The world’s media, and especially India’s, were quick to pounce on the story of Kisan Baburao Hazare’s recent, defiant fast against corruption in India, and the way in which it appeared to catch the government off guard.

But there is more than meets the eye in a spectacle that many have claimed was a clear case of good versus evil, writes Salil Tripathi.

FOR 12 DAYS IN AUGUST, India seemed to be obsessed by one issue: the health of a 74-year-old social activist named Kisan Baburao Hazare, who had gone on a fast, demanding that parliament table legislation to appoint an anti-corruption ombudsman, known as Jan Lok Pal. Thousands gathered at Ram Lila Grounds, a vast public space in Delhi known for cultural events and political rallies, and he drew support from an impressive array of groups, including the middle class, the poor, professionals, lawyers, religious leaders, former bureaucrats, film stars and businessmen.

Numbers can be deceptive in India — in a nation of 1.1 billion people even a movement that attracts a million people represents only a tiny minority. But in terms of crowds drawn, and supporters gathered across the vast country, the anti-corruption campaign is one of the most remarkable in recent Indian history.

Public ire is understandable. While corruption has always been a part of Indian life, three recent scandals have shocked public conscience due to the brazenness and scale involved.

The country’s stultifying bureaucracy kept the Indian economy hobbling at a growth rate of 2 percent to 3 percent a year from independence in 1947 until economic liberalization in 1991, in what some economists derisively called “the Hindu rate of growth.” The system gave ample scope for corrupt bureaucrats and politicians to benefit financially from businesses willing to pay bribes to expand their capacity or get into new areas of business. Known as the Permit-and-License-Raj, that system kept business under control, while letting some firms prosper at others’ expense. That was
supposed to have changed in 1991 with economic reforms. But critics argue that instead there has been an erosion of ethics, and the amounts involved in corruption have grown bigger. One such recent scandal involved the telecoms sector. In 2008, India issued licenses for the next generation of mobile phone services, and critics immediately accused it of selling the family silver for a song. Had the licenses been issued properly, the notional gain to the state would have been $40 billion, the critics argued. By selling the licensing for less, not only did the state lose revenue, it was alleged that businesses winning contracts had paid off politicians handsomely. A criminal investigation is under way, and several business executives as well as Andimuthu Raja, the telecommunications minister at that time, are in custody. The second scandal involved the Commonwealth Games, which was New Delhi’s coming-out party in 2010. While the games went ahead relatively smoothly in the end, reports suggested that many of the products were procured at inflated prices. Suresh Kalmadi, a politician who was in charge of organizing the games, is now in custody on corruption charges. The third scandal involved the construction of a high-rise apartment in Mumbai, the Indian city that is the country’s financial center and that has some of the most expensive real estate in the world. The apartments were meant for the families of military men who had died in conflict, but some were allotted to officials and politicians who had little, if anything, to do with the conflict. An investigation is now under way.

Economic reforms have created prosperity across India, and many businesses have made significant gains. The amounts involved are mind-boggling, and the nexus between businessmen and politicians has enriched many. Corruption is in significant gains. The amounts involved are mind-boggling, and the nexus between businessmen and politicians has enriched many. Corruption is in

against women is, of course, a criminal act, but there are laws to combat that. Hazare doesn’t expect the state to act, distrusts human behavior, and in his village, his word is the law. The Jan Lok Pal, or office of the anti-corruption ombudsman, that has been demanded by the activists won’t whip officials caught taking bribes, but it will have the power to investigate, interrogate, and in some cases, punish those found guilty. The powers sought for in the office in one of the versions of the proposed legislation include examining political, bureaucratic and judicial corruption, which would in effect make the ombudsman above all laws, with his own group of investigators who, too, would not necessarily be accountable to any law. The Jan Lok Pal would not be elected, while judging the conduct of elected politicians or officials appointed by elected politicians, and removing the ombudsman from office would be a cumbersome process. Clearly, the cure is fraught with enormous implications for Indian democracy, individual liberties and the rule of law. But public frustration over corruption runs so high that the campaigners currently appear willing to overlook that in order to have an official in place who would use a magic wand to eliminate corruption. Kaushik Basu, economic adviser to the government, has even suggested that bribe-giving should be decriminalized, so that it would be easier for the bribe-giver to give evidence against the bribe-taker, enabling prosecutors to focus on corrupt officials. Although well intentioned, the proposal has been criticized by many. While anti-corruption campaigners have argued that the law would not only look at scandals of “grand corruption,” or large bribes involving major public projects, but also at “ Petty corruption,” or the daily humiliation millions of Indian suffer at the hands of officials, it is difficult to imagine how the office can scrutinize every transaction involving the state, in every part of the country. Poor Indians are routinely harassed by the police who evict them from their homes because they may not have papers to prove the legitimacy of their claim. Drivers of taxis, trucks and three-wheelers are routinely stopped for small bribes by traffic policemen. Poor Indians seeking to get licenses to prove their marital status, birth or property claim often find it impossible to get the paper work done without adding some bakshish, or bribe. It is impossible to root out such corruption; more laws are not the answer, because laws that criminalize such behavior already exist.

If India remains a corrupt society, it is not because it is an immoral society, but because its people understand the pervasive nature of corruption, and, as sociologist Shiv Visvanathan has argued, they have learned to work creatively within the system. The Jan Lok Pal bill will not solve the problem. The poor have figured out a way to deal with the odds against them. They use the power of the vote to elect candidates that offer them benefits, and they pragmatically decide whom to elect, re-elect or throw out. The poor outnumber the middle class, and the middle class cannot generate more votes than the poor. So the middle class, in lining up in support of the Jan Lok Pal bill, wants, in effect, what would today be an extra-legal entity to restrain the corrupt, so that India’s politics gets rebalanced. Hence, the campaign. The politicians realize this. They responded to the campaign — which was covered intensely by the hyper-competitive television networks, as though it was the most important story of that fortnight. It should be remembered that around the same time the state human rights commission in Jammu and Kashmir issued an explosive report that showed evidence of thousands of unmarked graves, which implicated security forces in extrajudicial executions and disappearances. But that report got significantly less attention on television. And so the government passed a resolution — not legislation — that promised to consider civic society’s demands regarding corruption. Representatives of civil society declared victory and went home. Meanwhile, a bomb blast ripped through a gate of New Delhi’s High Court on Sept. 7, killing 12 and injuring dozens more. Some things never change in India.

Salil Tripathi is a writer based in London who has been a correspondent in Asia for the Far Eastern Economic Review, Asia Inc. and other publications.

The simplest solution to reduce corruption, would be to enforce anti-corruption laws more effectively, and reduce opportunities for bureaucrats, politicians and businesses to exploit regulations that help foster a corrupt environment. But that’s clearly not in the interest of those who benefit from the system. Hence, the movement against corruption. Led by three mavericks — a former tax official named Arvind Kejriwal, a former police official, Kiran Bedi, and a leading lawyer, Prashant Bhushan (the first two have won the Ramon Magaysay Award that honors integrity in public service) — the campaign found in Hazare an icon to rally Indians. Popularly known as Anna Hazare (Anna reflects the Marathi word for “elder brother”), he is a former army truck driver whose claim to fame rests on the social improvements he helped bring about in a village called Ralegan Siddhi in western India. There, effective watershed management that honors integrity in public service) — the campaign found in Hazare an icon to rally Indians. Popularly known as Anna Hazare (Anna reflects the Marathi word for “elder brother”), he is a former army truck driver whose claim to fame rests on the social improvements he helped bring about in a village called Ralegan Siddhi in western India. There, effective watershed management — a model village. But Hazare is also known for his peculiar ideas about society, and for using corporal punishment against those violating the social code he enforces in his area. To combat violence against women, he has banned alcohol, and men who drink and then beat their wives are whipped in public. Violence against women is, of course, a criminal act, but there are laws to combat that. Hazare doesn’t expect the state to act, distrusts human behavior, and in his village, his word is the law.