How Misconduct in Business contributes to understanding the supply side of corruption international business

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How Misconduct in Business contributes to understanding the supply side of corruption in international business

Abstract

Purpose. This study offers a better understanding of supply side of bribery and corruption in an international business perspective by conceptualizing it in the narrower concept of MIB, derived from the deontological perspective to business ethics.

Methods. We use a case study methodology of professionals working within Canadian mining multinational corporations (MNCs) operating in Africa. We conducted 2 focus groups, 25 in-depth interviews, document search and an open-ended questionnaire to 15 professionals. Further, we drew on a combination of the classic relationalist sociological framework and its recent revision, that we name the relationalism-substantialism framework to analyze the data.

Findings. The triangulated empirical data show that the reason why MIB in the form of bribery supply occurs is not exclusively tied to any given perspective, whether the individual, the organization or the wider societal context. Rather, these different layers are tightly intertwined and interact with each other for the supply of bribery to occur.

Originality. Although the three siloed perspectives of MIB have been studied in the literature, they have not been addressed in relation to one another, and even less with a relationalism-substantialism framework Yet, this perspective contributes compellingly to the understanding of the supply side in bribery. We propose a net of conceptually-related constructs that intervene in the process of bribery supply occurrence, namely relationality influenced by institutional dysfunctionality and conflation; and substantiality through agency and culture.

Keywords: Misconduct in business; corruption; international business; substantialism; relationalism; multinational companies.
Article classification: research paper.

1. Introduction

Misconduct in Business (hereafter, MIB) occurs during the exercise of a given profession, is intentional, usually defined, and regulated by the profession itself, and violating norms and expectations of a variety of stakeholders such as other professionals, clients, and the general public (Neale, 1996; Muzio et al., 2016; Dixon-Woods et al., 2011). Given the widespread occurrence of MIB across industries and nations, MIB has become a significant topic of examination (Kish-Gephart et al., 2010; Muzio et al., 2016; Palmer, 2012; Vaughan, 1999). In line with previous calls to study MIB from a corruption perspective (e.g. De Graaf, 2007), this study proposes that if we are to understand the broader concept of corruption and its supply side, we must consider it in the narrower concept of MIB, derived from the deontological perspective to business ethics. We focus on the mining industry in particular.

More specifically, this study posits that MIB is a much under-explored notion to understand corruption and the supply side of corruption in international business. Corruption is commonly defined as the abuse of entrusted power for private gain (Transparency International, 2018). As such, corruption, and more specifically, bribery, is typically viewed and defined from the demand side. In contrast, MIB refers more directly to the supply side by illuminating the supplying component needed for corruption to occur. This component can be individuals, but in case of international business, it refers most commonly to multinational corporations (hereafter, MNCs). Corruption is an entry strategy in foreign markets (Rodriguez et al., 2005) but also a mean for continued presence (Luo, 2006; Duanmu, 2011). MIB is all the more relevant since there are often a great variety of professions working within a given MNC, from engineers to lawyers, architects to bankers. Executive boards exemplify this as chief executives are very often
members of professional orders (e.g. chartered accountants, managers, engineers, or legal executives). As such, they are usually in charge of decision-making processes and thus negotiations with public officials offshore. This study posits MIB as a key concept to understand the supply side of corruption in international business because it challenges the widespread assumption in the literature (e.g. Petrou and Thanos, 2014; Cuervo-Cazurra, 2008) that governments are the instigators of corruption to which MNCs merely respond. While acknowledging the impact of political forces, it extends the focus on MNCs as well, by emphasizing how professional misconduct contributes to corruption.

Three siloed perspectives are usually mobilized to explain MIB: a) The functionalist perspective (the bad apple hypothesis); b) The conflict perspective (the red barrel hypothesis); and c) The ecological perspective (the bad cellar perspective). While each of these perspectives offers useful guidance for understanding the different layers of MIB (micro, meso and macro levels), they have usually been considered either in isolation of each other or as alternatives of each other (Muzio et al., 2016). Therefore, although these levels have been studied in the literature, they have not been addressed in relation to one another, and even less to explain corruption by MNCs. This paper addresses the following question: How do the functionalist, conflict and ecological perspectives play together lead to MIB that contributes to the supply side of corruption in international business?

Drawing on the relationalism-substantialism theoretical framework in sociology (Festinger, 1954; Bourdieu, 1998; Bajoit, 1992; Mische, 2011; Emirbayer, 1997), we propose a new perspective on MIB that aggregates the three, otherwise disparate perspectives, into a coherent

Our research has been conducted in the context of Canadian MNCs mining operations in Africa. Using a rich and varied corpus of data sources and data collection methods, we propose a theoretical framework bridging different MIB perspectives in order to understand the supply-side of corruption in a MNC context.

2. Literature review

2.1. Justification of the misconduct in business framework for the study of corruption in international business

MIB takes professions as the reference point, meaning that behaviour is regulated through a set of deontological norms consigned in professional codes and guidelines (Muzio et al., 2016). There are three groups of MIB theories, that are essential frameworks for enlightened business practices. The first are consequence-based (or teleological) theories, the most prominent of which being utilitarianism (Bentham, 1984; Mill, 1979). An action is judged as proper conduct based on its outcomes – to advance the greater good of those impacted by the action-, not the action itself or the intentions behind the action (Bentham, 1984; Mill, 1979). However, “many opinions exist as to what constitutes the nature of the actuel benefits of a particular action” (Murphy et al., 2017, p. 31). This is enhanced in an international context where managers are in contact with many stakeholders but also various cultural frameworks, social norms and principles. A second issue is that, through consequence-based frames, the ends justify otherwise unacceptable means (Murphy et al., 2017). Corruption would be acceptable in all cases because it reaches desirables ends such as the securing of contracts, the “greasing” of otherwise unending administrative procedures and the tipping of bureaucratic arbitrage in favor of the supplying company. Third, without consideration for the intrinsic nature of the action, and adherence to strict ethical guidelines, in an international context, companies adopt a case-by-case approach
which may result in corruption being paid more often than not. For all these reasons, consequence-based approaches to ethics are problematic.

The second group of theories is based on virtue. It is a renaissance of the Greek ideal suggesting that the purpose in life is seeking to live a virtuous life through a quest for goodness and moral character (MacIntyre, 1984; Aristotle, 1962). The focus is not on the consequences of the action but on individual character (Aristotle, 1962). In contrast to consequence-based theories, virtue-based ethics lead to ethical decision-making for intrinsic rather than extrinsic reasons. However, business professors and executives have developed several lists of virtues for business (e.g. Murphy, 1999). Disagreement appeared about which characteristics should appear on a list of virtues to which organizations should aspire. Furthermore, in an organizational context, it is often difficult to agree on what constitutes “the good”, leaving the door open to multiple interpretations and overall relativism (Murphy et al., 2017). The issue is even more salient in IB where corporations’ values and principles may clash with foreign ones. Third, the theory assumes that people and organizations aspire to higher levels of ethics (Aristotle, 1962), yet this may not always be the case. For all these reasons, the proponents of the re-introduction of virtue ethics themselves, such as MacIntyre (1984), were skeptical about the appropriateness of the implementation of virtue ethics in an organizational context.

A third group of theories denominated duty-based (or deontological) theories offer an interesting middle-ground. The MIB framework draws on these theories. These theories (e.g. Kant’s categorical imperatives [Kant, 1785/1981], Ross’s seven prima facie duties [1930/2003]) shift the analysis to the unit of the action. In sum, actions are judged in isolation of their consequences and if they correspond to fundamental human obligations, called duties. An important implication is that, managers may thus take decisions that do not produce the best
economic consequences, because some actions (e.g. corruption) may violate basic duties such as treating everyone fairly (Murphy et al., 2017). Although it may be argued that many different deontological theories exist, we resolve this issue in the current study by proposing to focus on professional deontological codes as the point of reference for business executives to rely on. First, these codes are usually delineated in executives’ home country and adhere therefore to potentially stricter guidelines with regards to corruption. Second, conflicts between two absolute moral duties or more may often emerge within the deontological framework. However, in contrast to lists of duties (e.g. Ross, 1930/2003), professional codes are coherent frames so that principles and duties, purposefully designed for a given profession, do not conflict with one another. Third, professional codes incorporate legal requirements while often embodying higher standards than the law (Muzio et al., 2016). The very notion of ethics assumes the bestowing of a greater obligation of moral duty upon professionals than merely conforming to the law. In an international business context, the deontological framework - and the MIB perspective it entails-, would thus be comparatively much more powerful in the controlling of the supply side of corruption than the opportunistic perspective of consequence-based theories or the unoperationalizable quest for good character of virtue-based theories. Adherence to a stable and formal framework of duties and guidelines as delineated in professional codes offers the obvious advantage of and integrity of business practices throughout varying legalistic, judicial or cultural grounds.

For all these reasons, this research adopts the deontological perspective. The existence of professional codes of conduct logically implies that lack of conformance leads to MIB. For the first time, we therefore propose that MIB is a useful framework to advance our understanding of corruption in an international business context. The next section discusses in more details the
different perspectives existing to explain MIB.

2.1. The functionalist perspective: the “bad apple” hypothesis

The functionalist perspective, considers MIB as rooted in the individual: ‘misconduct results from the behaviour of rogue individuals acting against the standards and norms of their profession’ (Muzio et al., 2016, p.5-6). Those who misbehave are bad apples (Coleman, 1987; Dixon-Woods et al., 2011) and have defective human character and wrong value system predisposing them to MIB. The bad apple hypothesis confines the level of analysis to the micro level of the individual (De Graaf, 2007), with his or her character, values and/or perceptions as the root cause of MIB.

2.2. The conflict perspective: the “red barrel” hypothesis

According to this view, the unit of analysis is the organization, instead of the individual. This perspective explains MIB as a ‘red barrel’ (Dixon-Woods et al., 2011) and posits that the responsibility of the individual is lessened and the analysis is restricted to the meso level of the organization (De Graaf, 2007; Muzio et al., 2016). Several investigators questioned to what extent Albert ‘Jack’ Stanley was exposed to relatively lax accounting and reporting rules within KBR. The company had repeatedly failed to implement adequate accounting controls in its African subsidiaries. Besides, M. Stanley was not operating alone but in close cooperation with his associates and the joint venture partners, whom may all have an influence on his actions (Goldberg and Carr, 2013).

2.3. The ecological perspective: the “bad cellar” hypothesis

The ecological perspective views MIB as a consequence of the influence of higher-order factors (Coffee, 2006; De Graaf, 2007). MIB occurs because of various macro-environmental forces exerting pressure on both individuals and organizations. The ecological perspective
implies a “bad cellar hypothesis” (Muzio et al., 2016). Both individual and organizational responsibilities are reduced and MIB occurs because of macro environmental factors affecting the individual both directly and indirectly through the organization. The joint venture headed by Albert ‘Jack’ Stanley evolved in the context of Nigeria’s political culture that is plagued with corruption. In fact, Nigeria is one of the world’s most corrupt countries, ranking 136th on the corruption perceptions index (Transparency International, 2016). Socio-cultural and political forces, beyond organizational culture and norms, might thus have strongly impacted individual behavior to corruption.

3. Theoretical framework

The prevalent view in the literature, on the deontological approach to ethics, is that of a deterministic linear logic pertaining to MIB. The literature consists thus of a typology of essentialized factors supposed to lead to MIB (Muzio et al., 2016). However, the three different layers of influence tend to interact and exert simultaneous influences. They should thus be considered holistically rather than separately. In sum, the bad apple that conflates with an essentialist perspective intertwines with the two other perspectives exerting higher-order influences emanating from both the organization and society at large.

To combine these different perspectives together we draw on the relational perspective framework (Festinger, 1954 Bourdieu, 1998; Bajoit, 1992; Mische, 2011), which posits contextual influences and conflates therefore with the conflict and the ecological perspectives. We further mobilize the substantialist perspective (Bottero, 2009; Murphy, 2011), which, in contrast to relationalism, posits that intersubjectivity and individual characteristics are core to the study of objects and phenomena (i.e., functionalist perspectives). We shall first introduce both perspectives and then explain how we reconcile these frameworks into a consistent whole. The
reconciliation of both frameworks that underlie the three perspectives on MIB, will better
demonstrate how these three perspectives intermingle and exert simultaneous rather than
separate influences to explain MIB.

3.1. The relationalistic perspective

The relational perspective framework (Festinger, 1954 Bourdieu, 1998; Bajoit, 1992; Mische,
2011) views individuals not as self-subsistent or self-acting entities. Rather, it views practices as
investigation are seen in context, as part of a whole […] Their meaningfulness is determined not
by the characteristic properties, attributes, or essences of the thing itself, but rather with
reference to the field of objects, practices, or activities within which they are embedded’ (Mohr,
2013, p.101-102). As such, relationalism is an anti-essentialism. One of the most prominent
theorists of relationalism is Pierre Bourdieu. Bourdieu’s approach (1998) can be recast in a wider
net of sociological theories known as relational sociology, which emphasize relationalism over
substantialism to explain and interpret social phenomena (Donati, 2007). To Bourdieu (1998),
the real is relational. Nothing exists except by the comparative relational comparisons and
differentiations from other objects in a comprehensive whole (Mohr, 2013, p. 101). This
relational framework formed the conceptual basis for the theory of social comparison processes,
that emphasized how social comparison is important in opinion formation (Festinger, 1954). In
applying the Bourdieusian relational theory to our own study, both MIB and good conduct exist
in relation to the institutionality of professional codes, rules, norms and laws, against which any
action can be compared and categorized as good professional conduct or MIB. An increase in
MIB could occur when relationality is attenuated, that is, when the difference between MIB and
good professional conduct becomes blurred.
3.2. The substantialist perspective

Bourdieu’s relational framework has often been criticized for privileging social relations between social positions at the expense of exploring the substance of these positions, which is disengagement with the intersubjective (Bottero, 2009; Murphy, 2011). In contrast, the substantialist approach ‘privileges things rather than relations and, as such, has a tendency to reify the social order, to essentialize social phenomena, and to embody a positivist orientation to social research’ (Mohr, 2013, p. 101). According to the substantialist perspective, MIB should thus also be understood in the inherent essence, substance or characteristics of the actors involved in its potential enactment, which are essentialist considerations. Individual intersubjectivity lies at the core of this perspective. The notion of substantiality captures intersubjectivity and judgement in lieu of relativistic comparatism.

3.3. Beyond the relationalist-substantialist divide

Pure relationality cannot create objects. Relations need substances and substances need relations (Murphy, 2011). Furthermore, the relationalistic perspective supposes that, all action is always trans-action, so that it has important implications that are transcending the momentary intent (Emirbayer, 1997, p.281). In other words, individual agency may affect culture or the reverse. Besides, both agency and culture may concur to create a climate of attenuated relationality. The combination of attenuated relationality, at the meso and macro levels, and negatively-valenced substantialism, at the micro level, creates potential for MIB diffusion. If we relate this to the three perspectives on MIB derived from the literature, this means that both the conflict and the ecological perspectives, are nourished by the functionalist perspective. The mixed relationalism-substantialism framework explains the occurrence of MIB by an attenuation of relationality at the meso and macro levels because of an increase or prevalence of negatively-
valenced substantialism, at the micro level. Conversely, the functionalist perspective is equally
impacted by higher-order red barrel and bad cellar environments, because in both there is a rise
or prominence of attenuated relationality.

4. Field study

4.1. Study framework

We applied the relationalism-substantialism theoretical framework to the study of MIB, in the
context of a field study on corruption in the Canadian mining sector in Africa.

Corruption as MIB. We explore the specific case of Canadian mining companies. These
companies comprise of diverse professions, engineers, lawyers and business executives, all of
which are regulated by their respective professions in Canada. MIB in this study corresponds to
the corruption (i.e. bribery) because: 1) from the perspective of Canadian professional
associations, such practices are unequivocally considered as highly reprehensible; 2); they occur
during the exercise of each respective profession; 3) they are intentional; and 4) they violate
norms and expectations of a variety of stakeholders such as, other professionals, clients, the
government, and the public.

Study context. Canada is one of the biggest players in African mining, owning half of the 315
listed non-African mining businesses in Africa, six of the 12 largest companies operating in the
continent are Canadian, and Canadian companies have invested around $20 billion in African
mining projects (Campbell 2011). From a relational perspective, Canadian mining organizations
typically deal with institutions and professional associations, characterized by strong
relationality, i.e. sharp distinctions between good corporate behaviour and reprehensible
behaviour. However, despite exemplary conduct at home (Fraser Institute, 2016) Canadian
mining companies are regularly blamed for misbehaving abroad, especially in Africa.
(Tscherning, 2017; Stapenhurst et al., 2017). Why the discrepancy? On one hand, the weakness of the host countries’ institutions might be in cause (Burgis, 2016). According to a report by Ernst & Young (2011) mining is the most heavily regulated industry and avenues for corruption are therefore wide; officials who have the power to block, delay or frustrate a project may attempt to solicit bribes for the benign exercise of that power (O’Higgins, 2006). Regulation increases the demand side’s opportunities to ask for bribes to which the supply side may abide or not. While diminishing levers for bribery, lack of regulation may be much worse since uncontrolled organizations may over-exploit resources, causing environmental and social harm. On the other hand, the Canadian Government is also being blamed for being relatively lax (Drohan, 2010), and has consequently developed a tougher corporate social responsibility strategy to strengthen Canada’s extractive operations abroad (Global Affairs Canada, 2016). Since 2009, Canadian mining companies have been subject to the Corruption of Foreign Public Officials Act, which makes it a crime in Canada for bribing officials in other countries. However, despite the strengthened measure and the report indicating that corruption may not be worthwhile financially (Fraser Institute, 2016), Canadian companies continue to be embroiled in subversive cases overseas (e.g. Burgis, 2016; Kisenga, 2016; Tscherning, 2017).

We studied the Canadian mining companies in two African countries: Ghana and Burkina Faso. Both are similar in terms of perceived corruption: Ghana ranks 56th and Burkina Faso 76th, respectively out of 167 countries (Transparency International, 2015). However, it is worth mentioning that corruption money, collected by the demand side of bribery, i.e. officials from these countries, needs “safe sanctuaries” which are usually institutionalized in the financial markets of developed economies, characterized by strong relationality and thus a necessary
prevalence of secrecy and offshore jurisdictions (Christensen, 2012). The demand for corruption in those countries is also a result of developed countries’ lax regulations of financial markets.

4.2. Methodological approach

Given the fact that our study of MIB relies on the relational theoretical framework, we adopt Liederman’s (2005) procedure of qualitative comparisons of cases on Ghana and Burkina Faso. In ‘qualitative comparisons of cases […] the relationship between theory and facts is captured largely in narrative form’ (Lieberman, 2005, p. 436). The case study methodology enables in-depth qualitative look at oversight within a particular socio-political context, by capturing the texture and real life experience, while simultaneously relating this experience to theory (Eisenhardt, 1989). In addition, the comparative aspect of qualitative comparisons of cases enables to compare two different countries with differing levels of MIB proliferation.

4.2.1. Document research

We searched public documents as a prime data resource; we considered international organizations (e.g. IMF, World Bank) reports on country corruption, parliamentary inquires and debates (in Burkina Faso), and newspapers reports on mining and MIB over the past five years to ‘make replicable and valid inferences from data in their context’ (Krippendorff, 1980, p. 21). In other words, we were able to examine the relationship between content and context, which assisted us to triangulate other data collected through interviews and focus groups.

4.2.2. Focus groups

Two sets of focus groups were conducted in Ghana. The first was held with the Canadian mining company representatives and the Canadian government officials who were recruited by the Canadian High Commission. The participants demanded Chatham House Rule, without note-
taking during the meeting. However, two members of our research team, immediately after the meeting, made notes on the contents and dynamics of the discussions.

The second focus group involved parliamentary staff working on oversight/corruption issues, CSO representatives and journalists. The nine participants were recruited with the help of the African Centre for Parliamentary Affairs, a non-governmental organization. A research assistant made notes on who was speaking and noted non-verbal interactions. The session was audio taped and transcribed professionally. We designed and carefully facilitated the focus groups to minimize non-response from the participants due to the sensitive nature of the topic. Administrative and logistical constraints prevented us from organizing a focus group in Burkina Faso.

4.2.3. Key Informant Interviews

We interviewed 25 participants in Ghana and Burkina Faso, comprising approximately equal numbers of company representatives, government officials, parliament members, and civil society representatives. The interview protocol comprised both open-ended and closed ended questions. Through the interviews, we sought to find out what participants know about corruption in the country, what the key informants do when faced with MIB in carrying out their work duties (behaviours) and what they think about the mining companies and the role that they are currently/potentially playing in curbing corruption (beliefs/attitudes). We designed a sequence of loosely structured questions in each of the introduction, main body, cool-off, and closure phases of the interview. Each interview took 45-60 minutes. Respondents were encouraged to add any additional information they deemed relevant.

4.2.4. Open-ended Questionnaire Survey
An open-ended questionnaire was implemented on executives of Canadian mining companies operating mainly in Ghana and Burkino Faso. The survey was implemented either in-person or electronically, and 15 executives participated the survey.

During the data collection and analysis phases, we dated all contacts, resulting actions, and coding. Coding the open-ended questions involved combining the detailed responses into a small number of categories to describe and systematically analyze the data.

4.5. Trustworthiness and auditability

We ensured trustworthiness of the findings by securing credibility, transferability, dependability and confirmability criteria (Guba and Lincoln, 1982). In line with Onwuegbuzie and Leech (2007), triangulation ensured credibility with the use of multiple and different methods (i.e. document research, focus groups, interviews, open-ended questionnaire survey), investigators (two different investigators) and data sources (i.e. journalists, business professionals, CSO activists, government representatives). Transferability refers to the degree to which the results can transfer to other contexts with other respondents (Tobin and Begley, 2004).

We thus provided thick description regarding the methodology but also the context of the study in the above-mentioned sections (Li, 2004). In line with Li (2004), in the next section we also explain all the research processes from data collection, analysis of the data to the identification of the resulting themes. This may enable other researchers to replicate the study with similar conditions in different settings (Anney, 2014). We also performed theoretical / purposive sampling since we selected respondents based on the specific purposes associated with answering the research questions (Teddlie and Yu, 2007). Dependability refers to the stability of findings over time (Bitsch, 2005). To this end, we performed an audit trail, during which we accounted for all the research decisions and activities to show how the data were collected and
analyzed (Li, 2004). To do so, we kept the following documents for cross-checking: all the raw data, the interview and observation summaries and notes, all the documents and records collected from the field, the questionnaires and documents including reports (Guba and Lincoln, 1982).

Confirmability is the degree to which the results of a study could be confirmed or corroborated by other studies (Anney, 2014). Past research stated that “audit trail offers visible evidence [from the process to the end result of the qualitative inquiry] that the researcher did not simply find what he or she set out to find” (Bowen, 2009, p. 307). We thus used the audit trail to ensure confirmability. In addition to trustworthiness, the study ensures auditability, that is, the reader being able to follow the different steps of the research process (i.e. from research questions to the data collection and to the findings). By writing our manuscript in a linear sequence, which presents all these sections in order, we ensure auditability.

4.6. Analytical procedure

In line with the theoretical saturation principle (Glaser and Strauss, 1967), we have stopped data collection after we reached the point where the sampling of more data would not lead to more information related to our research questions (Seale, 1999). We then conducted a thematic analytical procedure of the data obtained from the focus groups, expert interviews and in-depth interviews. Open coding developed a succession of concepts which were assigned to short and then larger textual passages (Böhm, 2004). Axial coding refined and differentiated the concepts further to transform them into categories (Strauss and Corbin, 1990). Figure 1 shows graphically how the progressive data structure, which highlights the movement from description to conceptual ordering to theorizing (Strauss and Corbin, 1998).

--- Insert Figure 1 about here ---

5. Data analysis
5.1. Relationality

MIB deviates from expected business behaviours, as defined in a set of laws by the government and also charters or codes of practice by professional organizations. Codes of practice closely tie to government laws, and serve as differentiators between what is acceptable and what is not, allowing relational comparisons. Thus, code-trained businesspeople know what makes a business conduct acceptable. The supply of a bribes is unequivocally reprehensible in all professional codes. The issue of MIB in the form of bribery arises when businesspeople do not perceive any discrepancy between behaviours in line with the laws and codes of conduct and behaviours deviant from these laws and codes. Misbehaviours such as bribery conflate therefore with acceptable behaviours. MIB can be enhanced in the situation of two factors: a lack of relationality at the government level (called institutional dysfunctionality) and a lack of relationality at the business/professional level (entitled conflation). The lack of relationality at the government level generates lack of relationality at the corporate level, thus increasing conflation risks.

Institutional dysfunctionality

Foreign companies mostly come from countries characterized by strong institutions or mature networks where different layers of power (e.g. judicial, legislative and executive) are isolated from each other, through the system of checks and balances, following Montesquieuian doctrine in *The Spirit of the Laws*, prevailing in Western civilization. Yet, many African countries have weak institutions – from a Western viewpoint -, characterized by emerging networks, which ‘do not yet have the critical mass to collapse into a core’ (Fuchs, 2001, p. 284). In other words, the different layers of power are not necessarily separated, which creates political conflicts of interests and confusion for foreigners. In addition, there are no professional organizations to
relay codes of conduct tied to institutional legislation. Many of our respondents evoked the absence of control and oversight mechanisms. In the words of a member of Parliament (MP) from Ghana:

Corruption in the public sector has been a system where because of a lack of protection of government funds, civil servants, public servants and politicians are allowed to basically steal the money. We’ll refer to it as thievery, nothing more than that. And this has been made possible because of the complete lack of accountability mechanisms. The internal controls, the checks and balances that are normally there to protect the funds, are not there. Therefore, people are able to steal without fear.

Similarly, a representative of the Ghana Integrity Initiative (GII), a civil society organization (CSO), spoke about grand misbehaviour:

There’s a lot of collusion by law makers, law executors, the judiciary and everybody to a large extent is involved. Some of the things that leaders, parliamentarians or the Attorney General does, create the room for corruption, and this incidence of corruption is impacting the economy as a whole.

Collusion conveys lack of barriers and differentiation between the three key components of modern governmental institutions, namely lawmakers, i.e. legislative; law executors, i.e. executive; and the judiciary, i.e. judicial, therefore creating potentialities for misbehaviour. An MP in the current Parliament of Ghana stated:

The governance system encourages Executive Dominance. The average parliamentarian is not looking for faults. Onus lies on opposition to do that and often, people tend to look at it as political even when it is technical. Until complete separation, it is not going to change.
The problem then lies in executive dominance where the one in power is unaccountable and basically able to do whatever wanted without much opposition from independent entities acting as gatekeepers or watchdogs, a predisposer to critical system failures (Coffee, 2006).

Conflation

Foreign mining companies are discerned from the core governmental network, that is, the institutions of the country within which they operate. They may perceive discrepancies between the functioning of the local government and that of their country of origin, or with their value systems. They may perceive a clash between Western-infused macro morality, which emphasizes abstract universal systems of formal laws, complementarity of rights and duties, equality and justice - required from businesspeople -, and micro morality emphasizing private duties and obligations to particular individuals (e.g. family, friends) (De Graaf, 2007).

Consequently, businesspeople– foreign or local - blame the government for issues that derive naturally from institutional dysfunction: lack of transparency in the granting of mining concessions; personal rapprochement between business and government; gift-giving culture to local chiefs; changing legislation; lack of law enforcement and oversight; heavy bureaucracy, numerous points-of-contact with government officials. These dysfunctions increase the demand for bribes, and consequently MIB. We shall elaborate more specifically on the issue of the gift-giving culture to local chiefs, to show how business persons’ perception of relationality may be attenuated and trigger corruption. A closed meeting at the residence of Canadian High Commissioner with representatives from four Canadian mining companies operating in Ghana, brought up rich anecdotes of controversial issues, including corporate relations with tribal chiefs and the tension that exists between traditional gift-giving and bribery. One participant said:
What would appear to be good practice is that of one company, which has developed detailed guidelines of what is acceptable in this – and other – situations. Employees are allowed judgement within the guidelines, but need higher level approvals to make gifts outside the guidelines. In one instance, it was noted that a request to help restore a tribal chief’s residence was turned down, with the explanation that the companies’ CSR projects were designed to benefit local communities not individuals. Another company had a different set of guidelines, where direct gifts to the tribal chiefs were considered on a ‘case-by-case’ basis.

The importance that companies establish good relations with local chiefs can only be understood in light of the actual power that these local chiefs have. According to the CEO of the Ghana Mineral Commission, in the Ghanaian Ministry of Lands and Natural Resources:

During the application process, a lot of things are required including agreement from local authorities. If any chief or landowner should raise any form of objection, the process will be stalled until everything is resolved. So it is likely companies will court the good will of local actors like chiefs. The commission doesn’t get involved in what happens between the project proponent [businesspeople] and the landowner [local chief]. They are only interested in whether possible objections have been resolved and once the District Chief Executive attests to that, the process will go on.

Local chiefs are important political figures with a lot of power in their hands. The lack of official involvement from the government and the ambiguous nature of gift-giving would thus entice companies to be complacent with chiefs by offering them gifts (i.e. bribes) with the promise of facilitating their applications. The practice is amplified by businesspeople’s impression that everybody is doing it and their fear of being left behind if they are not engaged in this kind of practice. In line with Festinger’s (1954) social comparison theory, the prevalence of
the practice may lead to the situation where professionals’ opinion might change or even be
comforted in considering bribery not as reprehensible but as “gift-giving”, and essential for
conducting business successfully. As a focus group participant in Ghana asserted:

When you are [...] not corrupt and you encounter corrupt situations you are likely to resolve
it immediately but if the whole country is corrupt, law enforcement becomes difficult. [...] For
instance a fresh [...] graduate [...] in Accra may want to do things in the right manner. [...] 
After some time, his attitude changes because everyone around him may be getting rewards
for doing things in a wrong way that he will be missing out on because of his stern attitude
against corruption. He/she will even get punished, or transferred to a different department for
doing the right thing in the long run because it may be preventing others from making money.

Other respondents from both Ghana and Burkino Faso, independently, concur:

In the business world, corruption has become the rule. Those who refuse to indulge find
themselves excluded from business. (MP2 in the 5th, 6th, and 7th parliaments and Treasury
Inspector, Burkina Faso)

Corruption is commonplace – service providers build the costs of corruption into their prices,
which makes doing business costly. (VP for Sustainability from a Canadian mining company,
Burkina Faso)

Presently it is difficult to do business while adhering to moral and ethical value since a
majority of business people are more interested in profit than moral values. When you decide
to adhere to these values, then you lose a percentage of your market share and can also lose
opportunities because of these values. (Head of the CSO Guardians of Democracy, Ghana)

In sum, companies feel destabilized by environments that lack barriers between personal
relationships and business partnerships: They appear conflated. The large prevalence of various
practices (e.g. granting gifts) contributes to diminishing the perception of them as anomaly. Both
the case-by-case approach and the detailed guidelines characterize a process through which the
ethical gap narrows gradually to become eventually culturally acceptable. Hence, businesspeople
attempt to recreate relationality (i.e. differences) between what is acceptable and what is not.
Yet, this process may happen idiosyncratically in reaction to the environmental pressures, by
means of making a sublation [aufhebung] - in the Hegelian term - of contradictory theses and
antitheses (Hegel, 1827-1830/2004). Albeit gift-giving would be legally reprehensible in their
country of origin (e.g. Canada; i.e. thesis), this is not so in the country of operation (i.e.
antithesis). Lack of relationality implies that the difference between what is normally considered
as misbehaviour and what is not, are not antinomical anymore. Companies end up internalizing
the practice but compensate complacency and indulgence by pseudo-relationality in the form of
ad hoc judgements and guidelines more fitting to the evolving context (i.e. sublation/aufhebung).
That is, a difference between personal/friendly relationships and formal business relationships so
that the difference between gift-giving and bribe can be attenuated. This lack of relationality
leads companies to engage in pseudo-relationality through which they reconsider gift-giving as
something acceptable for business.

In sum, MIB in the form of bribery is more likely to arise with increasing institutional
dysfunctionality and perceptions of conflation between good and bad conducts, while
dysfunctional institutions also contribute to conflation.

5.2. Substantiality

MIB in the form of bribery supply is also a consequence of inherent substance or
characteristics of the actors involved in its enactment, which conflates with essentialist
considerations (Bottega, 2009; Murphy, 2011; Mohr, 2013; Smith, 2010). This leads to the
treatment of individual agency (valence) as an important sub-theme of substantiality (i.e. bad apple hypothesis). However, considering previous theoretical developments emphasizing the impact of macro-environments and culture, MIB may not be explained from an exclusively individual perspective. A second sub-theme of culture (valence) illustrates the more complex and ambiguous nuances between these two theoretical constructs and the need to consider both perspectives to explain MIB.

Agency

Relationality suggests that businesspeople misbehave because of environmental pressures or macro configurations that weaken their moral standards through a lack of relationality perception. Yet, respondents pointed out that personal values, morals, ethics, will, thus, some sort of personal agency, matter too. Hence, the understanding of MIB should not only be based on a relational perspective but be complemented by an essentialist perspective which takes the intersubjective into account. For example, respondents mentioned that even if there was a strong level of relationality within or between many different fields – institutional or professional – MIB may still be an issue because of individual characteristics and flaws. In sum, in contrast to a deterministic relational perspective, the substantalist notion of agency implies that despite environmental pressures, individual subjectivity ultimately determines the occurrence of misconduct. Agency may be of positive valence:

*When ethical obligations clash with the realities of doing business, you try to appeal to your moral obligations as much as possible.* (MP in the current Parliament of Burkina Faso)

*If you resist it and are patient, you can have what you want without recouring to it [MIB]. If you are not willing to wait to obtain a given result, you are doomed. If you start bribing, be ready to never stop. Do not agree to buy peace. Integrity is a path that requires patience and*
the willingness to lose from time to time, or see others do better than you. (Respondent to the open-ended questionnaire survey)

The former director of [...] Awuni who was a no nonsense man, abhorred corruption and because of that his promotions were denied for so many years even his juniors by-pass him in rank until it got to a time that somebody said enough is enough let’s just give him his promotion. There are instances that he had a backlash [...] because some politicians were caught in corruption issues. He has never been afraid to say it in the media that this is what he stands for.... though he died out of it. (focus group participant, Ghana)

Conversely, agency may also be of negative valence in the sense that, even if all the arrangements and technology are put in place to reduce corruption, some individuals may still continue misbehaving by engaging in bribery:

There are individuals who because they make a living out of it, will use subtle ways to make situations complex for normal individuals to induce them to pay bribes. Thus there are also human impediments created by individuals in institutions that benefit from corruption to support their lifestyle. (focus group participant, Ghana)

Human beings have tendency not to do the right thing when there are no laws, though it does not mean that we are all corrupt, when institutions are not functioning well and smart people see loopholes and see he can make something of it he will do it. (focus group participant, Ghana)

Consequently, respondents indicated that an inviduals’ good morals, ethics or values determine at the end whether that individual will engage in MIB. Upholding to strong moral values is often very difficult. For instance, an influential Ghanaian journalist said that there are currently discussions in Ghana about passing the right to information bill. However, this bill has
not passed yet. He stated that he had a professional encounter with a junior officer who is
demanding an unauthorized fee in order to release a document that can aid him reveal a story
about the true cost of an item that is currently being debated. This officer is the only person who
has the document. This situation presents an obvious ethical dilemma that boils down to the core
moral proclivities of the individual confronted to environmental pressures. If he refuses, he will
not be able to write about the story of the hidden costs that could have dramatic impacts on the
political and social arenas. As a journalist though, he owes the public a responsibility to report
any wrongdoing. Yet, if he accepts, he is himself contributing to the wrongdoing.

This does not make a compelling case for the bad apple theory though. According to theories
delegating importance to social pressure in the definition of social identities, the very essence of
a substantive entity, say an individual, results from peer pressure and external social forces, or
culture. But contrary to Bourdieu’s statement (1998), these forces have subjective and thus
inherently directional (i.e. good or bad) impact on individuals (Murphy, 2011).

Culture

Several respondents referred to culture in discussing propensity to misbehave by providing
bribes or not. Culture may exert either positive of negative valence in that it may encourage or
reprehend MIB. The increase in a culture of accountability, in Ghana, for example, induces a
positive cultural valence as it diminishes MIB occurrences in the form of bribery.

*Accountability has come into Ghanaian culture only recently. It is only recently that we have begun to question people who seem not to be accountable or transparent... At the time, he was Minister of Energy and was signing most of the petroleum agreements no one ever questioned him that they wanted to do a review of the agreements. People were not interested – not the media nor civil society. Now it seems governance challenges in Ghana have shifted.*

http://mc.manuscriptcentral.com/cpoib
Seeing democracy in practice has now made people to talk about how do you ensure transparency, accountability etc. (MP in the current Parliament of Ghana)

Americans are people like Ghanaians has built these systems for so many years therefore it is imbibed in them that you can’t do certain things. (focus group participant, Ghana)

In contrast, culture may exert a negative influence on individuals inasmuch as it may constitute a predisposition for them to misbehave. As several respondents suggested:

... incomes are low and with the extended responsibilities from the extended family system that public servants have, they try to find extra avenues and ways to make extra money. (focus group participant, Ghana)

Some of these wrong doings can also be attributed to our cultural settings, there are some sayings in our traditional settings that fuels corruption. For instance there is a saying ‘everybody eats from his work’; ‘you don’t press the cheek of the one cracking the peanut’.

These sayings influence us wherever we find ourselves. Young people are also pressured by the necessities of lives so that the community will know he/she is also working and getting things out of it. (focus group participant, Ghana)

It is almost accepted that when you are in a position to make money, you should make it so that your extended family can also benefit. (former MP, Burkina Faso)

In some cultures, micro morality which has to do with connections to people, and informal norms, values and obligations based on reciprocity and sociality may be so strong that they weaken the sense of macro morality, which is more abstract and based on formal norms and equality (Höffling, 2002). Holding such values may reverberate onto behaviour in the form of patronage, cronyism, and patrimonial administration in developing countries (Theobald, 1999;
critical perspectives on international business

Williams and Theobald, 2000) but also in developed countries (e.g. clubs, fraternities, alumni networks; Perkin, 1996).

In sum, individual agency valence alone cannot be understood if it is not related to collective agency valence that guides individual behaviour. The naturally strong need for acceptance exhibited by individuals comes with pressure via cultural persuasiveness, cajoling and influence (Murphy, 2011), which ultimately impact individual choices.

5.3. Grounded model

Both relationalistic and substantialistic theoretical frameworks, through their empirically-grounded proxies of, respectively, relationality, characterized by the level of institutional functionality and conflation; as well as of substantiality as defined by agency valence and cultural valence, determine a professional’s propensity to misbehave by supplying bribes. As shown in Figure 1:

(1) **Relationality** as a continuum ranges from most dysfunctional institutions (i.e. lack of power separation, checks and balances system) and strong conflation (i.e. normalization of questionable practices) to most functional institutions (i.e. clear separation of power and efficient checks and balances system) and weak conflation (i.e. disregard to questionable practices).

(2) **Substantiality** as a second continuum ranges from most negatively-valenced agency (i.e. absence of morality and ethics) and most negatively-valenced culture (i.e. cultural frames conducive to misconduct) to most positively-valenced agency (i.e. strong morality and ethics) and most positively-valenced culture (i.e. morality-prone cultural canvass).

By combining these two axes together four generic configurations emerge:

(a) **Minimally-induced compliance.** This is the worst-case scenario characterized by a combination of lack of power separation, checks and balances system, strong conflation, at the
relational level, and absence of morality and ethics as well as cultural frames conducive to misconduct in the form of bribery. In other words, individuals are neither individually encouraged to demonstrate good conduct nor are they structurally encouraged to do so.

(b) *Institutionally-induced compliance.* Individuals characterized by negatively-valence agency and sharing a negatively-valenced culture may nonetheless be driven to good professional conduct because of structural dispositions such as highly functional institutions and weak conflation issues which prevent them from paying bribes;

(c) *Individually-induced compliance* constitutes the symmetrical opposite of collectively-induced compliance. Individuals who work in settings characterized by most dysfunctional institutions and strong conflation are essentially driven by their own selves, that is, by their more positively-valenced agency and background culture, to show good professional conduct by refusing to pay bribes;

(d) *Optimally-induced compliance* represents the antinomy of minimally-induced compliance and constitutes therefore the best-case scenario. In a nutshell, the maximal level of compliance to good professional conduct, as the absence of bribe payment, occurs with highly functional institutions and weak conflation, but also positively-valenced agency as well as a positively-valenced culture.

--- Insert Figure 2 about here ---

Any given professional setting, characterized by a specific generic configuration in compliance to good professional conduct and best practices (d), may crumble down to minimally-induced compliance (a) if it regresses from positively-valenced substantiality and strong relationality to most negatively-valenced substantiality and weak relationality. Conversely, minimally-induced compliance may turn into optimally-induced compliance through
actors’ moving up from most-negatively-valenced substantiality and weak relationality to the positively-valenced substantiality and strong relationality. We provide a more concrete discussion of how to achieve optimally-induced compliance in the section on practical implications.

6. Discussion and conclusion

6.1. Theoretical contribution

This study sought to analyze bribery from the perspective of the MNCs’ professionals who are involved in its supply, through the concept of MIB. The opposite of adherence to the professional code is what we called MIB. More specifically, we identified how the three perspectives on MIB (i.e. functionalist, conflict and ecological) - which have been typically studied separately from one another in past literature (Muzio et al., 2016) -, actually interact dynamically to create situations conducive to bribery supply. By investigating how both the individual and environmental ramifications interact to produce misbehavioural outcomes among professionals (i.e. bribery), we demonstrate that it is essential to adopt an integrated instead of a siloed perspective to combat the supply of bribery in international business.

This study uniquely draws on a combination of the classic relationalist sociological framework (Bourdieu, 1998), and its recent revision (Murphy, 2011; Bottero, 2009), which we name the relationalism-substantialism framework. The findings show that the reason why MIB in the form of bribery supply occurs, is not exclusively tied to any given perspective, whether the individual (bad apple theory or functionalist perspective), the organization (red barrel or conflict perspective) or the wider societal context (bad cellar theory or ecological perspective). Rather, these different layers are tightly intertwined and interact with each other for the supply of bribery to occur. We propose a net of conceptually-related constructs that intervene in the process of
bribery supply occurrence, namely relationality influenced by institutional dysfunctionality and conflation; and substantiality through agency and culture.

Through the concept of relationality, derived from the relationalistic framework (Festinger, 1954; Mische, 2011; Bourdieu, 1998; Emirbayer, 1997), for the supply of bribery to occur, it first has to be recognized as such in a system of comparative evaluations where different conducts are benchmarked against each other and hierarchically ordered as being more or less hurtful in a given profession. The study of the supply of bribes through the MIB lens provides illuminating insights in this regard. Formally, professional codes of conduct, which aim at expressing explicitly what is MIB, increase members’ relational awareness. For MNCs operating in African countries, the level of relational awareness may not be as acute as in the headquarters’ country, which leads decision-makers to breach professional codes of conducts, by supplying bribes, because of a lack of perceived relationality. These findings have important implications for theory in human relations, which typically characterized ethics as a discursive resource (Bardon et al., 2017; Clarke and Knights, 2015; Kornberger and Brown, 2007). Similar to ethics, MIB can be conceived as a discursive resource on which professionals may draw in their attempts to make sense of their environment. Secondly, we recast past results into a more comprehensive theoretical whole, namely the relational paradigm, which implies that discourses in past studies (e.g. Kornberger and Brown, 2007), should contribute to clearly frame good professional conduct in order to make MIB more salient to professionals. Such a process should thus result in a diminishing in the supply of bribes.

In contrast to literature on ethics, which focuses on the discursive nature of ethical behaviour, we show that, enhanced relationality is not enough to control for MIB, in the form of bribes provision, since actual enactment of MIB is also a function of the granular level of the
individual, even though that individual is embroiled in broader organizational settings or subject to wider macro-environmental forces. We thus acknowledge a certain level of personal agency exhibited by professionals, and thus, adhere to the theoretical framework of substantialism in addition to relationalism to explain MIB in terms of bribery supply. Personal agency is itself a product of influences emanating from various layers of the environment (e.g. micro, meso, macro), which we conflated in the notion of culture or cultural ingraining. This is the notion of Bourdieu’s social capital or _habitus_ concept, which as De Graaf (2007) theoretically suggested, is very useful to explain corruption. The concept of habitus, which we elaborated on in the sub-theme of culture is the recipient of the individual perceptions pertaining to the external world and hence, the aspects of culture that are anchored in the mind and resurface in actual behaviour.

While we acknowledge the importance of personal agency, this does not equal rehabilitating the bad apple theory. Similarly, the importance of culture or habitus does not mean validating either the red barrel or the bad cellar theories in particular as recently proposed (Muzio et al., 2016). Similarly, we do not emphasize to what extent one perspective may be more salient in one context or another. In line with recent works on the need to overcome the relationalism vs. substantialism divide, MIB, as bribery supply, may not be explained by relationality and substantiality alone. Rather, for the first time, we propose that both are entangled together. Our research infuses therefore more formally recent propositions in past sociological studies (Bajde, 2013; Arnould and Rose, 2016), as well as in the literature on workplace incivility (Pearson _et al._, 2001), in the study of corruption supply in international business. More specifically, both (lack of) relationality and (negatively-) positively-valenced substances concur to foster good professional conduct (MIB in terms of bribery supply). The effects of lack of relationality or negatively-valenced substantiality may be long lasting and alienating to many different entities,
and may potentially spill over from instigator to target to witness and even to the public at large.

MIB in terms of bribery supply should therefore be understood as an organizational problem but which has actually ramifications that are rooted well beyond the organization, and should be treated to be successfully combated.

6.2. Practical implications

We showed that MIB in the form of bribery supply is the result of a decrease in the perception of relationality or of the differences among diverse behaviours, ending up being all conflated into a flat whole. Therefore, it is essential for organizations to ensure that all of their professional members are aware of the behaviours that are clearly considered as deviant. Professional codes and guidelines should be as detailed as possible leaving no stone unturned, and no grey zone or loophole apparent. One important way, to further compliance with codes or guidelines, is institutional functioning in its broadest sense. This means that the institutions (e.g. associations) in charge of devising the codes and enforcing them should themselves be characterized by relationality such as for example by separating layers of power and installing system of checks and balances, which would prevent the cover-up of controversial cases.

The division of powers, mirroring that in central government, should be applicable to professional associations as well, so that they may function effectively. Doing so sends also a positive signal to professionals and society alike about the sincerity of the association, the reputation of the profession and of its practicians.

As observed in the data, a relationalist perspective is not sufficient to fight against what Muzio et al. (2016) call “rogue individuals” who turn into “bad apples” and end up contaminating the rest of the orchard. Instead, personal agency, will, norms, values, which are strongly influenced by the individual social capital, habitus, or ingrained culture, often
determines in the end an individual’s eventual proclivity to engage in misbehaviour. Individuals will react differently given their cultural background, morals and values. Practically, this means that in addition to work on the structural aspect of the code, associations and decision-makers should work on education and transmitting the set of universalistic values promoting ethics and morality. One respondent, the Vice-President for Sustainability from a mining company in Ghana, mentioned offering Christmas hampers such as corporate t-shirts with anti-misbehaviour messages, as well as gadgets or books such as *The Bad Samaritans*.

Importantly misbehaviour may spread once it is performed and thus contaminate not only professional spheres but political or civilian ones as well. In the study, some specific initiatives that were proposed to break the cycle of MIB in terms of bribe supply were anonymous corporate whistleblower systems or the use of the *Ipaidabribe.com* website. Business representatives from mining companies proposed the introduction of e-governance whereby human and government contact is limited to break the vicious circle of MIB in terms of bribe supply especially between business professionals and governments. Overall, the promotion of ethics should not be limited to a professional association alone, but should extend to the whole public. Exhorting civil society to behave ethically will reduce the incidence of MIB as bribery whether emanating from within or outside the professional milieu.

7. Limitations

The study drew upon a considerable amount of data from diverse sources. While this is an important advantage, because it provides the authors with a multi-dimensional perspective on a sensitive issue, it must be noted that it does not enable us to go as deeply into the data as suggested in the conventional qualitative methods literature (Patton, 2002). We follow De Graaf’s (2007) guidelines in the application of Bourdieu’s theoretical framework, but may
therefore lack in-depth study of contingencies as recommended by the author. However, multi-
faceted opinions on the subject under study enabled us to better dissect the issue on hand than if
we had focused on one single actor or entity alone (i.e. government, professional, CSO, local
chief), which would have showed social desirability. The access to a greater variety of
viewpoints enabled us to take a more integrated stance and be more nuanced in our
interpretations of the data. Although this study focuses on MIB, we investigated and analyzed it
in the broader context of corruption. Corruption closely relates to MIB because corruption
conflates with MIB, in that it is behaviour where the expected standard has not been manifested
(Neale, 1996). Corruption may thus be conceived as an extreme manifestation of MIB in the
exercise of a profession. Therefore, we believe that the conceptual closeness of both terms does
not preclude us from the use of a case focused on corruption to theorize about MIB.
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Figure 1. Progressive data structure
Figure 2. Generic configurations of misconduct in business