

Corruption in Public Life

Essay No. 01

POINTS TO DEVELOP

1. Corruption in public life bothers everyone.

2. Meaning of corruption in public life.

Not a new phenomenon.

Standards of morality have consistently gone down in politics, bureaucracy, and law corrupt practices.

Every field imbued with corrupt practices.

6. Causes of corruption and their possible remedies.

If two or more persons meet and start talking about the present society of India, they soon come to the conclusion that every system, every institution of India is infested with corruption. Corruption has become so common in public life that people can now hardly think of public life without linking it with corruption.

But what does corruption actually mean? Corruption means perversion of morality, integrity, character or duty out of mercenary motives (e.g., bribery) without regard to honour, right or justice. In public life, a corrupt person is one who bestows undue favour on some one with whom he has monetary or other interests (e.g., nepotism). Simultaneously, those who genuinely deserve those things as their right remain deprived.

Corruption in public life is not a modern phenomenon. It was prevalent in the political and civic life of even Maurya period as has been discussed by Chanakya in the Arthashastra. Similarly, during the later Mughal period when debauchery was perhaps at its peak and when the so-called mighty Mughal rule did not extend beyond even of the Great Mughals such as Mohammad 'Rangela' themselves indulged in all sorts of corruption that included taking bribes and giving bribes to the powerful nobles to seek their armed support against their enemies. Corruption reached new heights during the British period. The British officers posted in India on the whole were corrupt. But even more corrupt than them were their Indian agents, such as the notorious 'gomasthas' who made lots of illegal money by clandestinely selling 'dastaks' to those who wished to indulge in unfair trade practices. But it is only recently that corruption has become rampant in our public life and caught public attention. Unfortunately,

people no longer protest against corrupt practices, fight injustice or express any shock when big scandals are exposed.

Most of the Indian politicians nowadays are anything but honest. Once they come to enjoy the fruits of power, they leave no stone unturned to make hay while the sun shines. Records show that in India, from time to time, a large number of big and small politicians are caught on the wrong foot: while some are found guilty of making unlawful money through dubious means, other corrupt politicians are found giving lucrative government contracts to those undeserving people and parties who fulfil their greed for money and other worldly desires. Incidentally, in some of the instances, when even after cases are filed in courts against these corrupt ministers and politicians, they continue to firmly remain in seats of power. Surprisingly, the common citizens do not punish them by not returning them to power the next time. They instead continue to vote for these very politicians ignoring their stained record of blatantly misusing and virtually looting the Indian taxpayer's hard-earned money.

Corruption is not a uniquely Indian phenomenon; it is witnessed all over the world in nations such as USA, Japan, and Italy among others. In India, like elsewhere, various types of corruption are to be found. Besides bribery, nepotism, theft and wastage of public money, dereliction of duty is also a form of corruption commonly found in the Indian scenario. As a matter of fact, from the time one is born in a hospital to the time one forms or the other age, various shades of corruption in one form or the other develop. Favouritism, one of the most widely practised form of corruption in India, exists in practically every field; it ignores the suitability of worthy candidates for appropriate jobs in favour of less deserving and less meritorious candidates. Blatant negligence is another noteworthy type of corruption. Government officials and police, not to mention doctors and even teachers, are often found negligent towards the people and this tortures the ordinary citizen no end. Negligence by doctors in government hospitals and even reputed private nursing homes even leads to the death of unsuspecting patients. The situation in the police force is much worse. The Indian police force is one of the most corrupt in the entire world. For even getting routine FIRs registered one has to grease the palms of the corrupt and greedy SHOs. Educational system in India is also infested with corrupt officials and administrators who make a mockery of the sanctity of the hallowed precincts of educational institutions to make a fast buck. Without giving hefty donations, it is tough, perhaps impossible, to get admission in many a good educational institute in India. Even the judiciary in India, of late, has come in the grip of corrupt elements who pull out all stops to sabotage justice. It is said, rightfully so, that in India corrupt elements stalk people at all stages and in every field of life. Various reasons are given for the existence and growth of corruption in public life.

Given the vast size and population of India and the poor economic infrastructure, most of the things required by ordinary citizens in the course of their daily lives and activities are in short supply. Corruption creeps in to jump a long queue, get a necessity in short supply, be served with minimum waste of time (time, after all, is money, as some say). In a growing environment of consumerism, almost everyone wants a little more than what he/ she earns, or have legally, so, the side money made by public servants for doing their public duty a little more quickly or to favour one person over another. Then in a morally vitiated atmosphere, public office and service is blatantly used for illegal (or at least questionable) ends to support the claims of criminals in favour with politicians.

In the Indian scenario, corrupt practices in the institution of election are a prime source of corruption, with political parties at the root of the evil. It captures the power structure by corrupt means and perpetuates it down the line, engulfing law enforcing agencies in the process as well.

Economic forces too lead to corruption. Given the present rate of inflation the ordinary Indian – the fixed salaried man- finds it quite impossible to maintain his family with his sub marginal income and save a bit. Those who earn enough to meet a minimum standard of life and have some to spare are drawn towards items of consumerist living and constantly find incomes inadequate. Corruption again is an attractive proposition.

Again, anyone interested in real estate will first have to deal with a seller who is averse to showing the correct price on the document, to avoid capital gains tax. To avoid unreasonably high stamp duties and registration charges, even otherwise honest people are tempted to show smaller sums for a deed. There are hundreds of instances of laws and rates inducing corruption.

Dr Upendra Baxi says, “ The criminogeneity of corruption may entail more than bribery offences between the giver and the receiver and, may spill further to the misappropriation” of bribes, distortions in markets of corruption intimidation and outright violence to remedy unjust enrichment or for rendering of promised services and even possibilities of counter-intimidation and violence”.

Taxes are another provocation and the law should balance between individual income and expenditure. Standard expenditures incurred by the common people living in cities and towns should be deemed to be fair basis for impositions to direct taxes.

The Sociological School of jurisprudence suggests that people in a given society must have an interest in the production system, be it private or public enterprise. Society must also control the price level of all production. Therefore, proper

legislation is necessary to fix prices of good to be consumed by a given society. This may be done by the application of the Social Control theory, which is not opposed to free marked economy.

Free market economy does not grant freedom to exploit. Any person may be entitled to participate in the production system of a country but production or a post- production processes must establish a harmonious relation between the profits and the social policy and reality.

One major cause of corruption among politician and bureaucrats in may countries has been the cast discretion powers vested in them, especially in relation to the economy. With the launch of the economic reforms process in India since 1991, there has been drastic contraction in these discretionary powers. However, there are still some key areas where discretion is temptingly left with politicians. Although these areas of discretion may get gradually reduced, there will always be some regulatory powers left with the government.

The remedy is to limit the role of the ministers evolve policies and leave the application of policies to individual cases in the hands of an independent commission/authority, in each such area of public interest. Each such commission/authority, may be a statutory body whose members are credentials for a fixed tenure. Conditions of service similar evolved t ensure independence. If the decision of these commissions are not under the purview of minister but only challenge able in courts, on source of corruption may be eliminated. Besides, it would be advantageous for the economy as a whole, as these commissions would give professional and objective decisions, and the whole process would be transparent.

A major cause of corruption is election expenses which have led to blatant hypocrisy among all parties, especially since 1969 when Indira Gandhi banned company donations to political parties. Our parliamentary constituencies are by far the largest in the world, which entail high teems too are far less advanced , with no local radio or TV stations, and our voters are less educated . So, to fight an election in such a constituency requires immense resources for direct or indirect personal contacts and appearances. Upto a corer of rupees per candidate is required to meet the election expenses. This money has to be collected mostly from business houses and traders.

The greed of politicians is matched by the willingness of unscrupulous businessmen who have mastered the art of building up very successful business empires by paying the appropriate political masters. It is not an exaggeration to say that a majority of India business empires have been built on the basis of corruption to exploit the licence-permit-quota Raj which existed till 1992. Because

of such implied obligation many honest persons do not want to stand for elections. They know that they cannot afford to discharge their obligations.

The best solution would be for the government to fund election expenses for candidates put up by parties which have a qualifying record of votes in Parliament. Apart from reducing corruption, government funding of elections will enable honest and decent people to enter politics.

It has been pointed out that mega scams exemplify a complete break of the social contract between the citizens and their representatives (who are supposed to safeguard the former's interest) in democratic India. And this occurs despite constitutional and legal constraints. There appears to be an institutional atrophy and administrative machineries.

It has been suggested that privatisation is the only and the obvious solution to these enormous public deficiencies indeed, one might first think that since businesses are run 'efficiently' and since efficiency and accountability are most certainly desirable in many fields of public activities, public services should be put in the hands of business people. However, there is no compelling evidence to claim that all business and professional firms are, by definition, efficient. Indeed, several financial scandals in the private sector are a depressing reminder that they are not.

More importantly as Adam Smith (who is frequently cited but rarely read) long ago suggested, the market does not spontaneously emerge; rather, it has to be established and maintained by the state and its administrative machinery. In other words, without the appropriate political institutions, no market economy or market reform of any significance is possible.

But is it not the same opportunist politicians and their rent-seeking bureaucratic agents who flout contractual clauses with utter contempt for rules and deregulation. And are also in charge of carrying out market reforms? Under the circumstances, it is difficult to escape the thought that privatisation will be a means by which these corrupt public figures will gift public resources to their friends, relatives and clients. A study of economic reforms, therefore, cannot exclude an analysis of political restructuring and reform. Indeed, an understanding of the persistence of dysfunctional and corrupt political institutions with an attendant quest for socially beneficial institutional changes is a prerequisite for the market to succeed.

In order to get the political institutions right and to remedy the inefficiencies that mark the bureaucracy, we cannot rely on the market alone, because the present institutional failure is ascribable not to the absence of market discipline but to the

absence or the abrogation of the disciplining force of democracy. For liberalisation is not just a matter of delicensing; it envisages empowering citizens by replacing government diktat by competition within a set of fair rules.

Clearly, constitutional and legal checks and balances, though essential, are not sufficient forms of protection against corruption and bribery. In fact, the actual functioning of political institutions cannot be read off from the Constitution. To ascertain the effective institutional framework, we have to examine instead the overall health of democracy in general and the local structure of governance in particular.

Ultimately, it is the citizens expressed in the form of pressure from below, that can provide the added safeguards required to deter public officials from seizing public assets for private gains. The grassroots-up approach is likely to illuminate our understanding of the direction in which remedial measures are to be sought, such that the lofty promises of the people in power are translated into credible commitments.

The local level community organisations which can function as effective accountability mechanisms include citizens' watch dog committees, the office of local ombudsman and the Panchayati Raj institutions, among others. The activities of such local democratic units, working with, as well as putting pressure on the local bureaucracy, can help limit the abuse of executive and administrative power.

A certain sense of hopelessness develops when one considers the poverty of our masses. People who are struggling for survival, do not always exercise political rights and consequently the politicians who fail to keep their promises are not necessarily thrown out of office. To be sure, rights mean little unless supplemented by a minimum of economic well-being and security. It also bears remark that in situations of entrenched inequalities of income, gender and caste (which prevail in many parts of the country), local organisations tend to get captured by the powerful and the wealthy. In such conditions of extreme inequality, the local political structure may suffer from the same institutional failures which afflict the supra-local bodies and thus block the rearrangement of institutions in ways that are conducive to overall development.

So, is there nothing to be done? Positive action, however, is possible: greater public activism and participation at the local level, mobilised through public – regarding community and voluntary organisations, local bodies and political parties, will hopefully work to reduce inequality and thus enhance the economic security of the masses; reduced inequality, in its turn, will ensure the

fuller exercise of political rights on the part of citizens forcing exercise of political rights on the part of citizens forcing the delinquent public functionaries to become more accountable and responsive to public demands. Ultimately, both efficiency and welfare purposes will be served by aligning market reforms with institution reforms that further democratic values.

Paradoxically , therefore, we may look at the current web of theft and corruption afflicting our polity as a fertile ground for initiative to create a new wave of democratic experiments. In a liberal democracy crooked businessmen and politicians are subject to the rule of law .

Politicians must be accountable tin the years in between elections. And the law is supposed to ensure this. In fact the law is not permitted to do so because the politicians themselves control the police and prosecutions. There is now an unspoken agreement between parties that , if at all possible, elected legislators will not be prosecuted. So it is no surprise that dacoits want to become MLAs and often do. Today , home ministers at the Centre and states control the police and prosecutions. But when home ministers have become part and parcel of a criminalised political system, they cannot be expected to tackle criminality. We need a new institution independent of home ministers for the purposed . We need a constitutional amendment taking away the power of crime detection and prosecution form the politician , and giving this an independent authority.

The police have two quite distinct functions, maintaining public order and catching criminals. The maintenance of public order (including the checking of terrorism) is inherently a political task, and must be performed by home ministers. But crime detection (save for certain terrorist acts) should be independent of the political process-there is no reason for it to be under political control.

To an extent lower tax rates lead to higher tax revenue: as lowering tax rates reduces benefits of evading tax. However, beyond a certain limit, it is not possible to lower tax rates without adversely affecting the functioning of the government.

Corruption will not be reduces as long as there is a demand for illegal funds. This demand is fuelled not only by politicians requiring election funds, or by those working in the real estate field, but by social attitudes. If ostentatious spending is a mark of social status, there is always a spending is a mark of social status, there is always a pressure to spend more then what is possible after paying taxes.

As such, the social environment is basically responsible for the unchecked growth of corruption. It is a sign of corruption to sell adulterated food items and medicine, cheat in examinations, patronise smugglers to get hold of foreign goods cheaply or to finance extravagant activities, so much that even national security may be compromised on a higher level.

In order to confine corruption to the criminal class. It is imperative that the risks, and costs, of being corrupt are sharply increased. This cannot be done merely by increasing legal penalties. Corruption must generate such a substantial loss of social status that it makes any monetary gain appear insignificant. Such a loss of social status will only be possible if common people believe that those who break the rules of civil society deserve to be ostracised. This will need a society where most people, if not all, believe that the rules that prevail are fair.

A democracy will survive only if the rule of law is efficiently and just applied, and public figures act upon a high degree of ethical principles. This is not idealistic, but a ground reality. Also, a democracy, unless made up of an alert, morally firm people capable of influencing public life in the right way, will degenerate into a democracy.

Essay No. 02

Corruptions in Public Life

Corruption in public life is not a modern phenomenon. It was prevalent in the political and civic life of ancient India as has been discussed by Kautilya in his Arthashastra. But, it is only since independence that corruption has become a chronic feature of our public life. So much so that people have started treating it as a normal feature. They no longer show righteous indignation against corrupt practices, fight injustice or express any shock when big scandals like Fairfax deal and Bofors payoffs are exposed. Today, corruption in particular has become all pervasive like the air we breathe, and is noticeable in every aspect of life.

Before India became free she was -rified by the British with the help of a small and compact body of bureaucrats of the Indian Civil Service. These officers, not wholly above corruption, helped the British to maintain law and order and run the administration efficiently. Certain Government

departments like P.W.D. and the police were notorious for their corrupt practices even then. But corruption was not so rampant as it is today, for the simple reason that there were fewer Opportunities.

After Independence, we adopted a democratic socialistic pattern of society. Democracy to be successful must have responsible citizens who are not merely aware of their rights but also their moral duties. They owe it to themselves to put those people in power who have proven record of integrity, public service and high values. It was indeed sad when public trust in their chosen leaders was betrayed. It did not take very long for, People to realize that the faith they had piked in the politicians was misplaced. Power, corrupts and absolute power corrupts absolutely—this maxim of Lord Acton was evident from the behavior of our leaders in power. Whenever a scandal was exposed, commissions of inquiry were appointed to appease the public fury and anger. However, the complete truth was never made public.

Opportunities for corruption in a developing country committed to socialist pattern are endless. Undoubtedly, there are rules and regulations governing the conduct of public servants, but these can be twisted and interpreted in accordance with the circumstances. There is widespread nepotism favoritism and manipulation at the ministerial level and among senior bureaucrats. Even a petty clerk in a government office wields more power than a more successful private citizen. It is said, target even a paper moved in the government offices, one has to grease the -itching palms of these people.

One of the factors responsible for corruption is the conflict between the civil servants and politicians. in order to maintain his political base and consolidate his position in .his constituency, a politician accommodates many people—prominent, wealthy voters, influential party leaders, members of parliament, etc. and grants them concessions to gain their support. On the other hand conscientious civil servants are constantly thwarted in their attempts to move according to established rules. This is one of the crucial reasons why anti-social activities cannot effectively be brought under control. Many hoarders, smugglers, tax-evaders, business houses; enjoy political support., thus weakening the hands of the authorities. Corruption can certainly be checked, if the civil servants do not succumb to political pressure. However, government should ensure that there is no victimization of such honest officers, otherwise it can demoralize them.

There is a widespread impression that many of our politicians and party chiefs place personal and party interests above public welfare and thereby

endanger democratic values. This is certainly not an exaggeration. It is not the duty of a legislator to work for big business houses and secure them concessions, licences and contracts in the hope of getting heavy donations to party funds to meet the election expenses. Businessmen, motivated by self-interest, do not necessarily donate because they approve of the party's policies and programmes. As political parties cannot function without funds, they are, therefore, obliged to accept money from these business houses in exchange for certain concessions. The only way to eliminate this form of corruption is that election expenses should be reduced to the minimum and the law should be vigorously enforced. The Election Commission have now asked every party to file their returns of income and expenditure during election.

One reason why corruption, has increased to such alarming proportions is that though our economy has made progress, price levels have risen to such fantastic height that the purchasing power of the rupee is only 13 paise today. It has made the life of fixed income group very difficult. Simultaneously, there has been an astounding increase in the number of nouveau riche, who flaunt their black money blatantly living in palatial houses and make the middle classes feel helpless. Many of them cannot resist the temptation of making easy money to maintain their social status and meet with the increasing demands of their families fanned by the overnight availability of luxury consumer goods. However, this does not, in any way justify corruption, but brings us to the point that we have forgotten our Gandhian ideals and merely pay lip service to them. Had all our politicians led an austere life, corruption in the administration could have been greatly checked, if not altogether eliminated. Besides, no amount of revision in the pay scales can satisfy the people, unless the abnormal rise in the prices of essential commodities is brought under control.

Public apathy to the rampant corrupt practices and their growing indifference to the virtual breakdown of law and order machinery only encourages the anti-social activities. Instead of organising ourselves to fight corruption, black marketing, artificial shortages, we just express helplessness, and give vent to impotent rage. It is only the combined effort of public, administrative machinery and conscientious public servants which can help to check the corrupt practices. An alert administration can certainly detect the guilty. We cannot deny that occasionally, under the pressure of public furore, the guilty are punished, but it is equally true that many cases of corruption are, dropped under political pressure.

Today corruption has become so widespread that there is no sphere of national life where it does not exist. Large sums of money allocated for

development programmes, community projects or tribal welfare, etc. are misappropriated by corrupt officials and never reach the real beneficiaries. Corruption has even invaded the educational sphere. Large amounts of capitation fee are demanded, deserving students are denied admissions to accommodate less deserving candidates who have political backing. It is inconceivable that so much tax evasion, accumulation of black money, smuggling, hoarding, black marketing, etc. should go on and remain undetected without the protection of the authorities.

The nineties has been the darkest period of corruption and scandals after independence. It started with the multicore securities scam involving Harshad, Mehta, some banks and politicians. There was a spate of scams during the regime of P.V. Narasimha Rao. These involved not only Mr. Rao himself and his kins but most of his ministerial colleagues. The long list includes Urea Scam, JMM Bribery case, Chandraswarai cheating case, Jain Hawala case, Fodder Scandal of Bihar, Dhoti Purchase scandal of Tamil Nadu, Sugar Scandal, St. Kitts case, Housing scam, etc. The list is unending and so is the list of the beneficiaries of these scams and scandals. The beneficiaries include not only the politicians and their relations, but also the bureaucrats, governors and chief ministers, both present and past. This gloomy picture shows that the rulers of the country had no regard for the poor people of India but for their own personal ends. They simply indulged in looting the country in a manner not beard of even during- Britishers rule in this country. In many cases the investigating agencies were slow and selective. These have been pulled up by the Supreme Court who have now issued orders for expeditious investigations against everybody involved in the scams.

The Central Government has always been aware of the need to combat corruption. In 1964, on the suggestion of Santhanam Committee, the government announced a comprehensive code for Central and State ministers. It required the people in power to declare their assets and liabilities, and put certain restrictions on collecting funds for elections. However, as these suggestions were not seriously enforced, things continued to degenerate. A major factor in facilitating corruption is the existing system of transfers and postings of government servants, teachers and others. The transfer system was introduced by the British to prevent local officials from becoming too powerful by building a circle of supporters over a period of time in one place. The threat of transfer was considered an ideal way of controlling the behavior of civil servants. Today, transfers have become big business. Each transfer on request brings money to those in power. If a minister is unhappy with someone, he is transferred, to a remote corner of the country. The bribes are paid from the lowest level to the

highest level. In fact, there are fixed rates to get things moving in offices. Of course there are still people who are honest. But as long as people are willing to offer bribes, directly or indirectly and as long as the needs of people go on increasing, there would be temptations to make money on the sly.

If we are serious to eradicate corruption from the grass roots level then we have to revamp the whole machinery. Here, the role of our educational institutions in inculcating the right values among the youth of tomorrow cannot be underestimated: There is a need for moral reawakening of our people, leaders and administrators. In order to lead a successful crusade against corruption in public life, both the government and the opposition should work in a spirit of cooperation and not to make political capital out of corrupt scandals. Opposition has a very crucial role to play in a democracy. It should be responsible and not always waiting to pounce on the government to discredit it. Our democratic system is bound to get grievously hurt, if the people in power do not rise to the occasion and face the glaring truth with courage, foresight and patience. It is only if a serious effort is made to live up to Gandhi code of morality that we can hope to strengthen the nation. No miraculous changes should be expected when an evil takes deep root in society; it is futile to expect to root it out in a flash.

Genuine socio-economic changes can be brought about if enlightened people help the government to fight the demon of corruption.