

Corruption and Protest Politics in India: An Evaluative Study

Ouffee Maqbool

Ph.D Research Scholar, Department of Political Science,
University of Kashmir, 190006
E-mail: naikouffee@gmail.com

Abstract—India-the world's largest democracy is one of the most corrupt functioning democracies. In the period of 2010-2012 India experienced an increase in the number of high-level scams that alerted international society and earned India a title of the "patronage democracy". The interaction of bureaucracy and politicians has been involved in the series of the grand scams, which in turn sparked a wave of anti-corruption movement. The Jan Lokpal Bill or Citizen's Ombudsman Bill was a civil society's initiative that gathered significant momentum as a part of the anti-corruption movement, propelled by the experiences of intolerable levels of corruption in both public and private sectors. The present paper will begin with the analysis of the limits of the Right to Information Act as the first piece of national anti-corruption legislation accomplished by the social movement. It will analyze 2011 Anti-Corruption movement as an unprecedented event in the history of India's social movements. Finally an attempt will be made to evaluate the transition that Anti-Corruption movement made to a political party.

Keywords: India, Corruption, Democracy, Anna Hazare, Anti-Corruption.

Introduction:

Corruption has become a universal phenomenon. The word 'corrupt' is derived from the Latin verb 'corrumpere', which means 'to spoil' or 'to bribe', while the noun 'corruptio' refers to bribery and corruption, a state of physical or moral decay¹. The stringent meaning of corruption is difficult for it has often been found to be culture specific or region specific. On the one hand, it can be framed under pertinent laws and regulations but on the other it can vary according to the socio-political conditions of the state that may not even be covered by law. In the words of Augustine Ruzindana, corruption is difficult to define, everybody does understand it and the attitude for or against varies from person to person and from society to society². According to Transparency International, corruption is defined operationally as the misuse of entrusted

power for private gain³. The organization further differentiates it between 'according to rule' corruption and 'against the rule' corruption. In the former, a bribe is paid to receive preferential treatment for something that the bribe receiver is required to do by law, while the latter is a bribe paid to obtain services the bribe receiver is prohibited from providing.

Since independence till date, the country has been ripped by nearly forty eight major scandals in the various sectors including telecommunications, food, land, defense and infrastructure⁴. The first major one was that of Jeep scandal in 1948 when the then High Commissioner for India in London, V. K. Krishna Menon, went for a deal with a foreign firm without following normal guidelines. In today's India, the applicability of both 'according' and 'against the rule' corruption have been rampant and this can be understood for the country ranks 94th out of the 177 others as far as the Corruption Perception Index (CPI) is considered⁵. Some of the most recent scandals that have ignited the mass movement include 2G spectrum scandal, the CWG scandal, Adarsh Housing Society scandal, Colgate and others. Apart from these, there are many others that have agitated the masses of the country. The National Rural Health Mission (NRHM) scandal in Uttar Pradesh which misappropriated a sum of Rs 3,500 crore, the illegal allotment of lands to the relatives or associates of ministers, legislators and senior officials by the Bihar Industrial Area Development Authority (BIADA) etc⁶.

The list undoubtedly proves that higher scale of money is involved in corruption. As a matter of fact, the value of present scandals posed several times more than the one in 1948. To say in the words of the organizers of Dandi March II in the United States, the recent scandals involving big amounts of money are making all corrupt ones get rich while 80% of Indians earn less than 2\$ a day and where every second child

¹ Whitaker, W (2007), Words: Latin to English, <http://www.archives.nd.edu/cgibin/words.exe>.

²Ruzindana, Augustine et al (eds.) (1998a), Fighting Corruption in Uganda: The Process of Building a National Integrity System. Kampala.

³ Transparency International, http://www.transparency.org/news_room/faq/corruption_faq

⁴List of scandals in India (2011), Wikipedia.

⁵ Transparency International (2013), <http://www.transparency.org/country>

⁶Issues of India (September 13, 2011), Understanding Corruption and Promoting Transparency, Wordpress. www.socialissuesindia.files.wordpress.com/2011/09/corruption_article.pdf

is malnourished. India is a rich country filled with poor people⁷. But this high level of corruption does not indicate the absence of any means to check it. There exist various Indian policies to prevent corruption and this includes⁸ the Indian Penal Code, 1860, Delhi Special Police Establishment Act 1946, Prevention of Corruption Act 1947, Central Vigilance Commission Act 2003, Central Bureau of Investigation 1963, Prevention of Corruption (Amendment) Act, 1988, Lokpal and Lokayukta Bill, Right to Information Act 2005, and Public Interest Disclosures and Protection to Persons Making the Disclosure Bill 2010.

The most prominent piece of India's national anti-corruptive legislation, The Right to Information Act, stems from the relentless efforts of the civil society enforcing transparency on local officials. The first collective social efforts which would gradually shape into a national social movement against corruption, initiated investigation and exposure of corruptive mechanisms which affected daily lives of ordinary people in the Northern Rajasthan. Under the leadership of Organization for the Empowerment of Workers and Peasants or MKSS, the workers requested access to government financial records to reveal the fraudulent practices of local officials and misallocation of public funds on local development projects⁹. The state-level movement expanding and gaining more support transformed into a national movement requesting institutionalization of Right to Information Act as a tool of transparency at the state level. As a result, National Campaign for People's Right to Information (NCPRI) has been advocated for the creation of a Right to Information Act (RTI) in India since 1996. In 2005, the government responded to the pressures and executed the Right to Information Act, which entitles any citizen to request information from a government body and/or representative and be given a response from Public Information Officer within 30 days¹⁰.

Thus, the current Right to Information Act as a national tool of transparency resulted from extensive collective efforts of demanding access government-held information, thus revealing the corrupt and abusive power practices of the officials affecting the ordinary citizens. RTI indeed carries a symbolic meaning as an achievement of social movements against corruption. However, its efficiency due to the problems of implementation and operationalization become apparent with growing prevalence and normalization of corruption in India. Awareness of different citizen groups is one of the main prerequisites in keeping the government

accountable through the legislative process. Peoples' awareness of RTI, legislative rights and procedures under the bill is minimal, especially in rural India. The study conducted by PricewaterhouseCoopers in June 2009 shows that only 13% of the rural population and 33% of the urban population are aware of the RTI. The power dynamics of local officials, the patronage networks among local politicians and bureaucracy, serve as a discouraging form for those few who are aware of RTI and would like to access official documents and monitor government expenditures. A disturbing trend in violence towards individuals exercising their rights under RTI inhibits people's likelihood to demand justice and physical evidence in a case of a crime. Questioning and requesting information from local officials invites retaliation, which suppresses the prospects of the people to exercising their rights under the act. Though RTI is a tool of transparency, its implementation is significantly hindered due to the lack of whistleblower protection and extensive unfamiliarity of the Act. growing practices of variable types corruption in both public and private sectors serve as the most convincing argument in support of ineffectiveness of Right to Information Act, the legislative implement of transparency is inadequate to curb corruption.

The Rise of Anna Phenomenon:

Anna Hazare is the man who held the lamp for the fight against corruption, illuminating the path to people across the country, in order to attain a corruption-free India. The method used by him is the same old Gandhian way of "fast unto death" in order to curb the menace. In 1991 he went for his first indefinite fast against corruption, a scandal where 42 forest officers had duped the Maharashtra government of crores of rupees¹¹. Two decades later when he retook his eleventh fast, again against corruption, a difference occurred for the whole nation joined him and thus marking the beginning of a popular movement, the 2011 Indian Anti-Corruption Movement. The movement gained momentum in particular since April 5, 2011, when Anna Hazare went on fast unto death in Jantar Mantar for the incorporation of a law 'Jan Lokpal Bill' to clean up corruption in many departments¹². The government did not pay much attention at first and simply urged Hazare to give up his fast, failing to undertake any conversation with the civil society since no politicians were allowed at the protest site¹³. By April 8, 2011 the popularity of the fast and protest spread like a wild fire across the state capitals like of Mumbai, Kolkata, Hyderabad, Jaipur, Ahmedabad, Chennai and other places¹⁴. Streets overflowed

⁷ The Link, (March 12, 2011). NRIs In US Organize March Against Corruption In India. <http://thelinkpaper.ca/?p=5316>

⁸ Rangaswamy, D. et al (2011) Impact of Corruption on Corporate Governance- An Overview under the Context of policy framework against corporate corruption. Social Science Research Network

⁹ Jenkins, Rob and Anne Marie Goetz (1999), Accounts and Accountability: Theoretical Implications of the Right-to-Information Movement in India." *Third World Quarterly*.

¹⁰ Busell, Jennifer (2012) "People's Movements in India" *Routledge Handbook of Indian Politics* (Ed) Atul Kohli and Prerna Singh. United States: Routledge, 182.

¹¹ Tare, Kiran (2011), Fast among equals, *India Today*, Vol. XXXVI, No.35

¹² Press Trust of India (April 4, 2011), Anna Hazare announces fast unto death till Jan Lokpal Bill enacted, *The Economic Times*, http://articles.economicstimes.indiatimes.com/2011-04-04/news/29380280_1_anna-hazare-swami-agnivesh-cricket-world-cup

¹³ Business Standard (April 7, 2011), Anti-politician mood at fast, even as government indicates compromise.

¹⁴ CNN-IBN (April 8, 2011), Where to join India's crusade against corruption, <http://ibnlive.in.com/news/where-to-join-indias-crusadeagainst-corruption/148543-3.html>

with frenzy protesters and by dusk turned the largest jail of Asia, Tihar, as the epicenter of the Anti-Corruption Movement in support of Anna and Jan Lokpal Bill¹⁵. When Anna refused to leave the jail, his release orders were given few hours after his arrest. The pressurized government had to finally accept all his twenty two demands and he went on triumphantly on August 19, 2011, the fourth day of his fast to the RamlilaMaidan where he continued his hunger strike for another eight days breaking it on August 28 after the Lokpal Bill finally reached the Standing Committee accepting his three main points- Lokayukta, lower bureaucracy and Citizen's Charter to be included in the Bill. From kids, teenagers, youths to adults, from students, doctors, engineers, lawyers, techies to even the unemployed, the movement though was mostly the rise of the middle class broke all age barriers, gender distinctions and more recently even religious differences¹⁶. Apart from India, the movement has hugely spiraled out from the Indians staying across the globe especially the United States. The Anna led 2011 Indian Anti-Corruption Movement in fact followed a similar strategy and took a major step to pursue its goals. Hazare was supported by a clutch of activists and professionals who became known popularly as Team Anna. They included Arvind Kejriwal, a civil-servant-turned-activist and Prashant Bhushan, a Supreme Court lawyer known for espousing public causes leading some to conclude that Kejriwal was the driving force behind the movement. The alternative draft bill proposed by the group soon became known as the Jan Lokpal bill (People's Ombudsman bill), a term that possessed a multiplicity of meanings suggesting not only that it was a bill that had been drafted by 'the people' as opposed to the government or parliament but also that it would establish an ombudsman who would be of and for the people. The key difference lies in the jurisdiction of the ombudsman envisaged in the two bills. Critically investigating the prime minister, Cabinet, parliamentarians and the judiciary fell unequivocally within the jurisdiction of the ombudsman in the Jan Lokpal bill while this was not the case in the government version. The political class was widely perceived as corrupt to the core and to consider itself above the law. Thus, the idea of a strong ombudsman resonated very strongly with the public mood. At this juncture, as Anna Hazare launched his fast to demand the formation of a joint drafting committee comprised of government representatives and civil society actors, the fundamental tensions rose to the surface.

The formation of the AAP

When the bill entered the domain of parliamentary procedure in August 2011, the IAC movement and its leadership tried to keep the issue of corruption at the forefront of public consciousness but the momentum began to fade. Media interest had plummeted and the crowds at public rallies were

thinning. From a political sociology perspective, when a movement begins to wither, there are at least three possible ways to re-energize it-change the leader (Hazare), change the demands (anticorruption/ Jan Lokpal Act) or change the nature of the organization. The first two were not possible as the movement owed its success thus far to these factors. With respect to the third, the group could either continue with and expand this civil society movement while remaining outside the formal political process or convert it into a formally political one.

At this juncture, ideological cleavages began to appear within Team Anna. Hazare had consistently argued that entering electoral politics was not an option, as the political system had become too murky and compromised to allow any space for clean candidates and political parties to exist. Kejriwal on the other hand asserted that they had tried everything from movement and fasting to pleading with folded hands but nothing had worked with the present day political leaders. The leadership of the Jan Lokpal movement eventually split on this issue, and in October 2012 Kejriwal announced that a new political party would be launched to provide an 'alternative politics for changing the system and giving power back to the people'. The AAP was formally launched on 26 November 2012 coinciding with the anniversary of India's adoption of its Constitution in 1949¹⁷. The party was founded with the explicit purpose of continuing the fight against corruption from within the political system.

Conclusion:

While the long term influence of AAP is not known, it has had a substantial success in bringing the debate around political parties and citizen engagement to the fore of public consciousness. Citizen trust in political parties and the political class has rarely plumbed such depths in recent memory. AAP seems to be addressing many of the issues via its stated aims and actions. Critically, it has been able to do so as the result of its origins as a social movement, which has helped it mobilize thousands of volunteers in a short space of time. At the very least, the party has succeeded in reengaging many ordinary citizens in the political process. For example, a supporter declares on the AAP's website: 'I have never supported or ever voted for any party in my life but today I have donated INR 100 to support AAP and I feel really good about it' However, the process of evolving from a social movement into a political party has been far from smooth and has engendered vigorous debate both within and outside the 'movement'. Throughout these debates, however, the formation of the AAP has been posited as a necessary step to enable ordinary citizens to reclaim political power in a more

¹⁵Saxena, Payal & Mishra, Soni (2011), People- the powers that be, *The Week*, Vol. 29.

¹⁶Raman, Anuradha (2011), Anna Domini, *Outlook*, Vol.34.

¹⁷ Prashant Sharma, From India against Corruption to the Aam Aadmi Party: Social Movements, Political Parties and Citizen Engagement in India, ASEF/Hanns Seidel Foundation/International IDEA, accessed at <https://www.asef.org/.../publications/.../asef-publication-political-parties-and-citizen-m>

meaningful way. However it must revisit and rejuvenate the organizational structure through which they build and maintain their relationships with citizens on a day-to-day basis, not merely at election time. In this sense, the party must ensure that they return to their primary role as critical and legitimate mediators between citizens and the state and not restrict themselves to acting as electoral machines. The party must take urgent measures to actualize systems of intraparty democracy and democratic processes and must do so visibly and transparently. A political party that is not internally democratic will find it difficult to convince citizens that it will act for the common good when in power.

References:

- [1] Jenkins, Rob and Anne Marie Goetz (1999)Accounts and Accountability: Theoretical Implications of the Right-to-Information Movement in India.*Third World Quarterly* 20:3, 603–622.
- [2] Sengupta, Mitu (2013)Anna Hazare’s Anti-Corruption Movement and the Limits of Mass Mobilization in India, *Social Movement Studies* 13:3, 406–413.
- [3] Ruzindana, Augustine et al (ed.) (1998a), Fighting Corruption in Uganda: The Process of Building a National Integrity System. Kampala.
- [4] Usaid’s Anti-Corruption Experience (2000), Promoting Transparency and Accountability, Center for Democracy and Governance, Washington DC.
- [5] World Bank (2003), Multi-pronged strategies for Combating Corruption: Civil Society Participation.
- [6] Beteille, Andre (2000), *Antinomies of Society: Essays on Ideologies and Institutions*, New Delhi: Oxford University Press.
- [7] Kothari, Rajni (1988a), *State against Democracy*, Delhi: Ajanta Press.
- [8] Hall, John A (1995), *Civil Society: Theory, History, Comparison*, Polity Press.
- [9] Shils, Edward (1997), *The Virtue of Civility*, Indianapolis: Liberty Fund.
- [10] Gellner, E (1991), Civil Society in Historical Context, *International Social Science Journal*, No.129.
- [11] Issues of India (September 13, 2011), Understanding Corruption and Promoting Transparency, Wordpress. www.socialissuesindia.files.wordpress.com/2011/09/corruption_article.pdf
- [12] Rangaswamy, D. et al (2011) Impact of Corruption on Corporate Governance- An Overview under the Context of policy framework against corporate corruption. Social Science Research Network.
- [13] Tare, Kiran (2011), Fast among equals, *India Today*, Vol. XXXVI, No.35.
- [14] Press Trust of India (June 8, 2011), Second freedom movement on, long way to go: Anna, *Hindustan Times*. <http://www.hindustantimes.com/News-Feed/newdelhi/Second-freedommovement-on-long-way-to-go-Anna/ArticleId-707077.aspx>
- [15] Prasannarajan, S. &Sahgal, Priya (2011), The Siege Of Delhi, *India Today*, Vol. XXXVI, No.35.
- [16] Saxena, Payal& Mishra, Soni (2011), People- the powers that be, *The Week*, Vol. 29.
- [17] Raman, Anuradha (2011), Anna Domini, *Outlook*, Vol.34.
- [18] Dasgupta, Debarshi (2011), The Seed and the Grain, *Outlook*, Vol. 34.
- [19] Denyer, Simon (2011) India’s Anti-Corruption Movement Aims to Galvanize Democracy. *Washington Post*.
- [20] GoswamiDebika&BandyopadhyayKaustuv K (2012), The Anti-Corruption Movement in India, Society for Participatory Research in Asia (PRIA), India.