA. Not only is government incapable of enacting any rational policy of weapons regulation, but the problem gets worse after every mass shooting. The success of this lobbying effort in producing irrational legislation has spread to other areas of public policy and government is becoming increasingly dysfunctional.¹ The NRA's successful corruption of public policy is out in the open and completely legal for the simple reason that they can get away with it through their creative interpretations of the second amendment. Most corrupt practices do not have this advantage and rely upon arcane statutory provisions buried within the hidden recesses of corporate law.

The corporation was designed to protect the assets of individuals engaged in entrepreneurial activity from the risks incurred in setting up a business. This protection was and is important. However, when a corporation becomes so large with many

¹ The most obvious example of this dysfunction is the Congress. Article 1 of the Constitution is almost twice as long as Articles 2 and 3 combined: 2324 words to 1424 words. Yet the Congress has abdicated its duties to the other two branches nullifying the theory of checks and balances. Strict constructionists have had nothing to say about this negation of the original intent of the Constitution's authors.

divisions and subsidiaries with a complex ownership structure ranging from other corporate entities to individual shareholders and temporary day traders, it can metastasize into an engine of corruption that consumes the public sphere. Its command of enormous wealth allows it to manipulate the law to serve its ends, and in essence, take control of the government. This process intensified after the creation of the legal fiction of corporate personhood.

The ubiquity of the corporation in social life has led to our almost pathological focus on “the work ethic” to the detriment of other values in life. This constant focus on work deprives citizens of the opportunity to participate in public affairs and perform the duties of citizenship. A democracy requires an ethic of citizenship and the valuation of ethical work. Much of the highly compensated work being performed today is anything but ethical and results in environmental and financial crimes that harm society as a whole. Meanwhile inequality soars and the environment and society deteriorate.

Although corruption is widespread, its extreme forms could be eliminated if we held corporations fully accountable for the true cost of their gross negligence and crime, and if high level executives were not allowed to shield all their assets under the corporate veil. This means assessing them for the full cost to society of said acts. That is, when corporate gross negligence and crime result in harm to society in general instead of to a particular individual or entity, the compensatory damages and fines imposed should reflect that full cost and then be paid into a Citizens’ Compensation Fund and all punitive damages should also be paid into this fund. When the fund has sufficient assets to serve as principle, the interest earnings can be used to pay citizen dividends, a step toward a universal basic income to help reduce economic inequality. Obviously a well drafted constitutional amendment will be necessary to protect the fund itself from political and other forms of corruption. Under the current level of corruption such a proposal is impossible.

Corruption deprives our citizens of the opportunity to develop their political identity as citizens and have a meaningful impact on the direction of public policy. Instead of being motivated by an ethic of citizenship our citizens have been reduced to spectators of obscene political theater. The impact of our culture of corruption on its destruction of democratic governance is now obvious and out in the open. Since we are not heeding the alarm bells that are now loudly ringing, we are rapidly devolving into an orgcrimocracy: a government of, by, and for organized crime. A model for what life will be like in the near future is Russia with its criminal syndicates and its much admired government.