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IS ALL MONEY THE SAME? EVALUATION OF ETHICAL CONCERNS REGARDING TAINTED DONATIONS TO CULTURAL INSTITUTIONS

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Abstract. This paper explores the ethical implications of cultural institutions accepting donations from controversial philanthropists, using the Sackler family case as a primary example. Through the lens of both deontological and consequentialist ethical frameworks, we analyse the moral considerations surrounding "tainted" donations. The study explores various aspects of this dilemma, including reputational risks, societal impact, and alternative uses of such donations. While utilitarian arguments suggest potential benefits from channelling questionable funds toward the public good, our analysis highlights significant drawbacks, including reputational damage, undermined public

trust, and potential deterrence of ethical donors. The paper concludes that rejecting tainted donations is justified, particularly when institutions lack the capacity to thoroughly evaluate each donation's context.

Keywords: Ethics, Philanthropy, Tainted Donations, Cultural Institutions, Deontology, Consequentialism, Museum Funding, Sackler Family.

A recent scandal over the Sackler family has made major cultural institutions such as the Louvre and Metropolitan question whether to accept money from unfair philanthropists or not, bringing this issue into the public debate. The scandal has arisen around a pharmaceutical company, Purdue Pharma, owned by the Sackler family. The company developed a prescription painkiller OxyContin, which included oxycodone, a chemical cousin of heroin. The company funded research and paid doctors to overblow the concerns about opioid addiction, which resulted in hundreds of deaths and thousands of people getting addicted to the painkiller [4]. Such a large-scale proliferation brought the company a multimillion-dollar profit. In spite of such unethical practices, the Sackler family have been supporting numerous museums around the world, financing various scientific and research programs, universities and other institutions across the globe. However, it is only recently that their donations have become controversial and have been refused.

The problem of dirty money has existed for a long time and poses a dilemma for both individuals and nonprofits alike. Besides museums and galleries, other organisations such as educational and research institutions, which often have to rely on donations for funding, have faced the same challenges. Similar to money that originated from hundreds of people overdosing on Sackler's opioid-containing drugs, funding coming from the tobacco industry has been a debated and controversial issue [3]. Moreover, a wide range of factors associated with tainted donations, such as their size and anonymity can complicate the evaluation [5]. In this essay, we explore the dilemma of accepting tainted money by organisations through the lenses of two ethics approaches and evaluate the arguments in favour and against accepting such donations in light of these theories.

When it comes to the ethics of business-making, there are two ethics theories that each offer a distinct perspective on the morality of accepting dirty money for charity. Tracing back to Immanuel Kant's work, a deontological ap-

proach suggests that actions should be evaluated by their nature and intrinsic worth, rather than their consequences [10]. With the high uncertainty that the future poses, it is hardly possible to predict what would be a result of an action, making consequences an unreliable source of moral justification for an action. By that logic, the evaluation of an action will be done based on some pre-existing rules that should never be broken.

As we considered the dilemma from the deontological perspective, we were to evaluate the act of accepting dirty money regardless of potential outcomes. First, we may with certainty claim that earning money in a way that is associated with afflicting harm is completely unethical. Similarly, receiving this money makes institutions embroiled in unethical actions. When accepting the donation, it is implied that the receivers do not condemn the way it was earned, which might entail that they support an unethical activity. Therefore, from a deontological point of view receiving dirty money for whatever reason is the wrong thing to do. In line with this view, in some countries there exist laws that prohibit such practices. For instance, in the UK it is forbidden to use money provided by tobacco companies to sponsor “socially responsible” programs [13].

It is also important to take into account the values of the museums, which may serve as a justification for why receiving tainted money is an unethical practice. For instance, the “values of excellence” of the Louvre [1] are incompatible with accepting donations from people who gained their fortune in an unethical or illegal way. Moreover, this action at its core is a slippery slope: if we approve of something controversial, it means that we could treat unethical practices not as bad as they are in reality. Therefore, the values of the museums would be neglected in case of accepting the money.

In contrast, consequentialism emphasises the context and outcomes of the action and allows for an action to be considered morally ethical should it bring greater good as a result. With utilitarian striving for ‘the greatest good for the greatest number’ [8] guiding the decision-making, reaching a judgement about the morality of an action requires an evaluation of both costs and benefits that this action carries. According to this theory, it is crucial to consider all possible consequences of action to evaluate its utility, and, thus, morality. Recent studies in cognitive psychology have shown that on the individual level, peo-

ple tend to treat tainted money more positively when the money is designated to charitable causes, providing some evidence for utilitarian vision [11].

In line with this view, we have outlined some consequences for the Sackler's case. The first one we considered is using "dirty" money for good causes. Museums preserve historical heritage and improve museum infrastructure with the donated money, hence increasing social welfare. It is a significant contribution to overall society's utility level; thus, the potential benefits provide an argument in favour of accepting the money regardless of its origin from the utilitarian point of view.

However, there are also negative consequences of accepting the money that are essential to consider from the utilitarian perspective. First, there are reputational risks for the museums. The reputational damage might arise due to the fact that giving money to charity improves public opinion about donors and even potentially approves the way money was earned [12]. Hence, accepting money from the Sacklers may contribute to indemnifying their wrongdoings. As a result, the number of visitors could decrease due to the low rate of approval of the museums' actions, or people might start protesting the decision. For example, there had already been protests in France demanding to take the Sackler's name off the Louvre's walls [6]. Essentially, accepting their donations contributes to restoration of their reputation, which is a rather undesirable consequence considering the massive aftermath of their business practices.

Besides that, using dirty money might undermine not only the reputation of the museums but also extrapolate to other institutions involved and associated with the donation recipient. Museums may be funded by different institutions: for instance, there are governmentally-funded museums in the UK, thus them accepting the donation could potentially spill over to other government bodies. Low trust in social institutions, especially the governmental ones, could possibly result in serious negative consequences for society, such as political violence and instability and absence of support for public projects [7].

What is more, accepting donations can lead to economic consequences, one of the most significant being the potential alienation of sponsors. Philanthropists who earned their money without resorting to unethical activities may

not wish to be associated with controversial donors such as the Sacklers, or, addressing similar cases, Epstein and Weinstein, who were both charity donors and got convicted of sexual offences [9]. If the contributions of ethical sponsors are equated with those of controversial ones, society might start doubting the integrity and altruism of the remaining sponsors. As a result, the reputation and status of honest philanthropists might decline. This could deter them from sponsoring museums, consequently threatening the financial stability of these organisations, which does not benefit society.

Furthermore, when considering the consequences of unfair practices, it is reasonable to pay special attention to the fate and well-being of those impacted by them. The drugs developed by Sacklers contributed to the opioid crisis and exacerbated the drug addiction problem exposing large numbers of patients to an addicting substance. With substance abuse being a major societal problem on its own, using the funds accumulated through such activities for funding museums or other nonprofit organisations might be perceived as unfair and unjustified.

A celebrated photographer, Nan Goldin, might serve as an illustration of this argument. She got cleaned from her addiction caused by OxyContin and founded an advocacy group determined to hold makers of the prescription drug accountable. The main focus of the group was to call the Sackler family and Purdue Pharma to fund treatment centres and education programs for OxyContin use and correct the misinformation regarding opioids: “We want the Sacklers to put their money into rehab not museums.” [2]. Indeed, when making the decision about accepting money, it is desirable to consider the counterfactual scenario to accepting the donation when evaluating the (expected) consequences of the decision: what would happen if the money were donated elsewhere. In the case of Sacklers, devoting the money to advancing medical or research institutions might help to minimise the negative impact of their wrongdoings in a more targeted and meaningful way. In a hypothetical scenario where the museums could further redirect the funds to such causes without declining the donation in the first place, accepting the donation could bring even more benefits and higher utility.

Besides considering the overall utility if the donation were to be directed elsewhere, it is crucial to mention that in the case of not accepting the donations, the money could remain in the property of the potential philanthropists. It might result in further misuse of the money, and lead to further unethical practices. In the Sackler's case, the family remain the owners of the pharmaceutical company, and, therefore, the money, that would be rejected by the museums, might be aimed at harming people.

As we sum up the two theoretical perspectives, the deontological view and consequentialism, it might seem reasonable to accept the donations, as charity is a good reason for spending any money, however, as we dive into the dilemma deeper, it becomes clear that there are numerous controversial consequences of accepting tainted donations. On the one hand, refusing the donation seems to be inflicting more harm on the potential recipients, depriving the society of the benefits of the donation. At the same time, based on our discussion, the deontological view seems to offer clearer guidelines on the course of action regarding accepting the donation, as it is indeed challenging to evaluate all the consequences of accepting the money, as the deontological theory states. Moreover, the arguments against accepting the donations also from the utilitarian perspective sounded rather convincing, therefore we believe that the museums' decision to reject the donations is a reasonable one, especially without the opportunity to carefully evaluate the context of each donation beforehand.

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