



# Anna Hazare Upsurge A Critical Appraisal



**Editors : Asghar Ali Engineer • Ram Puniyani**



# Anna Hazare Upsurge

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## A Critical Appraisal

### How relevant is Anna Hazare Upsurge?

As relevant as corruption itself. *Corruption* is like invisible volcano and the *upsurge* its visible lava.

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### What is the strong point of the upsurge?

The strongest point of the upsurge is that it caught the imagination of those major sections which are suffering at the hands of corruption almost on daily basis. The backing of media gave the *upsurge* a sense of invincibility and forced the political classes to address to its concerns.

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### What is the weak point of the upsurge?

The weakest point of the upsurge is lack of integrity. They claimed *credit* for the otherwise certain defeat of Congress candidate at Hissar bypoll, whereas backed off from the Kolkata bypoll where Mamta Banerjee was a certain winner. The upsurge activists' attempts to indulge in one-upmanship within and without did not sync with the moral ground that the upsurge had assumed.

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### What is the vision behind the upsurge?

There was no definite structure in the upsurge movement, and it lacked vision. Their assumption appeared to be that a bigger legitimate monster *Jan Lokpal* could be created and sustained by popular support in order to extinguish the all-pervading illegitimate monster of corruption, without addressing the sources of corruption, such as exploitative distribution of economic resources, parasitical social emphasis and unjust priorities of planning.

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### Will the issue remain if the upsurge failed?

Yes. Merely because the parenting is unsuccessful, child need not fail.

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*Editors*

Asghar Ali Engineer  
Ram Puniyani



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## Preface

We have compiled this book on Anna Hazare movement against corruption both for scholars as well as lay people. It is highly necessary, we thought, to educate people properly on the issue. Large number of people who are angry with corrupt politicians and bureaucrats thought Anna to be their messiah and hence they rallied round him in large numbers. But very few people know politics behind the Anna or team Anna movement.

It was therefore necessary to expose this politics behind it for contemporary and future generations, both scholars as well as the lay people. That is why we have included in this volume articles which take critical view of team-Anna. These articles are very carefully chosen. These articles are not necessarily anti-Anna but critical of Anna and ones which expose real design behind this movement. Some readers might feel that this volume is one sided.

Yes, in a way it is one sided but on purpose. It is not mindless opposition or criticism. And any way much has been written in print media and shown on electronic media which has been in favour of Anna and there was npo need to bring out one more volume for supporting Anna. However, media carried very little that was critical of Anna and hence it became necessary to bring out a volume which exposes Anna's anti-corruption movement for what it is.

Of course our full support for the anti-corruption movement if it is really in Gandhian spirit as it claims. But a critical evaluation very well shows it is far from Gandhian in nature; far from it. It is being controlled by rightwing

Hindutva forces. Anna is not mere social activist; he has his political ideology and legitimizes use of violence. Also he has been using anti-Gandhian approach and has been systematically undermining parliamentary institution and attacking parliamentary autonomy and undermining democracy in the name of democracy.

It was highly necessary therefore, to expose all this and hence we thought of compiling this volume. We have also included two articles which expound Anna's views as annexure so that readers can understand his view point also. It is only to facilitate readers who can avail of ready reference.

We are thankful to Shri Vikas Narain Rai for agreeing to publish this volume. We also are very thankful to all the contributors who are quite eminent in their fields to have allowed us to sue their articles without any consideration. Without their cooperation it would not have been possible to bring this volume out.

20/12/2011

**Asghar Ali Engineer**  
**Ram Puniyani**

# Introduction

## I

Anna Hazare's anti-corruption movement is most talked about movement today for its success in mobilizing huge number of people in its support. And as they say nothing succeeds like success, it has even caught international attention and has been listed by *Times* magazine as one of the top 100 headlines news in the world. The Central UPA Government is finding it difficult to cope up with Hazare's challenge.

However, success alone cannot qualify a movement for being worthy of support as many people think. First one has to analyze why it has succeeded so massively and what actors contributed to its phenomenal success, another important thing is that media constantly calls Anna as 'Gandhian' along with his movement. Does he really qualifies to be Gandhian? I think, it is very important question.

Also is his movement truly democratic or is it threaten democratic institutions like parliament. Can an individual dictate to the parliament of a country just because for various reasons he or she has succeeded in mobilizing people? These are of course controversial issues and evoke different responses from people depending whether you are supporter or opponent of Hazare or team Anna.

Another important dimension is can corruption be fought effectively if the issue gets politicized and ruling party and opposition playing with it like a football? Anna Hazare it

seems, may or may not have succeeded in fighting corruption but surely he has hugely succeeded in politicizing it and perhaps here lies the seeds of its failure. Anna is not a politician nor, as he maintains, has any political ambition. And so a social activist should refrain from, as far as possible, politicizing an issue he/she is fighting for.

First of all we would like to assert that no one would deny importance of the issue. One must do everything possible to eradicate corruption from public life. It has grown like cancer in India. Of course there are number of reasons for its phenomenal growth. India's is developing economy with scarcity all around and wherever there is scarcity there is bound to be corruption. Corruption began in public life from British days and as development plans unfolded in independent India it grew leaps and bounds.

In this developing economy contractors, suppliers, traders, brokers and variety of middlemen thrived and politicians ruling as well as those in opposition, also were not far behind. India is not an exception in this matter. All developing countries of Asia and Africa were struck with this disease. There may have been a difference of degrees. Even socialist countries like Russia and China could not ensure corruption-free growth despite stringent punishments.

One more cause of corruption of recent origin is liberalization and globalization of economy. The multi-nationals invested huge sums in India and, in order to promote their products they poured in huge amounts of funds in different events including cricket and politicians were tempted to have their share. Even otherwise globalization led to concentration of wealth and even in America, as the demonstrations on Wall street show, hardly 1% of the population has accumulated immense amount of wealth (more than 30% of GNP) and so the slogan raised by these demonstrators was 'we are 99 per cent (who have been deprived of).

In India too similarly globalization has put most of the wealth generated in the hands of a few people who live most ostentatiously and splurge this wealth on every available occasion and part of the loot goes to politicians. Prof. Prabhat Patnaik of JNU, a leading economist of the country, calls it 'primitive loot. The way various multi-nationals have penetrated mining sector destroying our forests and damaging environment and displacing tribals from their land on which they have lived for centuries, is a case in point.

It is these multi-nationals who poured huge sums in one day cricket matches and offered massive sums of bribes to politicians for T.V. rights and all this was exposed though media. The Common Wealth Games also attracted huge bribes part of which was exposed in media and there used to be daily exposures of these scandals and add to this the 2G corruption scandals involving thousands of crores by way of bribes.

These daily exposures created anger among the people and it was at this opportune time that team Anna projected Anna Hazare as their leader to undertake fast against corruption and to compel the Government to pass 'strong' Lokpal Bill drafted by them which could ensure stringent punishments for corrupt politicians and bureaucrats. Thus Anna undertook his first fast at Jantar Mantar which went on for three days and he broke his fast when Prime Minister assured him through a letter that his Government will pass a strong Lokpal Bill taking into account his draft.

He again undertook another fast from 16th August for which permission was denied for the premises at Jantar Mantar and instead an alternated site was offered but a night before his fast he was arrested and sent to Tihar Jail. Whosoever took decision for his arrest surely committed a blunder as Hazare became a martyr in the eyes of people and this step isolated the Government.

Anyway his fast began from 16th August 2011 and went on for eight days when Anna's health began to deteriorate. The Government buckled in and an agreement was reached

with team Anna for a strong Lokpal Bill. However, Anna and his team is not satisfied with the bill presently before the Parliament and insists that only team Anna's bill without changing a dot or a comma should be passed. Even the draft approved by the Standing Committee of Parliament has been rejected by Anna and his team.

He again undertook one day symbolic fast at Jantar Mantar on 9th December and threatened to go on indefinite fast if his Jan Lokpal Bill is not passed before the end of Winter Session of Parliament. Thus there is hanging sword on the head of UPA Government and team Anna is dictating its own terms to an elected parliament. Some people feel it is team Anna's democratic right to do so whereas others feel it amounts to eradicate importance of parliamentary representative democracy.

Hazare and his supporters insist that it is their democratic right to demonstrate and press for a particular law and all they are doing is to use their democratic right. But then question is what is parliamentary democracy? It is certainly right of every citizen to ask for a law and organize demonstration for that law or agitate in its favour. But they cannot draft law for themselves and force parliament to accept that without any change of comma or dot. That goes against representative democracy.

Tomorrow other group of citizens will also draft some law and insist that it be accepted by parliament without any change. It is for parliament to draft the law and pass it in its wisdom. Drafting law is the business of parliament, not that of some group of people on the street. In fact now Anna Hazare and its team is insisting that before parliament drafts a law it should go to the people and get their approval before it passes it. This is mobocracy, not democracy.

It is laying foundation for fascism for sure. One can even bring crowd in the street by spending ones resources and intimidate parliament into passing the law. That is what CIA had done in Iran in 1952 to overthrow Prime Minister Fatimi's Government for nationalizing oil industry. It mobilized

masses using services of ayatollahs through their religious demagoguery and purchasing support through various fair and foul means. Thus they brought back Shah who had fled Iran as a result of democratic revolution. What Anna and his team are doing is laying foundation for fascism and going much beyond exercising their democratic rights.

Of course they can spell out significant points to be included in the legislation also but then finally leave it to parliament to legislate. They cannot certainly force parliament to accept their draft and nothing else. After all Parliament is answerable to people as a whole and not to a group of people on the street.

Also, as pointed out above, social activists should not cross certain limits and enter into a political realm. If they want, certainly they are welcome to form a political party and contest elections with their own manifesto and programme. Anna Hazare and his team has crossed this *Lakshman Rekha* and has politicized the issue. Not only that it is constantly targeting a political party and opposition is enjoying this game and lending its support to Anna and his team not on merit of the demand but to politically exploit it for winning forthcoming elections. Anna already made it possible for opposition candidate to win a bye election in Haryana.

It is beyond one's comprehension as to why Anna Hazare and his supporters have staked everything on Janlokal Bill? But if one sees its political motives and who is spurring them into action it is not so difficult to understand it. Digvijay Singh, the Congress spokesperson and its General Secretary has alleged that Anna is being supported by communal forces and it is communal forces who are interested in destabilizing a secular government.

Even if we take Digvijay Singh's statement as politically motivated it is not difficult for us to see who is lending such highly motivated and organized support to Anna Hazare and his team. One of the articles included in this volume gives necessary evidence for this. Also RSS Chief Mr. Mohan

Bhagwat, in a statement issued in Calcutta recently said that Hazare is our man and though we have not mobilized people for his movement we can do so whenever he requests. The association between Hazare and RSS is of long standing nature.

He never condemned large scale communal violence in Mumbai in 1992-93 and in Gujarat in 2002 though he styles himself as Gandhian. Mahatma Gandhi undertook most of his fasts unto death on the question of communal violence. Hazare not only kept silence about massacre of Muslims in Mumbai and Gujarat but even praised Modi and his development module. However, team Anna soon realized the blunder made by Hazare in praising Modi and they made him say he has only praised his development module and condemns communal violence.

It is because of Hazare's Pro-RSS proclivity that Dalits and minorities not only kept away from his movement but even opposed it and though Muslims kept silent Dalits even demonstrated against him. This speaks volumes about Hazare's politics and his movement. There is enough evidence to show that BJP and rightwing Hindus not only supported him but also did mobilization and extended financial support.

As for Anna's anti-corruption movement Anna himself has been accused of withdrawing money from his Trust to celebrate his birthday and when it came under scrutiny he paid back the amount taking the same from some industrialists. This was corroborated by an inquiry by a retired Supreme Court Judge Justice Sawant of Pune. However, though media reported it but never highlighted the same or hardly held it against Hazare, More about media little later.

And it is not only Hazare but also team Anna members who are also accused of corrupt practices. Mr. Kejriwal, who is the brain behind this movement, did not pay his income tax for several years to the tune of Rs.23 lakhs. When questioned he said because of his preoccupation with social work he did

not get time. What a lame excuse. His friends offered to pay it on his behalf. This is hardly the kind of rectitude required of a social activist fighting against corruption.

Also, serious doubts have been raised about funding of the movement which is handled exclusively by Kejriwal's trust and some of Hazare's supporters even sat on fast demanding accounts for expenses on the movement as huge sums were spent. It was claimed that around 100,000 people were present at Ramlila grounds for 8 days and to feed such a huge crowd one can imagine the kind of expenses involved. No less than Rs. 25 lakhs will be required at the minimum per day.

Another important member of team Anna is the retired police officer Ms. Kiran Bedi who is aggressively supporting Hazare's Jan Lokpal Bill. She charged business class fare for Air India whereas she got concessional fare as winner of gallantry award for economy class though she claims, she deposited the excess amount in her charitable trust. However, she did it without informing her hosts which amounts to a corrupt practice. General consensus was that it amounts to corruption. So much for the integrity of the team Anna whose rectitude is under cloud. They have no moral right to wage a war against corruption as they claim.

In fact the whole movement is politically motivated drawing support mainly from Sangh Parivar whose political fortunes are at low ebb and what is worse has no emotional issue to arouse its Hindu vote bank. Hazare can be easily projected as social activist fighting corruption without any political motive but people cannot be fooled so easily. People can judge themselves what is what. It was not without significance that Shri L.K.Advani took out his *rath yatra* against corruption trying to project BJP as the non-corrupt alternative to the corrupt Congress rule.

We hold no plea for Congress. It is and has been corrupt and has looted this country for several decades. Its misrule has done much damage to our country. But for BJP to claim it is non-corrupt and only non-corrupt alternative amounts

to taking people of India for granted. And this *rath yatra* was taken out when Hazare movement was going on amounts to lending support to his movement and also improve its prospects of winning forthcoming elections in U.P. and other states and also 2014 elections of Loksabha. This *rath yatra* also shows how the Sangh Parivar is supporting Anna Hazare for its own political agenda. The BJP is equally, if not more, corrupt than the Congress and cannot fool the people by proclaiming its innocence. What went on in Karnataka is enough to damage its reputation. Its Chief Minister had to go to jail under corruption charges. There are many skeletons in the BJP cupboard known and unknown.

Here we would also like to deal with the question of Anna being a Gandhian. In fact when Sharad Pawar was slapped and Anna reacted by saying “only one slap, no more” and he said this before T.V. Cameras many people began doubting his being Gandhian. On being questioned he himself admitted that he is also supporter of Shivaji implying thereby that he does not rule out violence.

A true Gandhian will understand that Shivaji’s context was very different. Yes, non-violence must be universal and for all the time but violence has to be seen in a particular context. Nothing can be out of context. What Gandhiji did was not possible to do during Shivaji’s time. Non-violence as a political tool could not be practiced then. But Shri Anna Hazare does not accept non-violence as a philosophy. More than anything else his military training does not allow him to accept it and his rightwing Hindu philosophy also comes in his way. For RSS violence is a legitimate tool.

Simply by undertaking fast one does not become Gandhian. What is fundamental to Gandhi’s philosophy is non-violence and truth. Gandhiji’s most powerful tool was *satyagraha* i.e. insistence on truth as Gandhiji believed that truth is God. Thus there are three essential elements of Gandhian philosophy i.e. truth, non-violence and simplicity. Fast is not the core element but one of the non-violent ways of expressing ones protest. Thus fast is not even necessary,

let alone sufficient condition for accepting Gandhiji's philosophy of non-violence.

It is also important to note that Gandhiji did not fast against British Government. He called his fast either self-purification or repentance never against anyone, much less holding a threat to any institution or individual. He never held any fast against the state or Parliament. It is very important to understand Gandhian philosophy. Anyone holding fast cannot and should not become Gandhian unless she/he also accepts Gandhian philosophy. Mr. Hazare himself says he is more a follower of Shivaji than Gandhi.

Gandhian philosophy is much more comprehensive and comprises of modern social issues. It comprises of issues of gender, caste and social equity. One does not know what are Hazare's views about gender equality but in all probability his views could not be upholding gender equality. He is of course against drinking but then punishment he suggests (tying with electric pole and beating with shoes, if he does not give up drinking even after taking a vow in a temple) is quite un-Gandhian and Gandhiji would rather allow a person to drink rather than beat him with shoes.

His views on caste are even more shocking. It is no different from traditional philosophy of caste hierarchy as in his village Ralegaon Siddi he ordained dalits to live outside the area of upper caste people. It is even against Indian Constitution which has abolished untouchability. It is putting whole caste question in reverse gear. Moreover Gandhian method is of persuasion and inner change, change of conscience and has no place at all for any form of coercion. Coercion has no place in Gandhian philosophy at all. A true Gandhian would never resort to coercion at all.

Gandhiji's approach moreover was much more comprehensive and would cover all social ills rather than address only corruption. Hazare, on the other hand, is interested only in corruption and keeps quiet about caste and communal issues. His obsession with corruption has political motives whereas Gandhiji did fast only if social ethics and

morality was involved. His mission was to fight social evils rather than doing politics. Hazare, on the other hand, threatens to defeat Congress, if it does not pass his Janlokalpal Bill as he and his colleagues have framed. On corruption too, Gandhiji would have launched campaign to change the corrupt people rather than insist on a particular law.

No law, as all of us know, can ensure end of crime, all laws, however, rigid or fool proof, can be violated using some or the other loopholes or even through bribery. The Lokpal Bill covering lakhs of people will itself become huge establishment and with such huge machinery one cannot ensure thorough honesty as the Bill wants to ensure. As anti corruption bureau becomes corrupt or vigilance department routinely begins to accept bribe how can one ensure that Lokpal machinery would not. Corrupt people find their ways any way.

Also, corruption is not one way traffic. Giver of bribe is as much condemnable and punishable as the receiver. The Lokpal Bill with which team Anna is so obsessed has no provision for the giver; it only seeks to punish the receiver. It is well known fact that corruption has increased with leaps and bounds after liberalization and globalization of economy. Multi-nationals, in order to obtain permissions for mining etc. or 2G bands have paid unimaginable amounts of bribery. Hazare & Co. has never spoken a word about it. So much for their anti-corruption campaign and sincerity about fighting it. If giver is so eager, receiver cannot be far behind.

The role of media, particularly electronic media (print media also cannot be entirely absolved) has played key role in building up image of Anna Hazare. The motives may be complex but nevertheless media boosted Anna's movement. Some channels were competing for TRP i.e. their motive was business and to increase their TRP to get more ads. Some channels controlled directly or indirectly by big business or multi-nationals, was to support Anna as his movement and team Anna was sparing multi-nationals who are main givers of bribe.

And as Hazare and his team got more publicity, their egos inflated more and wanted to see more of their images on T.V. and in print media. The electronic media created more mass hysteria and team Anna became more rigid in direct proportion to the publicity they received. Smaller actors and supporters who have never hesitated in giving bribe to get their work done (even totally illegal) also acquired vested interest in becoming active in this movement.

One can fight corruption only when one never gives or accepts bribe. The small traders who are traditionally BJP supporters and are always ready to pay bribes became quite enthusiastic in supporting this movement. Thus the very foundation of the movement is questionable and corruption can never be reduced, much less eradicated, with such weak foundation.

## II

This volume brings together various analytic and critical evaluations of the upsurge built round Anna Hazare and the Team Anna. While media was full of praise there were other writers who tried to see beyond the obvious euphoria to evaluate in depth the nature and impact of the Anna movement. This volume contains essays, interviews and articles on the theme. This also has annexure which contain the view point of team Anna and Appendix which has the different versions of Lokpal bill as presented by Anna Team, NCPRI and the Government. The debate is on way to evolve a draft which the Parliament should approve.

Social scientist Zoya Hasan in her, "Parliament is for People" points out that the impasse which resulted around the issue was due to the maximalist position of Anna Team. This movement did raise the awareness about corruption, but it skirted the task of defining corruption. Is corruption merely financial corruption, is it just related to misuse of power, or is it related to the social and political inequalities? The anti political sentiment of this movement picked up and

Parliament has been rendered inefficient. Earlier at times around the movements led by Jaya Prakash Narayan and V.P. Singh and currently the mood is against Congress. Even at those times corruption ceased to be an issue once the Congress was defeated and the issue could not go beyond the superficial approach about corruption. Neena Vyas and Vidya Subramaniam in their "Anna Hazare Movement: What it has achieved and what it has not" point out that this movement has brought forward different issues related to inclusion of PM, Judiciary and lower bureaucracy in to the ambit of the bill. Government is trying to keep judiciary and group C out from the ambit of the bill. The demand for citizen's charter to be included in the bill is also on the agenda. Government thinks putting too much in this bill will clog the bill making it ineffective.

In his "Bahujan Lopal Bill makes new demands", Yoginder Sikand argues that Anna Hazare has little support from dalits and marginalized caste groups. The way Jan Lokpal bill is being pushed amounts to subversion of parliamentary democracy, that's why Dalits took out Save Constitution march. So far the experience of this section of society is that State affirmative action has not reached them in adequate measure. The proposed bill should not impinge upon the Constitutional provisions for dalits and other marginalized sections, as major base of corruption is casteism and communalism. The new bill should address the discrimination in offices and it should have representation from marginalized section. The present upsurge is being controlled by corporate houses, media, NGOs and upper caste.

A. Faizur Rahman criticizes the Janlkopal Bill of Anna Team in his piece, "Jan Lokpal Bill: A Critique". His contention is that JLB provisions are unconstitutional. The attitude of Team Anna in Hisar elections, where they campaigned against Congress needs a deeper analysis of goals of the JLB movement. In this draft NGOs are significantly left out. The bigger issue is with so many powers

vested in JLB, who will control these JLB members? The members of Team Anna themselves are also involved in different types of corrupt practices, which they have covered up with flimsy arguments. This JLB will create a parallel oligarchy and may abridge the powers of high court and will eat away a large amount of fund.

In the theme essays, Uday Mehta, a sociologist, notes that the mass mobilization was boosted by the publicity through media. The outcome of such a movement may result in strengthening of sectarian trends in our society and polity both. As per him comparing Anna with JP or Gandhi is ridiculous and a pure creation of media and some other vested forces. This movement has come up in the background of 2G spectrum scam; this movement has support of elitist middle class. Dalits and minorities did not participate. The JLB is authoritarian in structure, being created contrary to Gandhi's decentralization model. JLB is anti Constitutional also as it centralizes the powers to investigate, does surveillance, and prosecutes. In this form it may become a sort of Frankenstein's monster. This is in contrast to the Right To Information (RTI) movement which created a decentralized movement and incorporated existing movements. Mehta points out that eight out of 20 founders of India against Corruption are religious leaders. The finances and energy for the movement has come from the 'Shining India', middle class.

In another theme essay, Rohini Hensman, "What is the real Goal of Anna Movement?" argues that real goal of Anna movement is something different than just anti corruption. The proposed Lokpal takes over the functioning of parliament and judiciary. Lokpal subjugates all by promising to end corruption, this reflects a dictatorial trend in our polity. As such root cause of corruption is excessive power and the freedom to abuse it with impunity. Hisar poll showed clearly that Anna movements real goal lie in the realm of electoral politics, where it is bent upon to uproot UPA and bring in NDA. This was clear as the call was not to boycott the corrupt

but to defeat Congress. It projects Congress and parliamentary democracy as enemies. The projection that Anna is above parliament is a clear signal of authoritarianism in the offing. In denigrating the parliament RSS and Anna merge on the concept of Indian version of a fascist state.

In another of theme essays ‘The Neoliberal Revolution’, Anand Teltunmde reiterates that this upsurge is yet another expression of ongoing neo liberal changes in the society. In this upsurge BJP saw an opportunity to embarrass Congress and score political points, while hiding its cards. It is actively supporting Anna movement on the streets. RSS has unfolded its agenda through the icon of Bharat Mata. The crowds which came belonged to urban, middle class, upper caste, neo liberal generation. The neo liberal phase of India’s politics began with Indira Gandhi, foreign brands, in Indian markets. This generation shouted that reservation is the root cause of corruption, while ignoring the root cause of corruption. Such a simple superficial explanation itself is the syrup of neo liberal ideology. It has targeted politician and bureaucracy and business and corporate have been totally shielded by them.

The central figure of the whole movement, Anna Hazare has been the subject of a major study by Mukul Sharma. In his elaborate field work based essay, “Making of an Authority: Anna Hazare in Ralegan Siddhi” he points out the role he has played in the ecological and other aspects of this village in Maharashtra. The village does look prosperous with major watershed development programs. The village obeys him and he is like an Army. For him ancient glory is the reference point for social transformation. He applied force for stopping alcoholism, tied to person found drinking to the pole and beat them with belt. Same way family planning was implemented with force. He questions electoral party system and there are no direct elections in his village. Election campaigns are not allowed in the village. Caste system is kept intact, only Marathas are called Hindus while Chamars etc are referred to by caste. Caste based occupations are

upheld. Incidentally RSS calls this as an 'ideal village'. Some reflections of such an authoritarian attitude are visible in Anna Movement, while many more are subtle and hidden.

Shekhar Gupta, in his "The Unholy Cow" shows the double standards of the most visible faces of the Anna movement. Prashant Bhushan got a plot allotted by Mayawati Government, Kiran Bedi charged exaggerated air fares, and Arvind Kejriwal violated the service bond. The same faces are preaching about the morality in the movement, which they are shaping. It is a pity that all of them have devised mechanisms to cover their inglorious deeds and continue to play the key role in Anti Corruption movement; they have personalized the campaign and project as if all the MPs and particularly Congress as a party is responsible for the corruption.

The Gandhian projection of the movement is well critiqued by Asghar Ali Engineer in his "Is Anna Hazare the New Gandhi?" As per Engineer truth, non violence and simple life style are the three major pillars of Gandhian struggle. There is no violence in Anna movement but it has created a sort of Hate for those who are not with Anna movement or are opposed to it. The large section of the core supporters of the movement are those, who themselves indulge in the petty corruption, the major example being the payment of capitation fees, while corrupt practices are very much the part of their life style. Gandhi was a thinker of tall order with pure motives. The Anna movement does not have the deeper understanding, much less pure motives. Anna was quiet when Gujarat happened. He also praises Modi and Raj Thackeray. Such movements do not have lasting impact, as they operate at superficial level.

Praful Bidwai in "Gandhian Façade" points out that the movement is far from Gandhian. It is trying to set up direct opposition between parliament and people. It is projecting as if Government is opposed to civil society and that 'we' society must be listened to by the Government. The middle class anger against the system has been manipulated to be

directed against the ruling Government. The core of system Business tycoons have been deliberately hidden and the 'soft targets' of MP etc. have been attacked. Even Government bends down to the movement of the elite and looks down upon the protests of low castes and minorities. These are the reasons for these sections remaining aloof from this movement. This movement has been using the chauvinist Vande Matram slogan and the imagery of Bharat mata. RSS ideologue Govindacharya confirmed the presence of RSS in large number. The Anna movement is intolerant and can create mob mentality..

In "Anna Hazare: From Tragedy to Farce", J.Sri Raman argues that Anna, rather than being another Gandhi is the character most unlikely to be anywhere close to Gandhi. Anna has presided over floggings of alcoholics in Ralegan and had called for capital punishment for the corrupt. Anna is obviously, no advocate of non-violence. Anna cannot be compared to the Mahatma, who died a martyr to the cause of Hindu-Muslim unity. After his unsolicited testimonial to Narendra Modi, even if he took it back under pressure from his present associates, his character is clear. The primary beneficiary of the movement is BJP, due to the very elite character of the movement. BJP, which stalled the moves to bring in the Lokpal Bill is the real gainer from this movement..

In an interview given to the Hindu, 'Jan Lokpal: An Alternative View' Prof. K.N. Panikkar brings to our attention the point that "it should be apparent that no democratic principle was followed in the constitution of the committee. The civil society representatives were handpicked by Anna, and the government nominees do not reflect the diverse political opinion that is represented in Parliament." As per him the pursuit of neo liberal policies have opened up the path for massive transfer of public funds to the Corporate through political patronage. He points out "Corruption is a complex issue that is embedded in bureaucratic rigidity and issues of economic access and political power. In this sense, the state is the main promoter of corruption. It cannot be

reduced to a question of morality alone, nor can a solution be found by punishing individuals as a deterrent." The aim of movement is not to prevent corruption but to punish the guilty.

Arundhati Roy in her interview given to CNN IBN's Sagarika Ghosh criticizes most of the aspects of Anna movement, as being detrimental to democracy and the movement of the downtrodden. She says it is a dangerous piece of legislation, it is very regressive. She points out an interesting point that three of the core members of Anna team are Magsaysay awardees. They have NGOs funded by World Bank and Bank of Ford. World Bank runs 600 anti corruption programs in places like Africa. Why World Bank does it? One of their stated motives is to create a private sector. This type of agenda is a copy book World Bank agenda. This movement aims to create a parallel oligarchy. She states "the fact that we need to define what do we mean by corruption, and then what does it mean to those who are disempowered and disenfranchised to get two oligarchies instead of one raiding over them." It will create a huge bureaucratic monster. As such corruption is much more than mere financial irregularity. It is a currency of transaction in a very unequal society. One can say that *laws are not the way to tackle corruption and to tackle injustice. It's not through laws, it's not through legal means, and we have to do it through much more decentralization of power, much more outreach at the lowest level?* She is very scathing in evaluating the movement, "Anna Hazare was a sort of empty vessel in which you could pour whatever meaning you wanted to pour in, unlike someone like Gandhi who was very much his own man on the stage of the world." This movement is aiming at sidestepping democracy.

Akhtarul Wasey in his interview "Communalism is bigger issue for Muslims" given to Saadiq Naqvi of Hardnews, points out that the movement has been high jacked by the RSS. In this light how can Muslims support it, knowing fully what the RSS and its affiliates stand for. The movement has been richly funded by BJP and corporate.

Prabhat Pattnaik labels this movement as Fuzzy movement. As per him "The Anna Hazare movement is the very opposite of what one means by a "movement". It stands the usual concept of a "movement" on its head. By a "movement" one normally means the coming together of people around a set of concrete demands, on which they are more or less agreed and for which they struggle, often at great cost to themselves, under a set of leaders who are respected for their sagacity and integrity but not revered as messiahs." The assault on democracy by this movement is symbolic of "the transition from democracy to what some have called "corporatocracy", which characterized post-Reagan-Bush America, is an integral part of the rise to hegemony of globalised finance capital. This requires an assault on democratic institutions to discredit and delegitimize them.

When people were going in drove to Jantar Mantar, Harsh Mander wrote "Why I did not go to Jantat Mantar". For him the overemphasis on the issue of corruption hides the agenda of bypassing broader issues related to the functions and methodology of state. "My notion of good governance includes but extends beyond cleansing governments of bribery and financial malfeasance. It is of a just, compassionate, democratic State, which is fair to all citizens regardless of their faith, caste, gender or wealth. Corruption has deeper causes than merely the absence of institutions to punish the corrupt. It stems from inequality and injustice, from illegitimate power and dispossession."

Sukhdeo Thorat in his "Ambedkar's Ways and Anna Hazare's Methods", debunks Team Anna's assertion that the bill will help the dalits more than anyone else. He reminds us that "Dr. Ambedkar warned of three possible dangers to the new-born democracy. These related to social and economic injustice. During the 1920s and the 1930s, Dr. Ambedkar combined mass mobilization with legal methods in the anti-untouchability movement, but never allowed unconstitutional and coercive methods to take hold, despite instances of violent attack on "untouchables." Thorat also

makes a pertinent point that this bill is too important a legislation to be passed under threat or deadlines. Bill apart, the issue requires a focus on education and moral regeneration.

In "Born Again Patriot - An anti-corruption movement and the rise of liberalism" Kanti Bajpai makes a point that cult propagation and populist absolutism are the major features of this movement. The type of denigration of elected representatives is a feature which may undermine our democratic institution. "When we hear impatient calls for an end to Politics, when we witness religious or spiritual leaders come to the fore of the political stage, and when we hear the militarized language of victory and surrender in teeming crowds, we should fear for the future." Govind Talwalkar is concerned about the religion-authoritarian streaks of this movement. In his "Ayatollah in waiting" Talwalkar feels the demand of Anna to be vested with absolute powers, to run the affairs from Kashmir to Kanyakumari, may have roots in his background in the army. This preacher of swadeshi is surrounded by those richly funded by foreign organizations.

Soumitro Das in, "Hardly a Revolution" says that the heavy participation of middle class is apparent in the movement. Revolution and middle class is a contradiction in terms. He argues "The middle-class is comfortable with Hazare's movement. It's in charge. And what it wants to seek through the institution of the lokpal is a sort of a permanent moral guardianship over the political class as a whole. Ram Puniyani in "Anna Upsurge and social movements" points out that there is confusion amongst social movement about this upsurge. The tendency to regard all movements as progressive is faulty, as seen in the case of Ram Janmbhoomi movement. In this upsurge there are two layers. The inner dominant core is constituted by the 'Shining India' class while the outer, marginal layer is of those who are suffering injustices and inequality. Such movements are the 'other' of progressive movement and may lead to subversion of

democratic system. Amita Baviskar in "A Tale of Two Movements" compares the RTI movement with Anna upsurge and points out "the differences between the two campaigns are striking as well as instructive. The RTI campaign and the JLB campaign both strive for greater government accountability, but their ideologies, modes of organization, support base and strategies diverge in important ways. Understanding these differences is crucial if the Lokpal Bill, once enacted, is to achieve its stated goal." RTI movement decentralized the efforts to involve broader levels and aims at a decentralized model, while Anna movement is centralized one. Eight of twenty founders of India against corruption are religious figures, while most of the remaining one's are mouthing superficial slogans without deeper analysis.

Kancha Ilaiah is very forthright in characterizing this movement as social fascist in his article "Anna's Social Fascism". He observes very perceptively "Social fascism becomes the reality of a civil society that constructs a moral basis of its own. A middle class like the Indian one, which has erected strong caste enclosures around itself, looks for morality to serve its own interests. Corruption in general becomes a buzzword of condemnation within its day-to-day discourse, despite the fact that it lives with corrupt." The high moral ground on which the Hindu middle class stands is a breeding ground for social fascism. The poor and lower castes have fought huge battles to checkmate saffron social fascists in the last 20 years. Now the same forces have come to occupy centre stage wearing the Gandhi topi (cap).

John Dayal in his "Enough Mr. Hazare" says that this is no second Freedom Struggle which the poor envisage. It is not a freedom from Direct taxes, and certainly not the freedom from profiteer. Surely as it is being planned in its current form, the Lokpal could become a Frankenstein's Monster, concentrating power in a few, new, hands. We can almost see the jackboots under the civilian dress of the team Anna, as they strut across television screens, their body

language sending out a clear message of their self importance.

Happymon Jacob in "Please Don't call it a Revolution": argues that Anna movement is the beginning of anti politics in India; it may trigger many more groups to take law in their hands. He says "This protest is choreographed to suit the 'apolitical' tendencies of the Indian middle class which is in the habit of critiquing politicians and politics but would not find time to cast their votes when elections come." While it looks to be spontaneous, it is not so, it has been well orchestrated. Nilottapal Basu, in "Media's Misplaced Triumphalism" says that Triumph of the civil society over the political process and Parliament is not only patently wrong but also fringes on being mischievous. In this light "The triumphalism by sections of the mainstream media following the circumstances led to the calling off of Anna Hazare's fast is completely misplaced." And so "the triumphalism is suspect. More so, when the increasing corporatization of Indian media during the past course of reforms in the country has seen concerted efforts to jettison the political process and belittle the role of all those who raised their critical voice. Dissent over the neo-liberal course never found favor with our mainstream media. One wonders why Team Anna received the unstinted and full-throated support from 24x7 news channels in the manner that they did."

Arvind Rajgopl in "Visibility as a trap in Anna Hazare Campaign" observes that the rapid escalation of the Anna Hazare campaign has been aided by embracing the media as ally. It has compromised its political character in numerous ways. Political participation as a critique of the status quo has to exist both inside and outside the media spectacle. Visibility can be experienced as fulfilling, but when the image becomes the destination of politics, it is a trap.

In 'India: Anna is the beacon of Banal Hindutva' Jyotirmaya Sharma characterizes the nature of Anna politics, being right wing. After, Soft Hindutva and Hard Hindutva, Sharma has devised the category, Banal Hindutva, which

signifies "...a love for abstractions rather than action, self-righteousness over self-improvement, inflamed nationalism, easy judgment, moral sanctimoniousness over moral understanding and a gnawing sense of inferiority and victimhood." He concludes that "What Hazare is knowingly or unknowingly doing is to become the informal recruitment centre for the harder versions of Hindutva. By making 'banal Hindutva' honorable, Hazare has begun the process of making the harder versions of Hindutva more acceptable and legitimate." Bhanwar Meghwanshi in "Communal Character of Anna Hazare movement" shows the deeper links of RSS and its role in the movement. At surface it is being denied but the decision to start the anti Corruption movement was taken by RSS. The mass mobilization was also mainly done by RSS, whose cadres were at the core of the mobilization. Anna has never criticized Hindutva ideology and RSS stable has been very appreciative of Anna's work. Meghwanshi raises an important question, "How did people like Medha Patkar, Swami Agnivesh, Prashant Bhushan and Sandeep Pandey, and many other such activists, who have all along opposed communalism and have themselves been targeted by communal forces, fall prey to this RSS conspiracy and get involved in an RSS-backed movement? Their stance has greatly troubled millions of Dalits, Adivasis and religious minorities of this country, who have not hesitated to express their distaste for Anna Hazare's movement, not least because of its being so closely linked to Hindutva forces." Meghwanshi sees the whole Anna movement as a new form of Savarna Hindu revivalism.

In "Anna's RSS", Akash Bisht argues that "Anna's crowd was bursting with RSS cadres. The kind of pamphlets and slogans that reverberated at Jantar Mantar could only have been the handiwork of RSS." Praises of *gau mutra* (cow urine) and *gau raksha* (cow protection), apart from personal attacks on Sonia Gandhi's 'foreign origin', were being openly floated at Jantar Mantar during Anna's fast." It has been aimed at creating a civil unrest and destabilizing the government.

Hartosh Singh Bahl in “Why Sangh Loves Anna argues that “It is no coincidence that the Jan Lokpal Bill imagines an ombudsman who would be to the republic what Anna is to Ralegan Siddhi, someone who will whip us all into shape.” So this movement has come to “represent is the same simplistic and ill-thought-out rightwing nationalism of the Sangh which has no space for the Constitution or the liberal values it embodies.”

*Asghar Ali Engineer*  
*Ram Puniyani*

PART - I

**THE JANLOKPAL BILL**

# 1

## Parliament is for People

*Zoya Hasan*

Parliament's "Sense of the House Resolution", agreeing "in principle" to a *citizens' charter*, the lower bureaucracy to be under the *Lokpal* through appropriate mechanism, and establishment of *Lokayuktas* in the states, paved the way for Anna Hazare to break his 12-day fast. The impasse was broken after both the government and Team Anna shifted from their maximalist positions. Earlier, the government had taken shelter under administrative and legalistic positions, whilst Team Anna demanded nothing less than the passage of the *Jan Lokpal Bill* when the *fast* began on August 16. Eventually the breakthrough came after Pranab Mukherjee took over as chief negotiator with a new team of interlocutors to reach out directly to Hazare.

No one can deny that the *Anna Hazare Andolan* (AHA) has raised awareness about the need to combat *corruption* in the political process. However, the AHA has not defined corruption. Is it about financial wrongdoing and pilfering of public money? Or does corruption involve misuse of power? If misuse of power is an issue then power flows from control of state institutions but also from social and economic inequalities.

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\* The writer is Professor at Jawaharlal Nehru University.

Who is benefiting most from corruption? Yes, the politically powerful, but also the economically powerful in industry, trade and business, an aspect AHA has sidestepped. Both these issues are central to the politics of fighting corruption. AHA's solutions to corruption are moral exhortations and legal enactments. Most of the people who thronged the streets against corruption are from the middle classes who support the campaign against corruption but would be averse to upsetting the status quo that benefits the privileged including them.

Laws and institutions are clearly important to the fight against corruption and yet the upsurge of public opinion developed into a strong anti-political and anti-institution sentiment. At the heart of anti-politics is the question of democracy. "Respect the will of the people" was a common refrain. This is majoritarian democracy which is at variance with the established framework of representative democracy, in which the will of the majority is tempered by constitutional, judicial and other constraints. From demanding that Parliament must pass the pre-drafted legislation bypassing the standing committee to statements that it is the people and not Parliament which is supreme, the campaign questioned the sovereignty of Parliament which can result in emasculation of the parliamentary prerogative to legislate.

There is nothing to stop another fasting leader from mobilising thousands of people to demand instant legislation or reversing of existing laws. The provocative anti-political sentiments of the AHA appealed to thousands of people because Parliament has been ineffective lately. But in the recent past Parliament has enacted the right to information and employment after pre-legislative debate and changes and modification were made in consultation with civil society groups at the standing committee stage. There is no reason why the same cannot be done again with regard to the Lokpal Bill.

For sure, the AHA jolted the political system. With the political mishandling of the situation, starting with the

decision to form a joint drafting committee for a Lokpal Bill, the government not only lost credibility but also the trust of the people who came out on the streets to vent their anger. A weakened government had no choice but to offer some concessions to get Hazare to call off his fast even as parliamentary procedures cannot be short-circuited or bypassed. The face-saving formula was the “Sense of the House” resolution which strikes a balance between the need for strong anti-corruption measures and at the same time does not allow Parliament’s authority in legislation to be undermined. But the resolution is not binding, the entire proceedings of the House will be sent to the standing committee and there is no timeline for the completion of the process.

In a rare moment of bipartisanship, MPs cutting across party lines sent out a clear message: lawmaking is the preserve of Parliament. After the seven-hour debate the prime minister remarked: “The Parliament has spoken. The will of Parliament is the will of the people.” The much-reviled political class rose to the occasion to ask the government to produce a comprehensive Bill containing the best features of all the Bills in circulation, even as Team Anna had insisted that only its Bill should be considered. The Parliament debate did not focus on the nitty-gritty of the Lokpal Bill which will be discussed in the standing committee thus maintaining the sanctity of the parliamentary process.

This sets the stage for the adoption of a strong and effective Lokpal Bill. This would require Parliament to discuss the really important questions regarding the Jan Lokpal draft that have not been adequately discussed, notably, the pitfalls of setting up a super-institution without proper checks and balances.

Finally, like the previous anti-corruption campaigns—the JP movement in the mid-1970s and the anti-corruption “movement” of V P Singh in the late 1980s—the mood was not only against the political class but against the Congress government. The main objective of the earlier campaigns was

regime change; both catapulted the BJP to the centre stage of national politics. The RSS claimed that its cadres formed at least 10% of the AHA's mass base. This time also the RSS was presumably hoping to remove an elected government. Corruption ceased to be the prime political agenda after the removal of the Congress from power in the wake of the anti-corruption campaigns. It remains to be seen whether "India will not be the same again" after the third anti-corruption movement, or corruption will be forgotten hereafter.

*Courtesy: Times of India*

## 2

### **Anna Hazare Stir: What It Has Achieved and What It Has Not**

*Neena Vyas & Vidya Subrahmaniam*

Congress negotiators and Anna Hazare's associates repeatedly shifted the goalposts through the four-and-half-month stand-off on the shape and structure of the Lokpal Bill.

The Anna group flagged as many as 40 issues during the many rounds of discussions in the joint Lokpal drafting committee set up after Mr. Hazare ended his April 2011 fast in Jantar Mantar here. Of these, 34 were more or less resolved by the time negotiations broke off in July.

This left six sticking points. Anna's side wanted the following under the Lokpal:

The incumbent Prime Minister; the judiciary; the lower as well as upper echelons of the bureaucracy; actions and conduct of MPs within the two Houses of Parliament and a citizens' charter for time-bound delivery of services. It also wanted the Lokpal Bill to provide for setting up of Lokayuktas at the State level.

The government outwardly appeared intractable on the inclusion of the Prime Minister. Indeed, its Bill exempted the incumbent Prime Minister from scrutiny. And yet,

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\* Neena Vyas and Vidya Subrahmaniam are journalists

government negotiators had privately told Mr. Hazare's team that they were open to the inclusion of Prime Minister and this aspect could be seriously examined by the Standing Committee looking at the Lokpal Bill. Political parties and others favouring inclusion of the Prime Minister could place their views before the Committee.

However, on judicial corruption, the political class was unanimous that it could not come under the Lokpal, as doing so would compromise the independence of one vital pillar of democracy. The political consensus favoured addressing judicial corruption separately through a fortified Judicial Accountability Bill. This left little elbow room for Team Anna, which reluctantly agreed to drop the demand, only insisting that the Judicial Accountability Bill be passed simultaneously with the Lokpal Bill.

The Anna group also hit the wall on bringing the parliamentary conduct of MPs under the Lokpal. Not just the Congress, no other party was willing to trifle with the immunity granted to MPs by the Constitution: The actions of MPs within the Houses are safeguarded from scrutiny by Article 105 of the Constitution. During the debate in Parliament on Saturday, MPs pointed out that they were already covered by ordinary laws for any wrongdoing and in the 14th Lok Sabha, the House itself decided to expel 11 MPs after the cash-for-questions scandal.

The Anna group then decided not to yield any ground on the remaining three points. However, the simultaneous setting up of the Lokpal and the Lokayuktas raised concerns about federal autonomy. Many parties argued that Parliament could not encroach on the rights of States. As a *via-media*, the BJP talked about an "enabling law" and a "model Act" for the States to follow. (The resolution adopted by the two Houses talks about the "establishment of a Lokayukta in the States," but is silent on whether it would be through the Lokpal Bill.)

On the demand for a citizens' charter, the government had reservations but promised a separate grievances redress

mechanism that would address this issue. (The resolution leaves this ambiguous; it mentions a “citizens’ charter” without saying if it would be under the Lokpal).

On the last “sticking point” of bringing the lower bureaucracy within the ambit of an overarching Lokpal, the dominant political view was that such a law would clog up the system, making it inefficient and ineffective as it would be flooded with thousands of complaints. (What Parliament has now agreed to in principle is that the lower bureaucracy can be brought under the Lokpal “through [an] appropriate mechanism.” What this mechanism is has not been spelt out. The BJP has suggested making the Lokpal an appellate authority for cases involving the lower bureaucracy.)

So how do things stack up at the end of the 12-day fast?

The Anna team started with the maximalist position of “only the Jan Lokpal Bill and by August 30. Key negotiator Shanti Bhushan announced from stage that the government would be allowed no leeway in its enactment, and even the smallest amendments would first need to be cleared with Mr. Hazare.”

However, by the second week, the demands were pared down to three key points and the deadline for enactment of the law extended to “within this session.”

This even as the entire Lok Sabha, along with the Speaker, joined the Prime Minister in an appeal to Mr. Hazare to give up his fast.

As the countdown for the denouement began, the Anna team hardened its stand.

It rejected several proposals, insisting each time that the three demands be put down in a resolution and voted upon. On Saturday, Team Anna member Prashant Bhushan declared that if the resolution was not voted upon, it would amount to a “betrayal.”

In the end, the three points figured in a resolution which was not put to vote. The finale allowed both sides to claim victory. Anna’s team because it had forced Parliament to convene a special session on a Saturday where speaker after

speaker accepted that corruption needed to be tackled head-on.

The government and the political class because they had shown that they could collectively rise to the occasion — without compromising on parliamentary integrity and due process.

Team Anna's resolution forwarded to the Prime Minister for Parliament to adopt (it was not adopted):

This House resolves that

1. A Lokpal Bill shall be passed by Parliament in the ongoing session of Parliament which will set up an independent Lokpal at the Centre and independent Lokayukta on same model in each State.
2. The House further resolves that the Lokpal shall have jurisdiction over all government servants (barring judicial officers) at the Centre and the Lokayukta shall have jurisdiction over all public servants in States.
3. Such law would require that all government departments make citizens' charters to provide which public dealing work will be done on how much time and by which officer violation of citizens' charter shall be penalised by the Lokpal or Lokayukta.

### **Resolution adopted by both Houses:**

The House discussed various issues relating to setting up of a strong and effective Lokpal. This House agrees in principle on the following issues: a) citizens' charter b) Lower bureaucracy also to be under the Lokpal through appropriate mechanism c) Establishment of a Lokayukta in States. And further resolved to transmit the proceedings to the department-related Standing Committee for its perusal while formulating its recommendations for the Lokpal Bill.

*Courtesy: The Hindu*

# 3

## 'Bahujan' Lokpal Bill Makes New Demands

*Yoginder Sikand*

As numerous reports—mainly in the alternate media—have pointed out, Anna Hazare's 'crusade against corruption' has won little support from among the Dalits and other marginalized caste groups, who are undoubtedly among the most miserable victims of India's thoroughly corrupt social order. But, more than that, numerous Dalit intellectuals have denounced Mr. Hazare's proposed Jan Lokpal as allegedly calculated to subvert Constitutional Democracy, just as they have accused many of his 'upper' caste Hindu backers of being vehemently opposed to reservations for the oppressed castes. Justice Party chief Uditraj, a noted Dalit leader, recently organized a massive 'Save the Constitution' march in New Delhi to highlight what he called the threat to the Indian Constitution from Mr. Hazare's movement. In place of the Jan Lokpal of 'Team Anna', Uditraj, along with numerous other leaders from the Dalit, Backward Caste and religious minority communities, has proposed a 'Bahujan Lokpal Bill', arguing that the draft presented by 'Team Anna' and backed by what Udit Raj calls 'casteist campaigners' is

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\* Yoginder Sikand is a scholar of Islam and Syncretic culture and Traditions

clearly flawed and inadequate as far as the 'Bahujan Samaj' — that is to say all Indians other than the minority Savarna Hindus—are concerned. The draft Bahujan Lokpal, which Uditraj has publicly circulated for comments and suggestions, is to be handed over to the Chairman of the Standing Committee of Parliament shortly.

The draft Bahujan Lokpal Bill commences with a reminder that Babasaheb Ambedkar, the architect of the Indian Constitution, was convinced that the plight of the Dalits required corrective measures on the part of the state, including affirmative action, but regrets that this has not happened in the manner and on the scale that it should have. Hence, in the backdrop of the Hazare-led agitation for a powerful Lokpal, it says, the interests of the Dalits must be kept foremost in mind. It should not be, it says, that this proposed Lokpal will result in 'new laws and rules' that are 'oppressive and discriminatory' and that would subvert the Constitutional provisions for Dalits and other marginalized communities as formulated by Dr. Ambedkar. The Lokpal, if it comes into being, it stresses, must in no way negatively impinge of various acts, laws, rules and besides institutions created by Constitutional means for the marginalized communities, including the National Commission for Scheduled Castes, National Commission for Scheduled Tribes, National Commission for Backward Classes and National Commission for Minorities. Moreover, rather than remaining confined simply to fighting corruption, the Lokpal should, the draft Bahujan Lokpall Bill says, also be 'anti caste-discrimination', suggesting that corruption cannot be seen in isolation from the casteism and communalism, which it identifies as two major bases for corruption.

The drafters of the proposed Bahujan Lokpal Bill clearly distance themselves from the backers of the Jan Lokpal Bill but, at the same time, argue in support of what they term 'a strong and effective Lokpal Bill which can be instrumental in eradicating corruption from public life'. In addition, they significantly add, the Lokpal should also combat and punish

'caste discrimination' in public offices and places. This is an aspect that the proposed Jan Lokpal Bill ignores, for which many Dalit intellectuals have accused it of being a Savarna Hindu ploy. 'Social discrimination', the draft Bahujan Lokpal Bill notes, 'is more poisonous and injurious to a civil society as compared to corruption in public offices because social discrimination is against humanity and hence it is a social evil [...]'. Accordingly, it adds, there is a need for what it terms as 'substantial changes' in the proposed Lokpal Bill, for it contends that Mr. Hazare's Jan Lokpal Bill is 'an attempt to supersede existing Constitutional bodies and attempt to create a super institution with sweeping powers which can be dangerous for the benevolent laws enacted by the Indian Parliament favoring Dalit employees, labourers, workers and citizens who are facing the arrogant and biased attitude of the non-Dalits towards Dalits in different spheres of life and employment.' If the proposed Jan Lokpal Bill, in its present form is passed by Parliament, it argues, 'it would inflict double injury on the Dalits and further aggravate our problems.'

Given that, as the note contends, Dalits, Adivasis, Backward Castes, religious minorities, children and women are what it terms 'the worst sufferers of the many ramifications of corruption, including mis-governance, misconduct, maladministration, improper discrimination, etc.', it argues that it is crucial that their rights and interests are secured and promoted through the institution of the Lokpal, rather than being subverted, as the note alleges might well happen if the 'Team Anna's Jan Lokpal comes into force. For this purpose, it argues that the concept of 'corruption' with regard to the Lokpal be widened to include diverting outlays for plans marked for the benefit of Dalits, Adivasis, Backward Castes and religious minorities, as the case might be, to any other purpose; failure to formulate these plans in a manner which will reduce the gap between the particular marginalized community the plans is ostensibly meant for and the 'upper' castes; reporting utilisation of funds

earmarked for these plans for purposes other than for directly and exclusively benefitting the particular marginalized community it is meant for; and failure on the part of public servants to take prompt remedial and punitive action when any of these failures, diversions misutilisations or misreporting are brought to their notice.

To ensure that the interests of the 'Bahujan Samaj' are not ignored by the Lokpal, the draft Bill suggests that the Lokpal, supported by the Lokayukt at the state-level, ought to have proper representation from the marginalized communities—that is to say communities other than the Savarna Hindus— and that this should be reflected in its membership. The search and selection committees formed to appoint the Lokpal and Lokayukt should, it argues, have at least four members from the marginalized communities, and the selection must involve detailed discussions with intellectuals and social activists from these communities.

The draft Bahujan Lokpal Bill also proposes that the Lokpal and Lokayukt be supervised by the National Commission for Scheduled Castes, National Commission for Scheduled Tribes, National Commission for Backward Classes and National Commission for Minorities besides other institutions in case the allegations of corruption that it deals with are against members of SC, ST, OBC or religious minority communities respectively. The opinion or advice of the respective Commission should, it recommends, prevail over the respective Lokpal or Lokayukt, and once a case is referred to the Commission, the Lokpal or Lokayukt shall cease to have the power to further act upon it. Before initiating investigation against a member of any marginalized community, the draft Bahujan Lokpal Bill suggests, prior approval from the respective Commission should be mandatory. In case this approval is granted, the suspect is to given a fair hearing before filing an FIR against him. Members of marginalized communities would be entitled to have advocates from the Government free of cost to present their cases before the Lokpal/Lokayukt. The draft Bill also suggests

that Special Courts shall be notified, formed and presided over by judges belonging to marginalized communities to prosecute members of such communities. It recommends that the investigating agency under the Lokpal and Lokayukt be headed by a member of a marginalized community in case the suspect is a member of that particular community.

Clearly, whatever the merits or otherwise of the draft Bahujan Lokpal Bill may be, it does suggest that by ignoring the question of casteism and communalism the proposed Jan Lokpall Bill does not appear to satisfy communities at the bottom of India's hierarchical social pyramid, the most pathetic victims of a corrupt social order. The draft also points out that the proposed Jan Lokpal leaves out other vast sectors, again almost entirely controlled by the Savarna Hindu minority—from its purview, where corruption is rampant—corporate houses, the media and NGOs. These sectors, too, it insists, should be included under the jurisdiction of the Lokpal and Lokayukt.

# 4

## Jan Lokpal Bill: A Critique

*A. Faizur Rahman*

The Jan Lokpal Bill (JLB) imbroglio continues to intrigue the nation with Constitutional experts who deposed before the Standing Committee on September 23 & 24, 2011 warning that its provisions are unconstitutional and Anna Hazare threatening to *gherao* the houses of the Standing Committee members who do not support it, even urging voters not to re-elect such MPs. Indeed, members of the Hazare group claimed that Congress lost the Hisar bypoll only because they campaigned against it. But the paradoxical aspect of this brouhaha is that most people who have taken up positions in support of the JLB haven't read it. Mr. Kejriwal unwittingly conceded this in an interview; "When we conducted referendums on the JLB, we used to try and explain its contents to people. But they said they did not want to understand the details. They just wanted to put a *mohar* [stamp] on Anna" (<http://www.thehindu.com/opinion/lead/article2412658.ece?homepage=true>).

This essay therefore seeks to analyse the JLB (ver 2.3 found at <http://www.box.net/shared/tyqqc9d0rl8xgglqxp>

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A. Faizur Rahman is the secretary general of the Chennai-based *Forum for the Promotion of Moderate Thought among Muslims*.

mj on the IAC website) and question the adamant belief of the Hazare camp that their Bill is the singular, unalterable law that would eradicate corruption in India.

### **Non Inclusion of NGOs in the JLB**

The biggest shortcoming of the JLB, as pointed out by many experts, is that it has been drafted on the presumption that an “act of corruption” will be committed only by a “Government Servant” which includes “any judge.” This is evident from partial inclusion (in Sec. 23(3)) of “business entities” and the total exclusion of NGOs, media and other similar categories of institutions from the ambit of the JLB. And interestingly, section 23(1) proposes a maximum punishment of life imprisonment for corrupt public servants. Whereas as per Chapter VI titled “Accountability of Officers of Lokpal” the punishment for a Lokpal member found guilty of corruption is just “dismissal, removal or reduction in rank.” The bias is obvious.

The case for bringing NGOs within the scope of the Lokpal Act was strengthened when members of the Hazare core committee were accused of financial malfeasance. The Indian Express published details of how Ms. Kiran Bedi and her NGO Vision India Foundation overcharged organisations that invited Ms. Bedi to deliver lectures. The newspaper claimed that Ms. Bedi charged her hosts Business Class airfare when she had actually travelled at a concession of 75% on Economy Class. Although Ms. Bedi offered to return the excess amount her credibility was lost. A similar accusation was made against Mr. Arvind Kejriwal by Swami Agnivesh who alleged that about 80 lakh rupees donated to Anna Hazare during his 12-day Ramlila fast in August 2011 were diverted to Kejriwal’s private trust Public Cause Research Foundation. Before that the Office of the Chief Commissioner of Income Tax (CCIT) issued a notice to Kejriwal asking him to pay Rs 9.27 lakh claiming that he had violated bond clauses under which he went on a study leave for two years. Yet

Hazare and his core committee do not want to include NGOs in their Lokpal Bill.

### **Questionable Selection Process**

Sec. 4(6) to (9) states that the Chairperson and members of the Lokpal shall be selected by a Selection Committee "from out of a short list prepared by the Search Committee" consisting of 10 members, five of whom will be selected by the Selection Committee and who will in turn co-opt the other five from the "civil society" through consensus. But as "civil society" itself is not defined, it leaves the door open for members of communal organisations to infiltrate into the Search Committee and infuse a sectarian or religious bias into the selection process. After all, many such faces were visible at the Ramlila Maidan during the Hazare fast, and Congress general secretary Mr. Digvijaya Singh has been consistently claiming that the Hazare movement is the handiwork of the RSS. Although Hazare and his supporters have denied this charge, RSS chief Mohan Bhagwat himself openly claimed that the RSS was indeed supporting Anna's anti-corruption initiative.

Moreover, why should a high power Selection Committee (which consists of the PM, the leader of the opposition, judges of the Supreme Court and CJs of the High Courts, the CEC and CAG of India) be made dependent on a lesser ranked Committee which has not been secured against infiltration? It makes no sense. Therefore, the idea of a Search Committee is superfluous and must be dropped.

### **Seven Member Lokpal Bench**

Another unwarranted clause is Sec. 17 which proposes that a 7-member Lokpal Bench will give permission to prosecute high functionaries such as the Prime Minister or any of his Council of Ministers, any judge of the SC or HC and any MP. The drafters of the JLB would be deluding themselves if they believe that Sec.17 would remove the impediments in prosecuting high ranking public servants. On the contrary,

this section would further complicate the issue as it proposes seven persons in place of the present system of one person (such as the PM or the Chief Justice of India) for granting sanction to file an FIR against a Minister or a Judge. The question is; how does it simplify matters to bring in seven persons in place of one? A better remedy would be to do away with the system of seeking permission completely.

### **Chairperson and Members of Lokpal**

Apart from this, Sec. 4(4), which lists out persons not eligible to become Chairperson or member of the Lokpal, needs to be modified to exclude any person who is, or has been, a member, sympathiser, associate or supporter of any communal organisation or person. A clause should also be added to Sec. 11 to remove any Lokpal member including the Chairperson if he is found guilty of praising, supporting or sympathising with organisations or persons known for their communal bias. This is the only way of allaying the fears of a section of the society which suspects that Hazare and his team are backed by the communal outfits.

### **A Parallel Oligarchy**

The JLB also contains some provisions that could make the Lokpal a heavy-handed parallel oligarchy. For instance, Sec. 7 grants to "Investigating Officers" and members of Lokpal the combined powers of a Police Officer, director of enforcement and a civil court, and as per Secs. 8 & 29(12) Lokpal has the powers "to approve interception and monitoring of messages" transmitted through telephones, internet or any other medium.

### **Attempt to Abridge the Powers of the High Court**

Furthermore, Sec 12, seeks to circumscribe the powers of the High Court under Art. 226 of our Constitution by stating that the HC cannot "ordinarily" stay the orders of the Lokpal and if it does, it will have to decide the case within two months, "else the stay would be deemed to have been vacated

after two months and no further stay in that case could be granted." According to H. M. Seervai (whose seminal work *Constitutional Law of India* led to the development of the "Basic structure doctrine", that inhibits politically-motivated changes to the Constitution) "any law that took away or abridged the powers of the High Courts under Art.226 would be *ultra vires*, for the powers to make laws is subject to the provisions of the Constitution [as per Art.245]." Yet it is being claimed that all provisions of the JLB are within the legislative competence of Parliament.

### **A Behemothic Institution**

The behemothic nature of the institution that the JLB seeks to create can also be gauged from its huge annual budget which Sec. 26(2) assures will be kept "less than ¼% of the total revenues of the Government of India." The total estimated revenue of India for 2011-12 (assuming "total revenues" refers to total revenue receipts) as projected in the last budget (<http://indiabudget.nic.in/ub2011-12/bag/bag1.pdf>) is Rs 7,89,892 crores. ¼% of this works out to nearly 2000 crores which the Lokpal will have access to without "any administrative or financial sanction from any government agency." An explanation from the drafters of the JLB is in order as to why such a huge amount of money is required for an institution which according to "Team Anna" is not going to be flooded with thousands of complaints.

Anna Hazare is certainly right in demanding a strong law against corruption. But he must also understand that in a democracy no law can be passed without proper debate, and therefore, it would be most unfair on his part to pressurise the MPs into voting only for the JLB. If indeed he and his team are confident of the genuineness of the JLB they must be willing to openly discuss it with those who challenge its constitutionality. The first step towards it would be to display the JLB prominently on the IAC website instead of burying it deep under an almost invisible "Downloads" button at the bottom of IAC's home page.

PART – II

**ANNA: THEME ESSAYS**

# 5

## **Anna Phenomenon: Paradox of Indian Reality**

*Uday Mehta*

Anna Hazare's Jan Lokpal Bill movement has been unique in many ways. There are several distinct characteristics that makes it unusual compared to many other social movements of the recent past. In terms of mass mobilization, extensive publicity and coverage, it could probably be compared only with Jay Prakash Narayan who led social upheaval, witnessed especially in the northern states, in mid-seventies in this country. Nevertheless, it differs from the JP movement in several ways, in terms of its objectives, political mobilization, anti-emergency thrust, novel radical platform as the goal of achieving the polity based on party-less democracy, radical liberal perspective and the exclusive aim of challenging the dictatorial rule of late Mrs. Indira Gandhi. However, with all its radical, liberal and egalitarian ideals, the movement ultimately only facilitated the erstwhile Jansangh, in its new incarnation as the BJP in the eighties, in raising its image, acceptability and influence in many parts of the country. The ex-socialist parties with varying shades soon got disintegrated and emerged in different

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\* Uday Mehta, a Sociologist, is Chairman of Committee for Rights of Housing Mumbai.

heterogeneous formations of the Janata Dals. As for the situation which is emerging at this juncture, one could easily apprehend the bright possibility of the BJP or some such sectarian groups emerging much stronger as a fallout of the Jan Lokpal movement of Anna Hazare.

The contrast between the movement led by JP and the one led by Anna Hazare now, is hardly surprising, as the two leaders of these movements also differ from each other sharply in many respects. As a matter of fact, the very idea of comparing Anna with JP leave aside Mahatma Gandhi sounds ridiculous and quite shocking. Jay Prakash Narayan, with his glorious record, sacrifices and suffering during the freedom movement of the 40s, with his brilliant insight in marxist, liberal as well as the national Gandhian perspective, with his natural stature and rich experience of the political movements poses such a sharp contrast to Anna with his childish friends' rustic, feudal outlook, shocking simplicity and the kind of confidence based on ignorance of either national or global reality, one wonders, whether there is any possibility to trace any similarity between the two. Paradox of Indian reality is that, it's not only the country folks or a small section of urban elites, but our entire print and electronic media have also projected Anna as the second Gandhi and a man of national stature. It's no wonder; if we can happily accept Munnabhai's antics as modern Gandhigiri, then Anna could probably be eulogized as the modern incarnation of Gandhi. Anna Hazare, by any stretch of imagination cannot be compared, leave aside with leaders of national and international stature as Gandhi, Pandit Nehru, Maulana Azad or Sardar Patel, but even with other eminent national or regional leaders of the political parties of rightist, centrist or even leftist inclinations. Anna Hazare essentially is a media creation, a media gift. But it should be noted that the media also gave such warm reception because of the extensive wave of popular response witnessed in many parts of the country especially in major metropolitan cities such as New Delhi, Mumbai, Kolkata,

Bengaluru, Chennai, Ahmadabad and several other cities.

Despite this print and electronic media hype, the corporate, middle class relative support initially assured to Anna's call for hunger strike in Delhi and to launch his anti-corruption campaign at a national level, one should not overlook the fact that his campaign or his movement ideally synchronized with the most opportune movement, when the discontent against the exposure of a series of scams such as 2G spectrum, common wealth games and others, along with the unprecedented rise in inflationary pressure and the bankruptcy of the central government in effectively dealing with any of these problems at a national or regional level, this anger and frustration among practically all sections, inclusive of higher as well as lower strata of Indian society had reached such a saturation point and were pressing for an appropriate outlet. Hence, it would be a crude simplification to reduce the response that Anna Hazare's movement received an outburst of just a small section of elitist middle class in the country.

Although it should not be overlooked that dalits, tribals, toiling strata and the minorities have not participated in this movement and are not visible anywhere in the country.

In this appraisal, we have no intention of doing any survey of the unfoldment of this movement, essentially from mid-April 2011 to the 16th August 2011 and its culmination on 3rd September 2011, when the parliament endorsed the three main issues raised by Anna's Lokpal bill. These are:

1. Installation of the Lokpal at the state level.
2. A timeframe for the settlement of the routine peoples' grievances such as issuing of ration cards, passports, licenses, certificates etc and such other problems at the district and local levels.
3. Bringing all senior as well as junior bureaucrats at the district and even local level within the purview of the Lokpal—as the grand victory of the people over the Government and the Parliament.

As is evident now, the standing committee appointed by the Central Government with its members as they were nominated before would go through all the major Lokpal bills, viz. the Government Lokpal Bill, Jan Lokpal Bill of Anna, as well as the bill presented by Aruna Roy (which has as a matter of fact received much better response and acceptance), and the one presented by Jay Prakash Narayan. The government or the standing committee has also not given any assurance in terms of the timeframe or the finalization of the Lokpal Bill and its execution. Despite such hard facts, print as well as electronic media presented this compromise solution, initially recommended by the Parliament, as the grand victory of Anna Hazare's movement. The event is projected as something unprecedented in Indian History where peoples' movement could enforce its will over the Parliament as if this country has witnessed a silent revolution and Anna as a great national leader, comparable only to Mahatma Gandhi, who with his firm determination and wisdom, his strategy and supreme moral authority could bend the mighty state and its executive and legislative institutions to such force of non-violent struggle. In a sense, this victory is also compared with the success of the pre-independent struggle in overthrowing the British rule in this country.

Any student of Indian History and freedom struggle would easily notice the absurdity of such a statement. As Yogendra Yadav aptly remarks, this reflects a poor sense of history. As he argues about Anna's movement that it could not even be aptly compared with Jay Prakash Narayan's struggle against the emergency, when JP gave a call in Delhi, the Ramlila Maidan was full. The government of India had to play the film 'Bobby' that day on Doordarshan (The only TV channel at that time, and that too State-run) to prevent people from coming to the ground. Yet all streets leading to Ramlila Maidan were choking. This is the scale at which people were mobilized and it wasn't a rent-a-crowd sort of political mechanism. These comparisons themselves indicate

how much our world view has shrunk, whether we look at the social movement or the media, we witness a decline in politics, shrinking of political imagination and a loss of political judgment. As he remarks, today we have mock protests in the country, but they are quite thin, in the sense that particular issue about which people are protesting is not understood in its depth. What is the source of corruption? And what is the solution for corruption? One of the reasons Anna Hazare succeeds is precisely this, he is the perfect person for these kinds of protests. The Gandhi topi shows no skeleton in his closet. He doesn't disturb you with talks about corporate corruption, or corruption in the media. He talks about the corrupt babus and politicians, who everyone loves to hate. Perhaps he would not have received as much media attention if he had offered a broader based understanding of corruption. The problem is that the system encourages you and actually rewards you for being shallow, so the chances that you will succeed in a very limited way are higher.<sup>1</sup>

After this somewhat elaborate introduction to Anna Hazare's movement, we would focus on the major issues raised by the Anna Hazare's team on the Jan Lokpal Bill, along with other equally or more significant Lokpal Bills written by Aruna Roy along with salient features of the Government Lokpal Bill. Subsequently, we would attempt to examine the drawback of Anna's Lokpal Bill in the context of some of the significant poor people's movement initiated in the past and their relevance in understanding the present debate around different drafts of the Lokpal bills.

Our summary of the major Lokpal bills before the parliament is based on the centre page article published in the Times of India, dated 7 September, 2011.

### **Tackling graft: The many Drafts**

The Times of India critic of the Lokpal Drafts opts for a middle path from the two extreme versions of the government and Anna Hazare's draft. While the government draft is more or

less universally acknowledged by all critics, and offers a toothless Lokpal, Anna's draft presents a monolith. If the government bill is minimal, setting up a toothless ombudsman with limited powers, the Times observes that Jan Lokpal is too over arching in its design and could topple under its own weight. It is contradictory in its approach, in that it envisions a superior layer of bureaucracy to fix bureaucratic corruption. Times in this context prefer a third version of the Lokpal bill, formulated by Aruna Roy and the National Campaign for People's Right to Information (NCPRI). As suggested in this critic, the Times observe "We are in sympathy with its broad philosophy which is to have a series of interlocking bodies which will act as a check on each other rather than a centralized, over arching Lokpal which supervises everything. The way to check corruption is through architecture of mutually supportive legislations, rather than through a single bill which is required to deliver in magic bullet. This vision is embodied in the NCPRI design".<sup>2</sup>

Arundhati Roy, also in her sharp critic of Anna Hazare's movement and the demand for the Jan Lokpal Bill, argues that, "While Anna's means may be Gandhian, his demands are certainly not. Contrary to Gandhiji's ideas about the decentralization of power, the Jan Lokpal Bill is a draconian, anti-corruption law in which a panel of carefully chosen people will administer a giant bureaucracy with thousands of employees, with the power to police everybody from the Prime Minister, the Judiciary, members of the Parliament and all of the bureaucracy, down to the lowest government official. The Lokpal will have the powers of investigation, surveillance and prosecution. Except for the fact that, it won't have its own prisons, it will function as an independent administration, meant to counter the bloated, unaccountable, corrupt one, that we already have two oligarchies instead of one."<sup>3</sup>

Aruna Roy also in similar way brings out the dangers inherent in Anna's Lokpal bill. She suggests that the Lokpal

could become Frankenstein's monster which was created by good men who did not have any evil ideas, but what they created became evil.<sup>4</sup>

Amita Baviskar also aptly traces the genesis of the authoritarian thrust of Anna's Lokpal Bill campaigns in terms of its sharp contrast from the RTI movement.

Less than six years ago, as she points out, the Parliament enacted a national Right to Information Act. This came as a major victory for the RTI campaign which aimed to empower people to fight corruption and mal governance. It mobilized a nationwide network of support, bringing together activists, NGOs and ordinary citizens, and effectively using media and middle class interlocutors, India Against Corruption (IAC). The coalition leading the present campaign, shares the goals and the networking strategy of the earlier campaign, and its leaders Arvind Kejriwal, Prashant Bhushan were closely associated with it.

Yet, the differences between the two campaigns are striking as well as instructive. The RTI campaign and the JLB campaign both strive for government accountability, but their ideologies, moods of organizations, support base and strategies diverge in important ways.

The RTI Campaign grew out of the experiences of the Mazdoor Kisan Shakti Sangathan (MKSS), the Jan Sangathan (people's organization) in rural Rajasthan which had for two decades, fought corruption in village development works. The MKSS pioneered the use of 'Jan Sunvai' or public hearing as a technique to empower villagers to 'speak truth to power', challenging an opaque, oppressive and corrupt system of governance. The Jan Sunvai's success depended on systematic preparation to mobilize people to testify, collect information and check its accuracy. The groundswell of public anger against abuse of public funds was harnessed to create a coordinated campaign led by trained local activists.

From the villages, MKSS took its campaign to the district and state level, staging determined demonstrations that affected the middle classes and intellectuals, before leading

the national RTI campaign. The national network was more eclectic; it included not only Jan Sangathans like the MKSS, but also the individual anti-corruption activists like Anna Hazare and Shailesh Gandhi. Notably, the RTI campaign aligned itself with the National Alliance of People's Movements, Sangathanas of rural and urban poor fighting against this possession. The organizational base gave the RTI Campaign a solid political credibility.

The JLB Campaign shows a distinctly different trajectory. Even though Kejriwal's Parivartan, which battled corruption in ration shops in two Delhi slums, was a Jan Sangathan, its base was too limited to launch a nationwide campaign. The other campaign leaders- Prashant Bhushan, Kiran Bedi and Hazare- also cannot muster a trained cadre of activists. The JLB campaign has mobilized participants in two ways, through social networking and the media, and via regional chapters of religious leaders Baba Ramdev and Shri Shri Ravi Shankar's congregations.

The coming together of a predominantly young, white collar constituency that communicates through text messages and facebook, lower-middle-class followers of Baba Ramdev and the professional classes that practice the art of living, gives the JLB campaign the strength of numbers as well as the image of appearing all-inclusive. However, this strength may dissipate once the bill is passed. Mobilizing crowds for a successful agitation is one thing, having a committed and trained activist base to convert that success into long term institutional change is quite another.

If the RTI campaign embraced Sangathanas with an Independent Left ideology, the political beliefs of the participants in the JLB campaign are harder to pin down. Eight of the twenty founders of India Against Corruption are religious figures of whom only Swami Agnivesh can be described as a champion of Jan Sangathanas (subsequently however, Swami Agnivesh has also distanced himself from this campaign). The rest voice patriotic sentiments and anti-government hostility without a clear analysis of how the

systematic problems that plague public affairs will be tackled. Shri Shri Ravi Shankar's previous social initiatives have been of doubtful value (cleaning the sewage laden Yamuna by picking up garbage from the river front) and arched by dubious claims (11,000 naxalites converted to the Art of Living).

While other founders like Hazare and Bedi have a reputation for personal probity and courage, they endorse a form of individualist authoritarian action that is applauded by a public hungry for vigilant heroes. The JLB thus represents a shift in the political spectrum from the left-of-centre democratic decentralization of the RTI Campaign, to the right-of-centre legal-technical-fix of India Against Corruption.<sup>5</sup>

### **ANNA HAZARE'S MOVEMENT: MAIN COMPONENTS**

Most of the reports and appraisals published by leading newspapers as well as periodicals do refer to the main support base of Anna Hazare's agitations. By and large, all of them focus on middle class base of the movement. However, the in-depth inquiry by Vinay Sitapati as brought out by an economical and political weekly July 20th 2011 issue enables us to understand the distinct characteristics of the main components of Anna's movement. We will attempt to briefly summarize the major findings of his appraisal. As he suggests, Anna Hazare's hunger strike against corruption attracted disparate intellectual strengths from within the Indian middle class. These strengths brought complimentary skills to the table. The Neo-Gandhians conferred legitimacy; India Shining provided energy and finances; and Legal Activists helped navigate the legislative past. The movement also attracted the opprobrium of the Independent Left. Understanding these intellectual strengths helps explain the Anna Hazare's movement. Equally, the movement sheds light on India's new middle classes and their forms of political engagement.

The five civil society members who drafted the Jan Lokpal Bill are lawyers Prashant Bhushan and Shanti Bhushan, Supreme Court judge and ex-Lokayukta of Karnataka Santosh Hegde, Right to Information (RTI) activist Arvind Kejriwal, along with Gandhian Anna Hazare himself and all our middle class icons. Other senior activists include Senior Police officer Kiran Bedi and Swami Agnivesh (who has now deserted the movement), Shri Shri Ravi Shankar and Baba Ramdev. The foot-soldiers of the Anna Hazare movement were educated urbane. The methods used were twitter updates, sms campaigns, candle light vigils and media management— this also suggests that Anna was able to fire the idealism of 21st century India's burgeoning middle class. The Indian middle class is hardly monolithic; and its economic interest hardly homogenous. A must cited study put the class at 50 million people, roughly five percent of the Indian population. More expansive definitions show that 62 percent of all Indian households are low caste. As Vinay Sitapati suggests, if income is a fickle way of measuring the middle class, its 'values' can also be a treacherous territory. From the many studies on the subject, it is possible to tentatively conclude that the Indian middle class comes from varied economic backgrounds, and is slightly easier to define in terms of 'values'.

Now we shall refer to the distinct characteristics and the backdrop of the main component of the support base of Anna Hazare's movement.

### **Legal Activism**

Two members of the Lokpal drafting committee as suggested earlier, are lawyers, and third is the former Supreme Court judge. It's also telling that nationwide reversions against corruption have been converted into legal tax, with debates around clauses and sections. The legal tinge to middle class political engagement first came about in the aftermath of the 1975-77 emergency. It involved middle class mitigates and judges who reinterpreted the Constitution to increase the

number of those who could access the course, the grounds on which they could claim constitution protection against the State and the range of remedies available to the courts. Vinay Sitapati prefers the term 'Legal Activism' to this movement which began in the early 1980s and has now expanded to a point where almost all political questions- the Ayodhya dispute, 2G Spectrum scam or the appointment of the Central Vigilance Commissioner(CVC)- find their way to the Supreme Court.

Soon after the Janata Party's reversal of Indira Gandhi's attempt to squelch judicial activism came two legal innovations. The first was the creation of Public Interest Litigation (PIL) as a procedural tool. Any person could now file a right petition on behalf of a disadvantage group, alleging the violation of fundamental rights by the State. This expanded the power of activists, and often prodded a sympathetic judiciary. The second way was substantive; an expansive interpretation of fundamental rights created a host of socio-economic rights that are not explicitly stated in the constitution. For a sense of how detailed they were; the innovations included the right of pavement dwellers to shelter, the right to clean air, and more recently the right to education.

Middle class judicial activism extends beyond class interest. The socio-economic rights of the 1980s and 1990s were aimed at the marginalized. Besides, an array of Left activists has built on Legal Activism. One such was the lawyer and former President of People's Union for Civil Liberties, KG Kanibiran.

Legal activists are broadly in favor of the Anna Hazare movement, even if they critique the substance of the movement's version of the bill and the hysteria of the candle lighters. Legal activists have little sympathy for elected representatives, saying the Supreme Court has their way to pass legislation. In this, they share contempt for elected institutions with India Shining (and even the Independent Left). Thus, the success of the Lokpal Bill is critically contingent on the involvement of the Legal Activists.

## **India Shining**

As the same author further argues that the Bharatiya Janata Party's catch phrase 'India Shining' may have misfired in the 2004 general elections, but now it has captured a move and a class that is undeniably true. The birth of India Shining as a middle class movement, is closely linked to the opening of the Indian Economy, firstly in the 1980s when the curbs on internal capital were reduced and then in 1991, when foreign capital was allowed to enter India. He terms this new Indian-middle class the most prominent foot-soldiers of the Anna Hazare movement, 'India Shining'. Unlike the BJP's all-encompassing phrase, India Shining- as used here believes that corporate India is shining and some of that shine can rub off on India's decaying state.

The corporate and privately employed members of India Shining are better understood by contrasting it with its predecessors- the Nehruvian middle class. The Nehruvian middle class grew around the Indian State, and placed a high premium on education. India Shining has thrived outside of the State; in the private enclaves of India Inc. In 2005-06 a study found that, of India's current middle class- 52-62 % is privately employed. Unlike its frugal predecessor, India Shining is conspicuously consumptive celebrating success. If the icon for the Nehruvian middle class was the IAS officer, India shining icons are Indian companies (Tata, Infosys and Wipro) which have been mentored by Indian educated professionals that succeeded post 1990s. The simple argument is that if India can succeed in building top quality companies, why cannot they rebuild Indian moribund state?

India Shining virulently dislikes the political class. This dislike has three causes. The first is governance. India shining values clean roads, regular electricity, and law and order- something that is not the forte of the world's largest democracy. The second cause is that ever since the silent revolution in which subaltern caste captured State powers in the 1960s in South India, and in the 1980s in North India,

India Shining has felt disfranchised in the State. Third, given the widespread economic inequality in distribution of economic benefits post-liberalization, political entrepreneurs have made it a point to play up Urban India viz. rural Bharat. The result is that 'India' looks outside politics to succeed. India's media and film industry increasingly mirror the anxieties of India Shining.

The attraction of the Jan Lokpal Bill to India Shining is obvious. India Shining prizes efficiency. The State is about the delivery of goods, something which corruption eats at. Since all of India Shining pays income tax, they see corruption as contractual violation, the theft of their money. India Shining is also deaf to the two biggest criticisms of the Bill since they do not see politicians as legitimate to begin with. The unrepresentative nature of Anna Hazare's movement doesn't trouble them. They are also not worried by an all-powerful Lokpal. Critics see in this a troubling acquisition in authoritarianism that arches back to middle class support for emergency (Vaniak 2002).

India Shining is the least self reflective of all middle class strengths. It simply assumes that its interest is shared by all Indians. What they lack in subtlety, India Shining makes up with energy. Many corporate executives have devoted precious time to the movement.

## **Gandhigiri**

The public face of the movement, Anna Hazare, describes himself as a Gandhian. His social movement centered in Ralegaon Siddhi, in rural Maharashtra harps back to phoenix farm and Sabarmati Ashram. Many of his campaigns, against alcoholism or untouchability make the Gandhian connect between social reform and political emancipation. He preaches non-violence, is comfortable with religion (a portrait of Bharat Mata hung behind him while he fasted for Jan Lokpal Bill) and makes personal probity the centre pieces of the campaign. Yet, while the movement claims Gandhi's morals and employs his methods, his political vision is as

far as can be with Gandhi himself. Ironically, this is what makes it so successful in 21st century India. Understanding this Neo-Gandhian activism, 'Gandhigiri' is a key to understanding the Anna Hazare movement.

Gandhian activism in modern India survives essentially at a tangent to the mainstream politics in India. To give but the most prominent examples, Vinoba Bhave's Bhoodan movement in the early 1950s, in which owners donated their properties to the landless, employed Gandhian methods for land reforms. Naramada Bachao Andolan founder Medha Patkar, self-identifies as a Gandhian and both her vision against development and methods of non violent protest evoke Gandhian Satyagraha. If these movements are any indication, middle class Gandhigiri is being less about change in structure, and more about change in heart and minds.

This ideal type précis argues that Gandhian activism works outside the State, is less interested in corruption, and seems to have little in common with India's rising new middle class. Yet Anna Hazare movement does precisely the opposite. Vinay argues that this represents a new kind of Gandhian movement in which Gandhian techniques (though not ideology) are used to represent urban interests. This is best captured in the 'Gandhigiri' made popular by the film 'Munnabhai'.

### **Independent Left**

To this three middle class intellectual strengths that support the Anna Hazare movement, is the Independent Left. It is unaffiliated with any party- which arose from party Marxism, but is now critical of both its theory and practice. Unlike the Communist Party of India (Marxist) which has given qualified support to Anna, categorizing the Independent Left is difficult because there is considerable heterogeneity with strength. At considerable risk of over-simplification, two variants can be identified, each resting uneasily with the other.

The primary one is academic found in the humanities

department in India and the US. The other variants are the civil libertarians on the Left, the Mazdoor Kisan Shakti Sangathan (MKSS), for instance. As widely as they differ on the roles of violence and democracy, both variants unite sympathy for a variety of 'consciousnesses' other than class and sharp criticism of party Marxism.

Amidst the middle class that vocally supports the Anna Hazare movement; the Independent left is a lone criticism to them. Their first version of criticism is that wasting so much police power in the Lokpal risks misuse. Second, some within the Independent Left are suspicious of any activism against corruption as an attempt to correct State inefficiencies instead of looking beyond it. Third, the Independent Left hates India Shining as the selfish ill-informed utterance of the bourgeoisie. Lighting candles at India gate is the very picture of middle class activism that repels them.

In conclusion, the same author remarks, though Anna Hazare movement tapped into an India weary with corruption, it is unfair to reduce its support to enclaves in urban India. Yet, the middle class trends supporting the movement give us pause. None of them have any problem with the unrepresentative nature of the movement. No matter how earnest, India's middle class has yet to view the political class as legitimate, the party system as the main way to achieve programmatic changes. Until that happens, middle class activism will be consciously set up in opposition to electoral politics, rather than as a portal force within it.<sup>6</sup>

### **Corruption - as a major plank**

Anna Hazare's movement has focused on corruption, as the root of all evils facing this country. Our contention is that, corruption is a symptom of the malady which is far deeper and rooted in the neo-liberal developmental policy adopted by this country, especially since the nineties. Even after independence, when India opted for a model of mixed economic policy development under the stewardship of Late Pandit Nehru, corruption was fairly common and many cases

were reported of the ministerial and administrative cases of corruption. After neo-liberal policy, corruption has assumed a different form. Unfortunately Anna Hazare, while focusing on corruption discusses only the monetary aspect of the corruption.

Corruption, as pointed out by Gautam Patel, comes from Middle English and Latin roots; *corruptus*, a past participle of *corrumpere*, *rumpere*, to break; therefore, adjectively, utterly broken. It is a word that includes in its perversions of integrity and morality, dishonesty of every stride, debasement and depravity. It takes many forms; political, corporate, legal, intellectual, police and more. Monetary corruption is a limited sense of bribes, kickbacks and skimmy; it is perhaps, less a form of corruption than the manifestation or inevitable consequence of policies that are deliberately skewed.

Hazare's movement does nothing to address policy. It assumes that monetary corruption can be separated from policy, and that a skewed set of development priorities can peacefully coexist with complete and transparent financial honesty. This is a fundamental mistake. The studied policies and definitions of 'development' of the past 20 years have been aimed at producing only visible artifacts of apparent development- glittering buildings, broad roads, shiny airports, expensive cars- but have done little to address issues of primary education, primary health, drinking water, nutrition, environmental protection and employment. The result is peculiar; in India, with its 8-9% growth rate, the rich have become impossibly rich and the poor have been left to their own devices to catch up if they can, or be forever left behind. The gap between the rich and the poor is larger now than ever before; in terms of policy, this is like the cup of Tantalus, forever out of reach.

The measures of wealth are simple; the corresponding measures of poverty are infinitely more difficult, and very much more malleable. On official count, 37% of India's population is poor. The Below the Poverty line surveys for enumerating the number entitled to schemes for the poor

have come up with a figure of 50% and the Arjun Sengupta Commission of 2007 estimated that 77% of India's population lived on less than Rs. 20 a day. Over half of Mumbai lives in slums, without affordable housing. India's slum population is greater than all of the United Kingdom and the Times (London) points out; this is "the latest illustration of how India's recent economic boom has left behind millions of the country's poorest people".

To assess policies, it is not enough to look at the median. We should consider the extremities, for the distance between extremes (very rich v/s very poor) is an indicator of policy balance. In 2008, four of the world's richest individuals were Indians. They each had a net worth upwards of \$30 billion. On the other side, those working to provide essential services—police, government teachers and fire fighters have salaries that start as low as Rs 7000/- per month or less.

Corporate and market regulation in India are strong on paper but here again the reality is very different. The Satyam Imbroglio was simply not possible without regulatory laxity. That affair is not merely one of political corruption as Gautam Patel suggests, in the sense of misuse for public office for private gain; it is also about the corruption of system of corporate governance and control. Nothing feeds political corruption so well as corporate corruption.

The days when the men and women had no ties with corporate India long on, today, the links run weak. Holders of public office report an inexcusable increase in personal wealth. The case of Jagmohan Reddy of Andhra Pradesh is a classic illustration of this phenomenon. He is declared wealth of Rs. 365.58 crores, shot up from 77.43 crores in 2009. This is an increase of 472%. His late father was a Chief Minister between 2004 and 2009. He has interest in cement and power projects, owns a newspaper and a TV channel. This is the case with many political leaders, not only in South India, but also elsewhere in this country.<sup>7</sup>

The Anna Hazare's team maintains telling silence on the corporate sector and other ruling class sections. As brought

out in the 51 latest issue of 'Aspects of India's Economy', corruption is merely one aspect of the ruling class control of the state machinery, the other aspect being the shaping of culture, public discussion and state policy in myriad legal respectable ways. Legal and illegal means complement each other. Official economic policy levies the country's accumulated surplus as private property in the hands of a few percent of the population and nearly levies taxes on the income arising from private property.

Under neo-liberalism, the ruling classes' drive to accumulate wealth has become far more predatory, involving not nearly the extraction of surplus value created in the course of production, but also the plunder of state-owned assets and the nation's mutual wealth. This predatory drive has so greatly expanded the role of ruling class representatives and the bureaucracy in the transfer of wealth, that it is only natural that the former extract a correspondingly larger commission for their services. The mind-boggling increase in corruption in recent years is thus, a by-product of accelerated accumulation of wealth. The legal policy of privatization actually provides the basis for corporate sector bribery of the ministers and bureaucrats in charge of corruption.

In this context, it's not surprising that Prime Minister Manmohan Singh, when faced with considerable criticism regarding the sale of '2G telecom Licenses' to the corporate barons at an exchequer (equivalent to 1.2-3.5 % of India's GDP according to different estimates) almost justified or rationalized it as a loss in terms of subsidy. In prime minister's words, "We have a budget which gives subsidy for food at Rs. 80,000 crore per annum, some people say that this food must be sold at market prices. Will we say then—because they are not sold at market prices, because you are giving them subsidy, it is a loss of 80,000 crores. We subsidize the price of kerosene that imposes burden on our oil marketing companies, should we say then that—there is a loss of revenue?" Thus, it's shocking to know that Prime Minister is comparing subsidies on subsistence consumption of the poor

with gigantic underhand giveaways to top corporate firms. The economist in Manmohan Singh, as the same issue of aspect points out, has stripped away the pretense that the sale of 2G spectrum was a commercial sale at all; rather it was a provisional subsidy, a channel of financial assistance from the state to the particular persons. This is indeed a refreshing perspective, it should not be restricted to the 2G sale, it needs to be extended to our understanding of wide array of so-called "scams". These "scams" are in fact methods by which the State channels financial assistance to the private corporate sector. We will keep this perspective in mind in examining the three recent major scams widely discussed in electronic and print media.

## I. 2G

2G is short for "2nd Generation Wireless Telephone technology". The government allocates the exclusive right to broadcast a particular frequency to various entities such as the armed force, police, civil aviation, radio stations, television stations, and telecommunication firms. In order to carry on the business of mobile telephony, a firm needs to hold radio spectrum, which is thus very valuable. In January 2008, the then minister of Telecommunications A. Raja issued 122 new licenses for mobile telephony (which come bundled with spectrum) on a single day. Only certain firms, on the basis of advanced information, were able to fulfill the minister's new conditions in half a day he provided. These firms, most of which had hitherto not been in telecommunication, but in unrelated fields such as real estate, obtained spectrum at absurdly low prices, (based on 2001 prices for mobile services licenses).

Fact that the sale was at a much below market prices was confirmed by the Comptroller and Auditor General (CAG). The CAG employed three different methods to discover the market price; the price offered in November 2007 via prospective licensing; the prices at which the new telecom

firms, having one spectrum, sold their shares shortly thereafter to foreign firms; and the price at which the next sale of spectrum took place (in 2010), by public auction. The first two methods put the loss to the exchequer at between Rs. 57,666 crore and Rs. 69,626 crore. The third method put the loss at Rs. 176,645 crores. Even the lowest estimate is nearly one third of corporate income tax payments in 2007-08 (Rs. 192,911 crores). Now in 2007-08, when the 2G sale took place, total food subsidy was 31,328 crores and fertilizer 32,490 crores. Thus the combined subsidy on these two items amounted to roughly the same figure as the lower estimates of the subsidy to the corporate that year on just one item, that is, 2G spectrum.

Some question the use of the term 'subsidy' for what the government spends on items such as food distribution. They point out that, in the first place, the political economy of India operates to grind down so low the incomes of the very people to generate the wealth of the nation that they are unable to afford food itself.

In 2004-05 the median income in the rural area, was just Rs. 15 per day and in the urban area, was just Rs. 26.

The main beneficiaries of the 2G subsidy not surprisingly, are the leading corporate tycoons in this country such as Reliance ADAG, Tata Teleservices, ESSAR, Videocon, Unitech, and so on.

## II. KG-D6

After the initiation of 'reform' in 1991, the public sector firm, Oil and Natural Gas Commission (ONGC) saw a sharp slide in its performance, liably as a result of systematic under investment, on government instruction. It should be noted that ONGC once had considerable experience and expertise in exploration, and had discovered the Bombay High Field. Moreover, during the 1990s, it had large cash reserves. Despite these thousands of crores lying idle in the bank, ONGC's investment in the decade after the initiation of

reform was exceedingly low. As a result, not only did its crude oil production drop during the 1990s, but the exploration activities came to a virtual halt. This was not accidental. The government was preparing to handover prospective areas to the private sector.

In 1999, the government announced the New Exploration Licensing Policy (NELP) with the stated objective of attracting private investment in domestic oil production. On the basis of ground work done by ONGC in collecting geological data and mapping blocks for exploration, various blocks in identified oil and gas fields were offered to private operators on lease for exploration and production. In 2000, in the very first round of the NELP, Reliance Industries Ltd (RIL) won beat squad 12 such blocks in the Krishna Godavari (KG) basin. By contrast with ONGC, RIL at the time had no experience in exploration.

**(i) Inflated Investment:** Under the NELP private operators sign a production sharing contract (PSC) with the government setting out the terms of their lease. The PSC for the KG basin lays down that RIL is to pay the government only 10% of the total revenue until it recovers 1.5 times its investment; thereafter the governments share is to rise slowly, until RIL recovers 2.5 times its investment. At that point, the government share rises steeply. Hence, by overstating its investment, RIL stands to gain revenue at the expense of the Government. In the words of the head of the official committee on natural resource allocation, former finance secretary Ashok Chawla, the system gives "incentive to (operator to) increase his investment" - that is, incentive for fraud.

In 2002, RIL announced the discovery of very large reserves of natural gas in the D6 block of the basin (today estimated at 14 trillion cubic feet). It estimated the required capital expenditure for the field at \$2.4 billion. It didn't bother with irksome details such as the submission of comprehensive field development plan, as required by the contract.

In 2004, V.K. Sibbal, for whom RIL had thoughtfully bought a house, was appointed Director General of Hydrocarbons (DGH). His approval, under the NELP, was required for any increase in capital expenditure. Two years later, Murli Deora was made Minister for petroleum and natural gas, his chief qualification being his intimacy with first Dhirubhai, and now Mukesh Ambani. That year, RIL got the DGH to approve a massive upward revision of capital expenditure, from the original \$2.4 billion to \$8.8 billion.

The CAG draft report was leaked to the media in June 2011. Its first finding confirmed empathetically what was already well known since 2009; namely, that the capital expenditure of the KG basin D6 block had been inflated, with virtually no government scrutiny.

The second finding was new, and equally sensational. The contract had stipulated that, of the area RIL won for exploration (7-645 sq. km), it would retain only the discovery area, and return to the government those areas that it had not drilled (that is; 95% of the area). This would have allowed the government to re-tender those areas, from which it would earn a much higher price than it received from RIL. However, using its cloud with the DGH, Reliance held on to the entire area, and got it classified as 'discovery area', which correctly speaking includes only the drilled area. The loss to the government as a result of 'gold-plating' its investment is very large, but theoretically possible to calculate (Anil Ambani estimated it at Rs. 37,000 crores).

### **III. MINING AS TRANSFER OF WEALTH**

Such transfers of wealth to private corporate firms are standard in the mining sector. One important form of this transfer is what is called 'illegal mining'. While the term suggests that this is something done surreptitiously, under cover of darkness, by fugitives, and on the margins of respectable 'legal', mining, nothing could be further from the truth. 'Illegal' mining has one of the great success stories

of India's exports and its corporate sector in the last five years. According to the findings of the second report of the Karnataka Lokayukta on illegal mining in Karnataka, illegal exports of iron ore from the state between April 2006 and December 2010 amounted to 30-33 million tonnes. During 2009-10, 'illegal' exports from this small region may have accounted for about 16% of India's iron ore exports, which were among the country's fastest growing exports in that period. In fact, all this was done, not surreptitiously, but under the careful supervision and protection of the concerned Government authorities.

The spurt in international crisis of steel and iron ore made the mining and export of high quality iron ore from Bellary, Tumkur and Chitradurga districts of Karnataka very lucrative. While the average cost of product of iron ore at around Rs. 150 per tonne and the royalties to be paid to the government just Rs. 16.25 per tonne, Indian export prices have averaged around \$94 (about Rs. 4200) in the past five years- a profit rate of 2400%

Karnataka accounts only for a part of the illegal mining of iron ore in the country. There are major mining scandals in at least 5 states - Karnataka, Andhra Pradesh, Orissa, Jharkhand, and Chhattisgarh. The Andhra Pradesh CM Y.S.R. Reddy was a partner of the Bellary brothers in the Gopalapuram mining company, located in Anantpur district, AP. The former CM and mine minister of Jharkhand, Madhu Koda has amassed a fortune of Rs. 4000 crores through such scandals. In Orissa also, illegal mining has been going on, on a large scale with the connivance of the government. Thus, irrespective of the political parties Congress, BJP or BJD, connivance of the state for illegal mining has become a norm in the country. An indication of the scale of illegal mining could be seen from the fact that 27,000 such cases were reported in the period April- September 2010 alone.

This particular mode of transfer to the corporate sector has been the hallmark of the period of 'liberalization', or the neo-liberal era. It is not that subsidies to the corporate sector

did not exist before the initiation of the 'reforms' in 1991- for example, unlimited cheap bank credit, investment by public sector financial institutions in private firms, subsidized inputs/intermediates for the private sector produced by public sector units, guaranteed purchase of fertilizer at an inflated price, padded export incentives, and so on. However, they were paltry compared to the post-liberalization giveaways, particularly because post-liberalization giveaways frequently involve the handover of entire assets, natural wealth and sectors. Thus, 'scams' have grown dramatically in the recent years, to the point where people have difficulty comprehending the sums involved.

In that sense, given the State's social objective of enriching a microscopic section of society, the transfer of natural wealth and public assets has been a very successful policy. Of the 55 Indian billionaires in the 2010 Forbes list, almost half of them are involved in sectors which have directly benefited from privatization and transfer of land and natural wealth (iron and steel, oil and natural gas, commodities, mining and metals, telecomm, power, infrastructure, and real estate). Between 1966 and 2008, wealth holdings of Indian billionaires are estimated to have risen from 0.8% of GDP to 23% of GDP. A recent study of 'Ultra High Net-Worth Individuals' (with a minimum net-worth of 25 crores) put their net-worth at 57% GDP in 2010-11.<sup>8</sup>

This brief appraisal based on examining the underlying neo-liberal thrust of the Indian government developmental policy clearly brings out the hollowness of the Anna Hazare's campaign with his exclusive focus on 'corruption' without understanding its deeper implications. Anna Hazare and his team's dogmatic insistence for complete approval of his Jan Lokpal bill also exhibit the brazen, undemocratic nature of his demand and movement. As a matter of fact, none of the political parties, either from the right or the left, or the constitutional experts have extended uncritical support to Anna Hazare's Jan Lokpal Bill. Majority of the critics have brought out the dangerous authoritarian matrix of his bill

and his movement. The bankruptcy of his campaign has now become further evident in Anna Hazare's recent call for the defeat of the Congress candidate in coming bye elections in Haryana, and subsequently also, a threat to conduct similar campaign in the assembly elections in Northern states in the beginning of next year.

In recent years, enumerable struggles have sprung up across the country, resisting attempts to forcibly acquire land. The most prominent of them- such as the Kalinganagar, Posco, Kashipur, Niyamgiri, Nandigram, Singur, Jiatapur and Yamuna express - have become familiar names. Against the forcible acquisition of the land, villagers directly confront the police, officialdom, and sometimes hired goons. In each case, behind these repressive forces, stands the Corporation for whom the land is being grabbed- Tata Steel, Posco, Hindalco, Vedanta, Salim Group, Tata Motors, Nuclear Power Corporation of India (NPCIA), Jaypee Infratech, and the like. Unfortunately, Anna Hazare's movement hardly takes any note of this real green live battle of survival of the huge toiling strata in this country. Thus, it becomes difficult to accept its pretension of representing overwhelming mass of poor, either in urban or rural areas.

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# 6

## What is the Real Goal of the Anna Movement

*Rohini Hensman*

Many people including members of Team Anna have expressed reservations about the way in which their campaign has been developing, and some have even resigned. This raises questions about the real aim of the leadership around Anna. Is it really what it is proclaimed to be?

*Is the aim to get the Jan Lokpal Bill passed by parliament?*

Team Anna has repeatedly stated that they have just a one-point agenda: to get the Jan Lokpal Bill (JLB) passed. According to a detailed report,<sup>1</sup> the bill is actually the brainchild of Arvind Kejriwal, who joined the National Campaign for People's Right to Information (NCPRI) when it was working on the Right to Information (RTI) Bill, and was later delegated, along with others, to draft a Lokpal Bill. However, he parted company with the rest of the team when they did not agree with him that the judiciary should come under the scrutiny of the Lokpal. As Justice A P Shah explains, the NCPRI feels that corruption in the judiciary should be

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\* Rohini Hensman is an activist and independent scholar working on issues of workers' rights, women's rights, the rights of minorities in India and Sri Lanka, and globalisation.

dealt with by a strengthened Judicial Standards and Accountability Bill.<sup>2</sup> Kejriwal was unconvinced, and went on to draft the bill with inputs from Prashant and Shanti Bhushan. He also succeeded in getting the full support of anti-corruption campaigner Anna Hazare.

Since the bill is so crucial to the campaign, it is worth asking: what are the chances that it could actually become law? Most people who support the bill have not read it, and those who have taken the trouble to do so find it deeply flawed. One legal expert who attended consultations about the bill and, along with others, made criticisms of it that were apparently not heeded, felt the flaws were so glaring that the movement could not possibly be about the bill. The Lokpal takes over functions of the legislature (parliament) and judiciary, thus violating the basic structure of the separation of powers which is fundamental to the constitution of a liberal democracy. This structure cannot completely prevent the abuse of power, but it does put in place certain checks and balances, and thus creates obstacles to the seizure of absolute power by any state institution. Abuse of power by the Jan Lokpal would be almost inevitable, given that it would have the power to determine, arbitrarily, a punishment for corruption between six months and life imprisonment. Thus even if the JLB were to be passed by parliament, it would almost certainly be struck down as unconstitutional because it violates the principle of the separation of powers. Even if it were not struck down, it would by no means end corruption, because 'You are creating an institution that becomes impervious to being challenged for corruption or for abuse of power.'<sup>3</sup>

In other places, the drafting is extremely vague. For example, the establishment of Lokayuktas is mentioned only in the last two-and-a-half lines, where the bill merely says that the provisions would be the same as for the setting up of the Lokpal! But the main criticism of the bill, according to legal activist Usha Ramanathan, is the nature of the power it would establish: 'RTI said every one of us can take our destiny

into our hands to the extent that we are able to find the energies. Lokpal says, "You become a subject of mine, I will protect you from corruption." So if the Lokpal doesn't succeed, I can't do anything for myself. That's the fundamental difference. If you do not democratise control over corruption, you cannot control corruption.' (see[3]).

The demand that the JLB should be passed by parliament unchanged cannot, then, be a serious one, given the draconian nature of the bill and its lack of constitutionality on the one hand, and its sloppy drafting on the other. It could gain so much traction at least in part because the vast majority of its supporters did not read it. If the real goal had been to pass the bill in parliament, it would have been drafted with greater care.

*Is the goal a broader democratic transformation?*

The fact that electoral reform, with the incorporation of the right to reject and recall candidates, was proposed by Team Anna soon after Hazare called off his fast at the end of August suggested that the team might be planning to campaign on a range of democratic rights issues. Promising to send representatives to Manipur to find out whether it was worthwhile for the team to support Irom Sharmila's struggle strengthened this impression.

One of the first indications that this would be an illusion came in NDTV's 'We the People' edition on 'Gandhigiri in the Age of Violence' on October 2. During the discussion, ex-police officer Kiran Bedi said categorically, 'I can't believe the Indian army would kill an Indian for the sake of killing.' Coming in the wake of revelations in the mass media that this is precisely what has been taking place, and has resulted in thousands of unmarked graves in Kashmir,<sup>4</sup> Bedi's public defence of the impunity granted by the Armed Forces Special Powers Act (AFSPA) brings into question her commitment to fundamental rights. When Sajjad Lone commented that 'All the killings that the army has done are not of militants,' she conceded, 'Could be! I've done encounters too. When I go for an encounter, I have to take it on, and I can go wrong

and I can go right.' The issue of human rights is nowhere on her radar, nor the idea that the root cause of corruption is excessive power and the freedom to abuse it with impunity.

However, the most dramatic proof that the team could not work together on broader issues surfaced on October 12, when Prashant Bhushan was assaulted by members of the Bhagat Singh Kranti Sena (BSKS) and Sri Ram Sene in his chambers at the Supreme Court, in the full glare of TV cameras that had come to film an interview with him.<sup>5</sup> A visibly shocked and shaken Bhushan afterwards told reporters that they attacked him because he had advocated a plebiscite in Kashmir, and said that if the majority wanted to separate from India, they should be allowed to do so. The organisations too claimed the attack, and explained it in the same way. Everyone condemned the assault, but Anna's condemnation was curiously lukewarm, because he added that the attackers 'should not have taken the law into their own hands. They should have taken recourse to the law.' The implication — that he agreed with the politics of the attackers but not with their methods, and that possibly the sedition law should have been used against Bhushan — was made clearer subsequently, when he proclaimed that Kashmir was an integral part of India, and he was ready to die or go to war with Pakistan to keep it so. His suggestion that the core group would have to discuss whether Bhushan would be allowed to stay on in the group<sup>6</sup> was quickly withdrawn, but not quickly enough to avoid giving the impression that he considered airing such views a serious offence.

Shanti Bhushan stood by his son, but other members of the team hastened to distance themselves from Prashant Bhushan's views on Kashmir. Once again, despite the backdrop of revelations about ghastly human rights violations in Kashmir, they did not mention state atrocities. One may disagree with Bhushan that a plebiscite would guarantee the democratic rights of all Kashmiris — if 51% want to join Pakistan and 49% do not, what happens to the democratic rights of the 49%? — but at least he recognises

that the people of Kashmir have democratic rights. Yet with the exception of Shanti Bhushan, no one else in Team Anna spoke up in his defence. Even more disturbing was the fact that it was he, the victim of violence, whose continued membership in the campaign was questioned, whereas there was no suggestion that the perpetrators of the violence — who were also part of India Against Corruption and had put up pictures of themselves at Tihar jail demonstrating for Anna Hazare — should not be part of the campaign. Indeed, no one else in Team Anna acknowledged that photographs of BSKS leader Tejinder Pal Singh Bagga with Sri Sri Ravi Shankar and L K Advani can be found on the internet, showing clearly where his political affiliation lies.<sup>7</sup>

With such serious differences on the issue of fundamental rights, it is clear that the Anna movement could not campaign on a broader democratic transformation without falling apart. This cannot therefore be its goal.

*Is the aim to curb corruption?*

Curbing corruption was certainly the goal of a large part of the movement, including members of its leadership. This section would consider the campaign of August 2011 a success if it resulted in the government passing a strong Lokpal Bill (not necessarily the JLB) in the winter session of parliament, along with supplementary anti-corruption legislation. However, the decision by Kejriwal, Hazare and others to campaign against Congress in the parliamentary by-election in Hisar in September — before the government had had a chance to pass a Lokpal Bill — made it clear that another section of the leadership had a different goal. As Hartosh Singh Bal comments, according to Kejriwal, “*Except the Congress, give your vote to any of the other 44 candidates in the fray. Do not worry excessively that there are corrupt individuals among the candidates. If they win, the Lokpal Bill will send them to jail*” ~ October 10, 2011. Let us try and understand Kejriwal’s logic (if it can be termed that)—as long as the Congress is kept out, it does not matter that corrupt politicians are elected to parliament. In fact, to take this argument to its logical

conclusion, Kejriwal seems to suggest that if enough corrupt non-Congress politicians are elected, they will pass a Lokpal Bill that will ensure they are sent to jail.<sup>8</sup>

Justice Santosh Hegde immediately condemned the move, pointing out that Congress had not been given time to pass the Lokpal Bill, that the other two candidates in the fray were not above board, and that if Kejriwal and Anna felt compelled to campaign in elections, they should simply campaign for the best candidate and not against any particular party.<sup>9</sup> Two more prominent activists, P V Rajagopal and Rajinder Singh, decided to quit the core committee, objecting to the political turn taken by the campaign and complaining that they had not been consulted about it.<sup>10</sup> Indeed, given that the main beneficiary of a campaign against Congress would be the Bharatiya Janata Party (BJP), which had as many or more corruption-tainted ministers as Congress, it would be correct to say that this was a party political campaign rather than a campaign against corruption.

However, the most persuasive evidence that the aim of the campaign is not to curb corruption comes from what might be called 'the inflated travel bill scam'. On October 20, the *Indian Express* broke the story that Kiran Bedi had routinely been travelling on discount airfares but charging her hosts full fare or even business class fares.<sup>11</sup> Her first line of defence was that she was doing this with the knowledge and consent of her hosts, thus 'saving' money and passing it on to her NGO, India Vision Foundation (IVF).<sup>12</sup> But it subsequently emerged that not only did her hosts not consent to her inflated travel bills, but some were indignant when they discovered, for example, that she was trying to get them to pay twice over for the same journey, and charging business class fares on a flight that did not have business class.<sup>13</sup> Former Chief Justice S J Verma commented that claiming reimbursement of money you have not spent is unacceptable, but Bedi's justification for doing so was even more upsetting: if you pick a person's pocket and give the money to someone

else, does that mean you haven't committed the offence of pickpocketing, Verma asked.<sup>14</sup>

Apparently sensing that passing off profits as reimbursement was not merely unethical but might be illegal, the trustees of IVF instructed her to return the extra money and refrain from inflating her travel bills in future. Bedi made this announcement, but botched it by saying that her travel agent Anil Bal, who was also a founder-member of IVF, would return the money. Bal objected strongly to the insinuation that *he* was responsible for the inflated bills, and to the 'bizarre' order that he return the excess money, saying that he had no transactions with Bedi's hosts. He said he was returning the money in the IVF account forthwith, and resigned both from being a trustee of IVF and from being their travel agent.<sup>15</sup> Meanwhile Kejriwal, who had taken two years' paid study leave from his job in the Income Tax Department on the strength of a Rs 9 lakh bond that he would return and work for them for three years, but had instead gone on to work for his NGO Parivartan, (see [1]), was trying (unsuccessfully) to evade payment of the bond.<sup>16</sup>

If Bedi's and Kejriwal's rants against 'the corrupt' had not been so strident, if the JLB had concentrated on big-ticket corruption instead of aiming to prosecute every clerk or linesman who took Rs 50 extra to do the work they were required to do, these deviations from the straight and narrow path might have been considered trivial, but in the circumstances, they made Bedi and Kejriwal appear hypocritical. To make matters worse, instead of distancing himself from Bedi, as he had from Bhushan, Anna defended her and instead blamed a 'gang of four' in the government for the debacle!<sup>17</sup> It was clear from the start that the real root of corruption — unaccountable power and impunity — were not the target of the campaign, but these recent developments demonstrate that for some of its leaders, it is not even about curbing corruption in the narrower sense of financial irregularities. If that were the aim, the first requirement

would be to ensure that members of Anna's own team had nothing to hide.

*Is the goal regime change?*

All the evidence suggests that the real goal of these members of Team Anna is regime change, and that too, not in the weak sense of a change of government, but in the much stronger sense of constitutional change.

The campaign in Hisar was only one of many instances in which Congress was targeted; Anna blamed the government for the story of Bedi's inflated travel bills instead of giving credit to the *Indian Express* for its expose; and Kejriwal insinuated that Congress was responsible even for the assault on Prashant Bhushan, despite manifest evidence that it was launched by right-wing activists close to the BJP. Meanwhile, the BJP has escaped criticism despite the fact that one of its chief ministers (Karnataka) was in jail for corruption, a second (Uttarakhand) had to be dismissed due to corruption charges, and a third (Gujarat) failed to appoint a Lokayukta for seven years and then opposed the Lokayukta chosen by the chief justice, wanting instead to appoint a person who was subservient to him. Kejriwal and Bedi said that 'RSS people' were welcome to join their movement as Indians,<sup>18</sup> even as it emerged that Yedyurappa allocated about Rs 50 crore worth of land that had been reserved for other purposes to six RSS-affiliated organisations and seven leaders from an RSS background at throwaway prices while 350,000 genuine applicants waited in the queue!<sup>19</sup> It is hard to escape the impression that the campaign is aimed at bringing down the UPA government and installing a BJP-led government, which is precisely why Rajinder Singh resigned, saying that Team Anna had departed from its original objective and had become involved in 'power brokering'.<sup>20</sup>

However, it is not just Congress that is cast as the enemy, but also constitutional democracy. Interviewed about why he was insisting that his own bill be passed without discussion or debate in parliament, Anna was simply unable to grasp why discussion or debate was needed; so far as he

was concerned, he wanted the bill passed, and therefore it should be passed. This was how he ruled his village, and this was how he wanted to rule the country. Put beside his contempt for the electorate and elections, one gets a strong impression of hostility towards parliamentary democracy. When Kejriwal was asked by Karan Thapar (in 'Devil's Advocate', CNN-IBN on October 9), whether Anna was above parliament, Kejriwal replied immediately that he was. Then, for good measure, he added, 'Every citizen is above parliament.' But if every citizen is above parliament, why have parliament at all?

Add to all this the fact that the JLB makes parliament subservient to an unelected panel of guardians, and the relentless targeting of MPs by Bedi in her *ghunghat* act at the Ramlila grounds, and the sentiments expressed by these members of Team Anna are not so different from Mussolini's statement that parliament 'is a plague-boil that poisons the blood of the country'. In an essay on 'Ur-fascism', Umberto Eco had predicted that "**In our future there looms *qualitative TV or Internet populism*, in which a selected group of citizens can be presented and accepted as the 'voice of the people'...As a result of its qualitative populism, Ur-Fascism has to oppose 'rotten' parliamentary governments...** Every time a politician casts doubt on the legitimacy of a parliament because it no longer represents the 'voices of the people', there is a suspicion of Ur-fascism."<sup>21</sup> In this context, demands for the right to reject and recall candidates, which Chief Election Commissioner S Y Qureshi has said would destabilise the country,<sup>22</sup> appear to be an attempt to make parliamentary democracy so expensive and unstable that it collapses.

The Sangh Parivar has always wanted to overthrow the present Constitution, and would also cheer on Anna's declaration that he would be willing to go to war with Pakistan and fight to the death to ensure that Kashmir remains an integral part of India (regardless of what Kashmiris might want). Anna's vision of a society ordered

by caste hierarchy coincides with theirs. As Jyotirmaya Sharma observes perceptively, 'Hazare is the leader of "banal Hindutva"... What Hazare is knowingly or unknowingly doing is to become the informal recruitment centre for the harder versions of Hindutva. By making "banal Hindutva" honourable, Hazare has begun the process of making the harder versions of Hindutva more acceptable and legitimate. The collateral damage... will be Indian democracy.'<sup>23</sup>

This does not mean that there is no rivalry between Anna and the Sangh Parivar. Hazare has been unhappy with the RSS for trying to steal his thunder with their claims to have mobilised people for his movement, while the RSS has objected to the involvement of minorities in the anti-corruption movement. But they need each other. It is clear to the RSS that the issue of a Ram temple no longer has popular resonance, and Advani's yatra has fallen flat because everybody knows that the BJP is mired in corruption; they need Anna's clean image to win them votes. On the other side, Anna does not have the cadre to mobilise crowds, nor does he have a party machine that can win elections and instal him as the head of a Jan Lokpal. They have to work together, and they do. It was clear from the beginning that their agendas converged, and we can now identify the precise point at which their goals meet: the Indian version of a fascist state, a Hindu Rashtra, *with a Jan Lokpal that will incorporate members of Team Anna*: 'the viewpoint that Anna and by extension Kejriwal represent is the same simplistic and ill-thought-out rightwing nationalism of the Sangh which has no space for the Constitution or the liberal values it embodies...Through the 20th century, this combination—a claim to efficient governance, a mythic father or motherland, a contempt for a certain section of people—has been the mark of fascism.'<sup>24</sup>

### **Averting the danger of fascism**

In this situation, the government has the primary responsibility to counteract the danger represented by both

the Anna movement and the Sangh Parivar. If it enacts a strong Lokpal Bill and supplementary legislation, people like Justice Hegde, whose only interest in the movement is to curb corruption, would be satisfied. But not Hazare, Kejriwal, Bedi and others, whose agenda is regime change and who might campaign against Congress on the pretext that the bill that has been passed is not *their* Jan Lokpal Bill. Counteracting this would require Congress spokespersons involved in public debates on the issue to come out with a critique of the JLB, drawing on what has been said by members of the NCPRI, legal scholars like Usha Ramanathan, and others.

However, even this is not enough. Any government committed to secularism has to act far more decisively to clamp down on the perpetrators of communal pogroms and Hindutva terrorist attacks, and especially to root out elements in the police, intelligence agencies, investigative agencies, bureaucracy, and army (Lt Col Purohit cannot be an exception) who are complicit in these attacks. Both terrorist violence and infiltration of the state apparatus are typical of the ways in which fascism ensconces itself, and unless action is taken now, it could be too late. In this context, the passing of the Prevention of Communal and Targeted Violence Bill is a priority that the UPA simply has not taken seriously enough. If certain groups in society do not enjoy equal protection of the law, special measures are required to ensure that they do so. Of course the BJP will cry foul, but surely those within Congress who have been pushing for the bill have enough intellectual resources at their disposal to distinguish between Hinduism and Hindutva, and to point out that this is not the first time that legislation to protect vulnerable sections of the population has been passed?

However, the struggle against fascism cannot possibly be won if it is left to the government alone; members of civil society too have to be involved, and those on the Left have a special responsibility in this regard. This brings us to a disturbing question: what are people like Prashant Bhushan and Medha Patkar doing in a team that includes such right-

wing elements? Conventional wisdom would have it that they are there to push the movement to the Left, but it does not seem to have moved an inch in that direction. Part of the answer lies in the authoritarianism that is an integral part of the politics of a large part of the Left. For example, Bhushan advocates plebiscites as a means of achieving a 'participatory democracy' that is more advanced than the representative democracy embodied in parliament, but does he know that Hitler carried out six plebiscites between 1933 and 1938? A plebiscite on the Lokpal Bill would in fact be *less* democratic than the process of public consultation that has taken place and a debate in parliament.

This is only one instance of a more general malady afflicting a section of the Left: a kind of political dyslexia that renders them incapable of distinguishing left from right. Thus instead of pushing the government to present and enact the Prevention of Communal and Targeted Violence Bill speedily, the Communist Party of India (Marxist) effectively gangs up with the Right to sabotage it by raising spurious objections; insisting, for example, that it should cover only victims of communal violence and not victims of other forms of targeted violence. How would victims of communal violence lose if the bill covers other victims of targeted violence? And who but the perpetrators of violence would gain if the bill fails to be passed? Which side are they on? Prashant Bhushan is even more confused. In an interview with Rajdeep Sardesai, he referred to the 'fascist mindset' of the people who had assaulted him, and suggested that 'the leaders of such organisations who propagate violence, who propagate this kind of fascist thinking,' should be booked, and their organisations banned; yet when Sardesai asked him if such people could be part of his anti-corruption campaign, he replied, 'Yeah, they can be part of the anti-corruption campaign,' but should not be allowed to share the platform.<sup>25</sup> It does not occur to him to ask why fascist elements who are by no means uncorrupt should be joining his campaign in large numbers. In both these cases, the CPI(M) and Bhushan

are so intent on opposing the centre that they end up in a position that is right of centre.

If the campaign for the JLB is genuinely opposing corruption, it will end if and when the government passes a strong Lokpal Bill and supplementary anti-corruption legislation. One can only wait and see.

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# 7

## The Neoliberal Revolution

*Anand Teltumbde*

Expectedly, the high pitched media supported Anna *anshan* at Ramlila ground has come to an end with the Parliament passing a unanimous resolution as dictated by the team Anna. The three conditions that the lower bureaucracy should be within the Lokpal's ambit, Lokayuktas in states should be brought in through a central legislation like Lokpal's and a citizen's charter detailing the responsibilities of government functionaries and the penalty for the non-fulfillment should be instituted, were favourably discussed by the Parliament but the government initially avoided passing the resolution, retracting its commitment to the Team Anna and thus adding one more point to its score of foolishness. Soon thereafter, it retracts again and manages a unanimous resolution in the Parliament, which would satisfy Anna Hazare to give up his fast on the 12th day. The media screamed "Anna wins full victory" while Hazare himself cautions the ecstatic crowds that it was just a half. He announced that he has suspended his fast; his agitation would continue until the Lokpal bill was passed.

Although the media is still fraught with Anna euphoria in absence of some other 'breaking news', it is cooling off on

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\* Anand Teltumde writes on the issues related to Globalization and Marginalized sections, dalits in particular

the episode and coming to terms that it is a long circuitous way to go for having the bill passed. In the process ahead whether the Lokpal bill would really confirm to the Jan Lokpal draft, is anybody's guess. While the Parliament's commitment to the three conditions is of 'moral' nature, in the situational context it may be reasonably relied upon. However, since it is linked to the architecture suggested by the Jan Lokpal bill, it is necessary the final bill confirms to the latter. As of now there are already nine alternate drafts of the Lokpal bill, and by the time the Standing Committee considers them, there shall be many more. They will all be considered by the Standing Committee. In all probability, the final bill that will be put before the house would significantly differ from the Jan Lokpal bill, architecturally as well as in contents. Will the entire episode then be repeated once more, after months? Going by Hazare's resolve, the answer is yes; but will that not be dangerous? Emboldened by the nationwide support he received, he has already announced his next step to take up electoral reforms in demanding inclusion of an option of 'none of the candidates' to exert pressure on the system to have 'good' people in governance. There is no doubt that he would be hugely supported by the burgeoning middle classes in all his moves, now that they saw in him second Gandhi. But the point is to ponder whether all these legislative reforms will really arrest the craving of accumulation in the dominant classes, legitimized by the neoliberal ethos; which class interests are driving them and in what way they will serve those interests.

### **Government's Game Plan**

The government's flip flop; nay the series of blunders, has surely facilitated the movement. After tasting the success in its highhanded demolition of the Baba Ramdev show at Ramlila ground, government could use force against the crowds that showed up in support of Anna Hazare and possibly demolished it. But it did not do so. If one takes a cursory look at its behavior right from the beginning of this

movement, one could sense astounding ineptitude of the government in handling it. To start with it should not have driven Hazare to go on fast. Within hours of sitting on fast, the government began discussing with his team and made a volte-face on its foolish plea that drafting the bill was government's prerogative, in making it a part of the joint drafting committee. If it was to be the joint drafting committee, it could have involved representatives of all political parties and preempted future hurdles in process. Not only that it did not do it, but also it made another somersault in rudely abandoning the exercise, discarding the Jan Lokpal draft under discussion and forwarded its absurdly drafted bill to the standing committee.

When Hazare declared his second spell of fast, the government could easily guess what was in store for it and plan its move in advance. But surprisingly, it became further ludicrous. Delhi police, which is controlled by the Central government, putting unreasonable conditions for the agitators; arresting Hazare and then releasing him, both without any plausible reason; preparing the Ramlila ground as the venue for his fast; and letting the peoples' frenzy all over the country reach its zenith over the 10 long days, is certainly unbecoming of the government of such a large country. It was too foolish for the government to do so. But was it just foolish as it is seen by most people? It was not an isolated act or acts but a long series of foolish actions, which should prompt suspicion of some game plan of the government. After all, could the experienced politicians like Pranab Mukherjee, Salman Khurshid, or even Kapil Sibal and Chidambaram, who may appear brash but are certainly not brainless, could be so foolish collectively to let it happen. And that too under the leadership of our oxford-Cambridge educated prime minister? It appears unlikely.

With hind sight though but one can see this series of apparently foolish actions of the government has only served one purpose: allowing long enough time to build up hysteria all over the country against the political class and the

government. How could the political class or the government scheme against themselves? What could be its possible utility to them? What possible purpose it serves? One may guess, it serves a definite purpose of the government in building strong public opinion in the country against the government and the political class dabbling in matters of economy, and therefore in corollary, in favour of the free market reforms. The uncongenial context of series of scams, untamed inflation, rising peoples' movements against various kinds of land grabs, rising unemployment, and so on were exposing the anti-people character of the pro-elite neoliberal policies of the government. The government badly needed the strong voice from among the people that could overcome this anger of the masses and pave the way for further reforms for which the neoliberal Team Manmohan has been craving.

The Anna movement actually has come as a blessing in disguise for the government to accomplish this. Do not mistake, the Lokpal is nothing but essentially a regulator, which is prescribed by the neoliberal framework to ensure that the free market operates by certain guidelines. This regulator could be conceived to regulate the political and bureaucrat market so as to keep it attuned to the process of deepening neoliberal reforms. As such Manmohan Singh is not averse to the idea of Lokpal; he would genuinely want it. It is not because he is concerned for corruption; rather he is not at all. People were bewildered at his silence when scam after scam unfolded and stunned the country. They do not know that for a hardcore neoliberal, corruption is not an issue at all. It is the grease that lubricates the economic growth machine. After all, it is a part of the market mechanism. If people paid some bribe to get 2G licenses and caused the 'notional' loss to the exchequer of Rs.176,000 crores, it was the perceived price the licensees were prepared to pay for the 2G spectrum in the existing market.

The monumental ineptitude exhibited by the government may only be understood by this possible game plan. The longer the frenzy over the Lokpal lasts, better it is to create and

deepen the resentment against the politically driven status quo and pave way for the market driven reforms. The government is only worried about creating any structure that would impede these reforms and would surely ensure its will prevails even in face of euphoric demands. It is not really worried or scared of Lokpal, because it very well knows; it will just be another wheel for its appletcart, which will not change its direction. It is only worried that it should not slow it down.

### **BJP the Net Gainer**

The beauty of the India's parliamentary system is that there is essential similarity between all ruling class parties on most core policy matters and behaviours, whether it is economic reforms or foreign policy or the secularism and communalism. They differ at the maximum in shade. In class terms it may thus be called political oligopoly. They would however fight against each other to the hilt to capture power. In the current contention between the 'civil society' and the government, the BJP sensed great opportunity to embarrass the Congress led UPA and score political points. The pathetic performance of the UPA II has enlivened its hopes of winning next elections. On Corruption however it was not in position to come clear in face of the skeletons tumbling out from its own cupboards, notwithstanding its apologetic defences. It was amusing to watch the TV-debates in the wake of this Lokpal imbroglio wherein the Congress and BJP spokesmen hurling accusations at each other. That rather truly reflected the state of the nation, where corruption is no more an absolute evil but a relative measure. Other regional parties also having tasted meat in smaller ways were not any better.

BJP used every opportunity skillfully in the debate over the Lokpal drafts to embarrass the government, without opening its cards. When Anna Hazare came out on road, it actively supported it. During his fasts at Jantar Mantar, Raj Ghat and lastly at Ramlila, its progenitor Sangh Parivar took an active part in mobilizing people. Many people had commented upon its imprint in the picture of Bharat mata in

the form of a Hindu goddess that constituted the backdrop at the Jantar Mantar, strikingly similar to the one used by the Sangh Parivar in their programmes. Although, the organizers belonging to the India against Corruption might have had Hindutva proclivities (and some people did accuse a few individuals of that) that led them to put up Bharat mata there, the team Anna by then incorporated progressive people like Prashant Bhushan, whose secular credentials could not be suspect. The fact that the comments emerged from outsiders and not from the motley crowd is also significant in understanding the character of the crowd. The slogans of Vande Mataram, Bharat Mata ki jay and many others reflected the influence of Sangh Parivar on the crowd.

Although they carried on with their apologetic explanation that the picture of goddess put up on the stage was actually mother India and not that of the Hindu goddess, the organizers were embarrassed enough to change it to the picture of Gandhi at the Ramlila ground. The government's mishandling came handy for the BJP to embarrass the government. The commentators sans touch with the ground reality, did not see the Anna movement being actively driven by the Sangh Parivar but with every BJP person speaking in unison of their support to the movement halfway through testifies to this truth. At many places people have noted the Sangh pracharak actively mobilizing people to participate in their processions and demonstrations. Ashok Singhal of the VHP proudly claimed that they had provided free food to the people gathered at Ramlila ground. Insofar as BJP aimed at embarrassing the government, it accomplished it in full measure. Both ways, in terms of preparing general public opinion in favour of further neoliberal reforms as the government perhaps wanted, and in process causing embarrassment to the government, the BJP was the gainer.

### **Alienation of Masses**

While the crowds surged with every passing day in support of Anna, it was mainly drawn from the middle class segment

of the population, which could be described as urbane, English educated, upper caste, upwardly mobile, young people. The frontal organizations of the Sangh Parivar also significantly contributed to the swelling crowd. This is the neoliberal generation of India, most of them having grown up during last two decades seeing Indian economy growing at impressive rate. They do not share the shame and apology for India that their elders had because of her so called Hindu rate of growth which refused to transcend the 3.5 percent marker and visible poverty. The times this generation lived through, was marked as 'license raj', domination of public sector, rise of the backward castes, and cultural built up of the lowest strata of Dalits. Although, the government policy had systematically driving towards capitalist development without anywise denting the feudal classes, and in the interests of bourgeoisie, the Nehruvian rhetoric had succeeded in creating an impression that it was pursuing socialist path. During the Cold War period, its association with the USSR and consequent annoyance of the US camp also strengthened this impression. The Nehruvian project did aspire to see India emerge as a modern nation shunning its decadent traditions and customs. People tended to intellectually believe that India needed to change its belief system and culture and carried a sense of apology for the past. Although it did not make much dent to the practice, nobody, except the hardliner Hindu, could dare to justify caste system, communalism, religious rituals, gods and godmen in public.

The neoliberal era, began informally with the Indira Gandhi's taking the then biggest loan from the IMF of 5 billion dollars immediately after her second coming, soon identified with Rajiv Gandhi after her assassination, and formally in July 1991 under Narsimha Rao government brought in a systematic reversal in this trend. The 'free market' propaganda of the global capital appeared sensible in rescuing the world economy in crisis, which was associated with the statist blockade. The decline of the socialist regime also boosted the belief. Indian economy generally began

looking up with visible markers of 'development' like foreign brands being freely available in the Indian market, foreign models of cars appearing on roads. The reversal of economic trend created reversal of the apologetic thinking of India. India's emergence as a major player in IT sector, Indian professionals in the US gaining prominence, whether cause or consequence, rather boosted up the pride in 'India'. The young people generally blamed their parents' generation and the ideological baggage of socialism for the recent past and believed in intrinsic superiority of India, along with all its customs, tradition and belief system. Caste, communalism, religious rituals, culture and tradition, which was being apologetically spoken about began openly justified in public. This reversal overlapped with the Hindutva ideology. This has been one of the major factors behind BJP's rise from oblivion to political power in 1990s.

These policies being inherently elitist, helped the typical upper caste, English and technical educated, youth of cities and towns in constituting a rising middle class. It imagined India as emerging super power and in its superficial ways identified political and bureaucratic corruption, the overall system of governance, and perhaps the Constitution that dampened the 'meritocracy' as the hurdles in its path. The huge support the Jan Lokpal campaign received from this segment could be understood in this manner. While they would like freeing India from these evils, this segment, true to its class character, cannot stomach the idea of thorough overhaul of the system, *a la* revolution that say, Maoist want to bring about. Maoists also speak in the name of people, the vast majority of the toiling people who are rendered invisible by the neoliberal onslaught. The social engineering, non-violence, civil society, peoples' power are the typical wordy armour of this class which tend to exclude those who are not part of them. It is natural that the lower strata, certainly the Dalits, Adivasis, minorities and the artisan castes untied to the dominant castes, do not identify with their show and rather would oppose it even with aberrant manner.

It is not that they favour the current governance or like corruption. Being the biggest victims of these evils, they would rather want them to be rooted out. But they do see the campaign being driven with class interests inimical to theirs and not particularly aimed at eradication of these evils. The legislation of Acts has been a veritable means to pacify them at various times. Take for instance the enactment of the Atrocity Act, which aimed at curbing the incidence of caste atrocities against SCs and STs. What is the reality? Since its enactment, the caste atrocities have rather consistently risen. Take another case of much acclaimed Right to Education Act. This Act in reality has taken away the inherent Constitutional right of the poor children to get education in common schools and rather legitimized the multi-layered education system that was introduced with neoliberal ethos. The result of it will be soon seen in huge disempowerment of entire rural people in general and SCs and STs in particular.

The crowd at Ramlila thought (indeed it is reported as such in a section of the press) these 'undeserving' people do not have brains. They shouted provocative slogans and held placards that reservations were the root cause of all corruption. Some of their key leaders were reported to have been associated with the anti-reservation campaigns. An editor of one Hindi periodical, 'Diamond India' Bhanwar Meghawanshi has listed many such provocations in his article 'Why Are Dalits Not Enthusiastic About Anna's Movement?'. Provocation apart, there has not been any remote reference to the caste culture which could be easily discerned as the mother of moral corruption; or the neoliberal policies of the government which can be directly linked to the kind of corruption that provoked the campaign. The complete tone and tenor of the campaign is slanted against the lower strata of the society, which though invisible on TV channels constitute the vast majority of this country. The Team Anna wanted to dispel this impression in a symbolical manner, again ironically borrowed from the Sangh Parivar's repertoire, by offering the coconut water to Anna Hazare to

break his fast through two girls, one dalit and the other Muslim. It needed to know that alienation of these communities has gone little deeper to be dispelled by such a stereotypical symbolism.

### **Lokpal as a Savior**

Nobody can oppose the need to strengthen the mechanism to curb corruption in the country. But to believe that something like new oligarchic set up of Lokpal will do the magic, just because it worked in Scandinavia and other such countries, is unjustified. Most Acts in most countries are essentially similar but the result they produce is drastically different. It has to do with the cultural paradigm in which they work. There is a case to take cognizance of these issues at this stage. Insofar corruption can be seen as the outcome of the power asymmetry in society; unlike other societies it appears qualitatively endemic to our caste culture with its rigid hierarchies. This culture has produced the doublespeak of the elite, expressing altruistic concern for people but at the same time continuing with their exploitation. It is integral part of our culture that distinguishes us as arguably most corrupt people in the world. India's corruption ranking by Transparency International also does not catch this reality. The African countries that appear more corrupt than us by those ranks also were basically taught corruption by the Indian migrants. The Swiss Banking Association report of 2008 had indicated (mysteriously not being mentioned anymore these days) whooping \$ 1891 billion of Indian black money deposits in Swiss bank, more than all the black money deposits of all countries in the world. It perhaps better portrays our character. The remedy therefore becomes eradicating socio-economic inequality from the society. The Lokpal prescription does not reflect this diagnosis of the disease and instead focuses on mere symptom.

Anna and his team believe that 50-60 % of corruption can be eliminated if their Lokpal is installed. The entire premise of the campaign is on creating an independent and

incorruptible agency, which will curb corruption from the entire political class and bureaucracy. Theoretically speaking, constitution of such an agency itself is next to impossibility because in our culture those in public prominence from amongst whom such a selection would be made cannot be conceived to be beyond corruption; the honest and sincere people having been thrown out of their arena. Paradoxically, they may be found in Indian jails charged under sedition Act. Many people have raised genuine issues as regard its practicability and efficacy and they cannot be just ignored. The Lokpal or Jan Lokpal will one more oligarchic institution to be borne by the toiling masses of this country. Take for example any of the recent scams and ask a simple question whether Lokpal would have really deterred these scamsters? Would this Bill have prevented the CWG scam, the NTR scam, the CVC appointment or any of the recent embarrassments? Only the incorrigible optimist might answer the question in affirmative.

The kind of corruption the Team Anna speaks about also has its identifiable source but it scrupulously avoided speaking about it. The Global Financial Integrity (GFI) study titled "The drivers and dynamics of illicit financial flows from India: 1948-2008" by economist Dev Kar estimates that out of \$ 462 billion siphoned out of India during the 61 years period, 68 % is attributable to the post-reform period of just 18 years. There are many such country studies and acknowledgement from the protagonists of neoliberalism itself that confirm that neoliberal policies have caused the new genre of corruption. Instead of pointing out at this source, the Lokpal campaign rather effectively diverted peoples' attention from it. Let Anna undertake fast unto death for stopping the economic reforms of the government in order to curb corruption and then see how many people come to Ramlila and what way the state reacts! Instead of identifying the structure and systems as the source of corruption, the campaign is focusing on individuals, forgetting the fundamental dictum that individual behavior is a function

of little self and much of situation. This country has been after saviours for far too long. We had many saviours; every caste and community has its own. The middle classes found their savior in Anna Hazare to cleanse this country of evils. They propose savior in Lokpal. Saviours have come and gone; the only thing that they did was to damage the consciousness of people that it is they who are the harbinger of change.

## **Conclusion**

Anna Hazare, a simple old man, that benevolent chieftain of sorts from a remote village who has earned certain reputation pursuing causes that he believed in steadfastly, has come up at the national level as a miracle man through this movement. But the credit for the miracle halfway through must go to the media that worked relentlessly to build up and project his image. The media, which easily adopts a *holier than thou* kind of attitude, can itself be marked for corruption in its omissions and commissions. That it is a business, pure and simple, and conduct itself with certain business strategy is a settled question. Even in earlier times, notwithstanding its pretensions to responsibility and ethics, it was a business. But then the business strategy had a dimension called 'long term' which impelled media to establish its credibility and ethical image, ignoring the lures of short term. Now, the product life cycles have become so small that almost this long term has disappeared from strategy consideration and short term has overtaken everything. The media therefore unabashedly seeks revenue maximization through TRP and for that goes to any extent manufacturing news. Taking its social consequences, this very process itself can be condemned as corruption. But who will say this to whom; when media controls entire communication in our age. The enormous power the media wields, can easily create miracles of the kind out of practically anything, if it finds potential to serve its own interests.

As discussed, this movement has steered clear of the root causes of the disease of corruption and pitched its

prescriptions around corruption as symptom. It is also indicated that if it had done the former, it would have never got the kind of support it received. Such simplistic and superficial diagnosis of social matters is characteristic of neoliberal ideology and fits well with the class character of the middle classes who like just patch up solution that can bring them incremental benefits while preserving what they have. Instinctively they are scared of going to roots of the problem because it would demand radical overhaul of the system which could threaten their own possession. Taking the aspirations and frustrations of this class, this movement had just the right mix to attract it. Their perception of corruption is constricted; it is limited to politicians and bureaucracy. They would not by mistake touch corporations and businessmen who are the main feeders, the fountainhead of this corruption. They would not similarly touch NGOs of various hues that are conduits of neoliberal ideology and yes, the media.

The greatest win of the movement lies in galvanizing the neoliberal middle class, which generally remained apathetic to politics, to make a statement on road. They have effectively created an illusion that the system could be 'revolutionized' through introducing legislative reforms like Lokpal and changes in election system or bringing in 'good' people in place of bad ones. They thwart the possibility of revolt which the situation is fast driving people to. The campaign has already prevented people from seeing the real rot in the system; it's real disease and diverted their attention to symptom. Many people called it a revolution, not knowing what stuff the revolutions are made of. Well, if it qualifies to be a revolution, we may have to call it a neoliberal revolution!

PART – III

**ANNA AND THE TEAM:  
BACKGROUND**

# 8

## The Making of an Authority: Anna Hazare in Ralegan Siddhi

*Mukul Sharma*

This article is focussed mainly on understanding how exactly the rural environmental works in the journey of Anna Hazare and Ralegan Sidhi are articulated within a coherent ideological framework, to acquire their legitimacy and authority, which are fed by, and fed into, some dominant political cultures of the state. Any political theory and practice, built on this framework, can open the possibilities of a strengthening of the conservative and nationalist forces. Certainly, the ideology of a rural organisation or a movement and its appeal is not based on a single plank. In the case of Anna Hazare and his programme, though the developmental and the environmental works form the core of its ideological structures, it includes other issues as well. At times it provides a different scale of activities to its audience, but eventually reinforces its principal ideological framework. Some understanding of the ideological DNA of the green villagers and the fellow environmental travellers also gives us an idea as to what elements of this endeavour and ideology motivate villagers and environmentalists.

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## The Historical Context of Maharashtra

Anna Hazare and Ralegan Siddhi are not a new addition to the social history of the Maharashtra state. Indeed, the movement has borrowed many features from the historical evolution of the region, and the political culture of the state, with which it negotiates at different levels. There are many factors at play, though three are of prime importance in the context of this paper: (i) nativism and regionalism in Maharashtrian culture and politics (ii) structure and nature of caste and class and (iii) agrarian economy and local environmentalism.

(i) In his pioneering work on Shiv Sena in Mumbai, Dipankar Gupta gives an overview of the nativism in the culture and politics of Maharashtra. He shows how the popularity and mass appeal of Samayukta Maharashtra Samithi (SMS) and Shiv Sena were made possible by relying on certain dominant sentiments among the Maharashtrians, especially regarding the exclusiveness and superiority of their culture and history. The Maratha empire of 18th century became not only a bastion of Hinduism, the *Hindu pad padshahi*, but was also the last haven for the indigenous population. In the early 20th century, it was initially under the leadership of Gopal Krishna Gokhale and later under Lokmanya Tilak, who revived Ganpati and Shivaji festivals, that the Maharashtrians tried to reassert themselves in the mainstream of India's national and political life by reemphasizing the high points of Maharashtrian history. The SMS and Shiv Sena systematically tapped these sentiments. Shivaji was especially glorified and became a public God and hero. Religious public festivals, particularly the Ganpati festival, have also supplied a strong input in the creation of Maharashtra's cultural identity since the 1890s. Ganpati was an 'overcomer of obstacles' and thus was a useful symbol for a protest movement. In contemporary India, the event has become a focal point for community and national identities in the making.

(ii) Western India under the Peshwa rule was a religiously hierarchical society. British rule reinforced caste inequalities by adding to the older religious authority of Brahmans a formidable new range of administrative and political powers. The nineteenth century also witnessed strong social movements of the low and middle castes against the upper caste dominance. The present jati pyramid of Maharashtra is composed of Brahmins, elite Marathas claiming Kshatriya ancestry, peasant Marathas (often known as Kunbis), artisan and service jatis, and Dalits such as Mahars. In a majority of the villages, Marathas are the dominant hegemonic caste and class, controlling economic and social orders. Estimates claim the Maratha-Kunbi cluster to be about 50 per cent in rural Maharashtra. They have used the policy processes of pluralist democracy to their maximum advantage.

(iii) It is partially possible to explain Maharashtra's distinct culture on the basis of cultural ecology. The region witnessed a flowering of its culture when the environment was congenial, and the quality of life deteriorated when conditions were adverse. Other than the plateau like morphology, a significant feature of the state is the rainfall, as variability is high and droughts are common. Land reforms in the state were taken up in two phases – before 1965 and in the early 1970s. However, the implementation process was not only tardy; it revealed many imperfections. Uneven regional development, emergence of a class of rural elites and active social movements of peasants are other characteristics determining the rural polity of the state. Cooperatives, panchayats and educational institutions in villages are dominated by rich Marathas. They act as patrons, extending help in employment, benefits of government programmes and providing few positions in local bodies. Those who receive help feel subservient to them.

In India, various environmental movements, particularly since the 1970s, have been born in this rural environment. Some inspiring and persuasive leaders on the ground have emerged in the process. In Maharashtra, from Phule to

Ambedkar and Baba Amte, from the protection of sacred groves in village Gani of Shrivardhan taluk to the building of Baliraja dam in Tandulwadi village of Sangli district, there have been several instances of rural local environmentalism. These historical complexities provide a background for the movement of Anna Hazare.

### **Ralegan Siddhi and Anna Hazare: A Profile**

Ralegan Siddhi and its leader Anna Hazare are widely hailed. According to Anil Agarwal and Sunita Narain, Anna Hazare has emerged as one of India's leading environmental warrior. Another study says that social development towards an ethical and egalitarian society has preceded as well as accompanied development in Ralegan. Anna Hazare has received the Padmashree and Padmabhushan Awards, and others like Krishi Bhushan and Vasantrya Naik Award. Today Ralegan Siddhi village, in the Ahmadnagar district, looks fresh and green in an otherwise hilly, dry and dusty region. Ahmadnagar district, one of the largest in the area, is situated partly in the upper Godavari basin and partly in the Bhima basin. It has a total area of 17,035 square kms, number of 776,787 households and a population of 4,040,642, out of which the rural population is 3,236,945. Climatically, most of the district receives a precarious rainfall of 500-600 cms. Practically it falls within a chronic scarcity zone in which acute shortage of food and fodder is a repeated occurrence once in three to eight years.

Ralegan Siddhi has a population of 2317, and 434 households. The total SC and ST population is 171 and 32 respectively. The caste composition of the village, consisting of 310 families, has always been even: except for 46 families of scheduled castes, all others are Marathas. The total geographical area of the village is 982.31 hectare. The distribution of land holdings is uneven. Out of a total agricultural area of 638.94 hectare, only 30 families have more than four hectares, 62 families have between two to four hectares and all the rest have either one or two hectares or

no land. However, everyone had been suffering due to a lack of irrigation water and scanty agriculture. There were a few wells, which could irrigate only a few hectares of land.

However, under the leadership of Anna Hazare, the village evolved a different path of watershed development. Villagers constructed storage ponds/reservoirs and nala bunds in a series, along the 30 to 45 meter high hills, surrounding the village. Nala bunds were of different kinds, big and small, open and underground. Between these, extensive plantation was done. Soon the hills and the nearby areas were all covered with bunds, trenches, nalas and plants. In short, 31 nala bunds were done, with a storage capacity estimated at 2,82,182 cubic meters and covering an area of 605 hectares. Four lakh trees have been planted until date.

‘Water should not be seen on the surface, it should be caught hold and kept below’, was the guiding principle, in the words of Anna. Positive results were soon visible. The area of agriculture and yield increased, and the groundwater level, which was 100 feet down, came up to 40-50 feet. The wells and ponds also were filled and now even in a year without rain, the village is not without water. *Shramshakti dwara Gramin Vikas* (Rural Development through Labour) has been Anna’s slogan in all these years, which is now being appropriated by the state government, to design a rural development programme for the entire state.

We witnessed in the village several efforts woven around the concept of *daan*, i.e. offering, by the villagers themselves. The school and its attached hostel building came up due to such efforts. The school children had to offer shramdan as part of their daily curriculum. Thakaram Raut, Headmaster of the Vidyalaya, detailed how every morning children did the cleaning up of some portion of the village. Daan also led to a ‘Grain Bank’ in the village. Mobilising the villagers was an important strategy of Anna Hazare. He encouraged the active participation of people in the planning and decision-making processes of various programmes, so that ‘the village is built through the creative, productive and innovative hard-

work of people themselves.' There were 14 *vividh karyakari societies* in the village, dealing with forestry, water, co-operative, school, etc. Women ruled the village panchayat, so much so that all nine members of it were women. Santa Bai Maghari, sarpanch of the panchayat spoke about how they were elected unopposed according to the wishes of Anna, as he wanted women to contribute significantly in the village's development.

### **The Meaning of Anna Hazare**

A middle-aged bachelor clad in khadi, Anna Hazare lives in the village mandir, which he renovated out of his savings, after retiring from the army. 'God is not in the temple and is realised through work. But the people gather at the temple, to create oneness in their task', he explains. A person who possesses characteristics of public-spiritedness, honesty, simplicity, and self-sacrifice for the good of the community, and who holds absolute power and command in his village — this is Anna Hazare. His power seems all encompassing and has come through a long and dynamic process of interaction with his village, activists, bureaucracy and government. It is characterised by culture, tradition and religion, and deployment of natural and human resources, including persuasion, coercion, and possibly suppression.

### **A Belief System**

The basis for the authority of Anna comes from a belief system, where the people following him consider it their natural duty to obey, and the exercising person thinks it a natural right to rule. The people justify their belief as rational and absolute, and follow the authority on a stable, durable basis. Ganpat Pidi Aaauti, a former village sarpanch for many years, narrates: 'Whatever Anna says, we do. The whole village follows his words. Anna's orders work like the army.' For another villager, Lakshman Pathare, 'Annajee is like God. Whatever work he will assign, I will fulfill. Annajee has become my nature, my habit. He is my heart.'

There is an absolute recognition of an authority locally, in several internalised ways. This authority stands on a common ground of moral values, which constitute its ideology. They become the structures of governance, and work as normative regulations, based on a wide consensus. They have a great bearing on the means to be applied and the goals to be achieved. Here they work through a central figure, who strives for social unity. Environmental issues can provide a basis to evolve a common consensus, due to their sheer intensity and appeal in a given situation, and in the process even become hegemonic.

Until 1975, Ralegan was marked by poverty, unemployment, migration, malnutrition, recurring drought and environmental degradation. In this scenario the watershed management programme was intended to be a uniting point that could subside and mix all the contending and conflicting elements into a common will. The *Adarsh Gaon Yojana* is an attempt 'to motivate villagers in the selected adarsh (ideal) villages to integrate into their lives the principles of conservation', remarks Anna.

To forge a common will, an all-pervasive concept of unity becomes a crucial factor for an environmental organisation, which can be created through logic and/or coercion. According to Anna, rural development must become a powerful instrument of national regeneration and for this the village people have to work together with the firm conviction that 'Our Village Is One Family'. Unity becomes the representative of all interests, substituting all other structures of political institutions. Thus, in most of the villages under the program, for the first time in years the sarpanch of the village has been nominated through consensus. Elections are not welcomed. This is considered a significant step towards removing conflicts within the village and unifying it for development.

History and culture become reference points in the search for a common good. An environmental movement can use the given and accepted cultural symbols of a glorified mythic

past to fulfill its needs of the present. They are part of the dominant value system, and can very well fit with the contemporary body politic. Anna declares:

“In olden days, our country had much wealth. We had a great civilisation. Our people were strong. Our villages were the place of mutual love, affinity and closeness. There was a lot of community work. Our mythology gives us a reference of 33 crore Gods.... Now we have lost our national culture, pride and spirit.”

Symbols of the past are referred to functionally:

Great men like Chhatrapati Shivaji could have easily led a luxurious life if he had accepted to be a Sardar of the Mogul kings. But he sacrificed it for the uplift and welfare of the ordinary people.

### ***Force and Punishment***

In the process of social transformation, Anna believes, advise, persuasion or counselling do not always work and occasionally force has to be applied. The fear of physical force works. However, it cannot be applied permanently and has to be replaced by a more durable moral force. Anna says that a social worker is like a mother. A mother nurses her child and on his mistakes slaps him. Nobody questions the right of a mother to slap her son/daughter and give punishment to her children. Even the children accept it. Similarly, a social worker cares for the community and selflessly works for their upliftment. Thus, he can occasionally apply force, and the way the community accepts other roles of a social worker, similarly it also takes the punishment.

An environmental authority has to use force to implement its laws, and to hold and strengthen trust in its authority. Force can be applied in many forms, physical and social, and often the simple persistent fear of its application regulates society. Force gives a safe and solid grounding to socially accepted values. Continuous use of force is justified on the ground that it serves a societal goal and a collective will. Its

need is also internalised by many people, not only because it is seen as not targeting them, but also because they start believing in its worth. Force becomes an integral part of an environmentally sound and socially harmonious society.

When Anna Hazare started his work in Ralegan, alcoholism was a serious problem among the villagers. There were a number of liquor brewing units in the village. Anna decided to take up the issue, along with the watershed management programme. In a meeting called by him in the village temple, it was resolved to close down the liquor dens and ban the drinking of alcohol in the village. Many brewing units closed down voluntarily after this resolve. It reduced alcoholism, but some villagers continued to drink. Then it was decided that anybody taking liquor would be physically punished. Anna stated that there is a pole in front of the village temple. Many people found to be taking liquor had to be tied up with it and flogged.

It is not only Anna Hazare who proposes flogging and fear as essential parts of a green village; it has its wide audience. A moral authority using force also makes room for a social ethos, where it is put on a high pedestal. It is remarked: 'Social consciousness against drinking has been raised to such an extent that a drunken person can be brought to the centre of the village and thrashed and no one will object.' Flogging and fear become a part of everyday life and belief. Not only the authority employing it has the sanction to use it; others legitimise its use. Pathare Bala Sahab Ganpat's accounts:

"In previous days, there were liquor brewing units in the village. They all are closed now. Annajee gives punishment to those that take liquor. The person is tied to the pole and flogged overnight. The gram sabha has decided to form a group of 25 youth of the village, who can also give this punishment to the drunkards. Only last year, two-three villagers were caught in a drunken state. Annajee and the youth gave them the standard punishment and then handed them over to the police."

The use of punishment got its expression within the ambit of law and elected representatives. A vice sarpanch of the village, Kailash Pote, says, 'I was drinking. I was also tied to the pole and flogged two-three times. It is normal. Annajee will try to make you understand once or twice and thereafter, he will beat you badly.' The need for fear and punishment in the social organisation becomes all-pervasive. Anna states:

"Mere existence of a family planning law does not help; its rigid implementation is warranted. This law should be made applicable to all persons living in India, irrespective of caste or creed and if necessary by force.... We have had the practical experience of need of force while implementing family planning measures in Ralegan Siddhi and hence this conclusion!"

### ***Religion and Religious Symbols***

Religion and religious symbols are potent resources for legitimisation of a particular regime and authority. In a so-called environmentally sound ideal village, religion becomes a vehicle for transformation and imposition. Its embodiment in certain places/people legitimizes them. The command-obedience relationship also gets its rationale from the belief that a God or a temple is 'supreme' and any decision taken in front of them must be obeyed. An ideal village originates from the temple, the God or their power crystallised in an authority.

Anna Hazare began the village development work along with the rebuilding of the temple, which has been at the centre of his activities. A sense of collective identity had to be achieved and the renovation of a dilapidated temple, out of his savings from the provident fund and gratuity, proved the best way to achieve it. Anna thinks that this gave people an emotional unity, a sense of oneness, of an inner self with God. The village temple slowly turned into a place of village meetings, weddings and other religious ceremonies. A community and family feeling strengthened. In addition, a temple has an atmosphere of purity and sanctity. Decisions

taken in a temple are believed to have the sanction of God and people are more likely to follow them.

Anna Hazare uniquely combines many aspects of religion. For him, religion is also 'spirituality' and 'humanity is the core of each religion'. He also propounds that 'just as we have the concept of God within the four walls of a temple, we have to enlarge this concept to perceive our village and the country as a large temple and the inhabitants therein as almighty Gods. We must worship them as we worship God.' His God is not only supreme, but also reachable, which can be called, aroused and appropriated for contemporary needs. According to him, Lord Rama set an ideal before every citizen of how to conduct everyday life by his own example. It is possible to reincarnate a familiar, earthy God by a legitimate authority. Anna reiterates, 'There is need for Lord Shri Krishna to reincarnate and save the country, in the form of united strength of intellectuals of good character active in social work, economic endeavour, religious guidance and politics.'

### ***Rules and Codes***

It is not only environmental rules, but also rules governing the entire socio-political life of people that make an authority acceptable. Those who make these rules and those who obey them are legitimate; others illegitimate/illegal. The rules should not only be comprehensive; they should be exercised in the broadest possible way. This is further possible if the rules and their adherence are ensured in an atmosphere of traditional patron-client relations. Anna Hazare is deeply concerned with rules and norms, which according to him, are benchmarks for an activist. He has a definite model for them:

"The daily routine enforced in the army such as getting up early in the morning, the jogging and the physical training thereafter, the cleanliness of body, clothing, living quarters and the neighbourhood etc. led to development of a disciplined life, benefits of which I am availing of even today.

The habit of giving due respect and regard to the seniors by age, post, or competence was inculcated in us...This has helped me in conducting the village development work at Ralegan Siddhi according to the rules and regulations decided by us by common consent."

Others reciprocate this language. Villager H.Y. Mapari, who used to be in the army, says, 'This village works like an army. As a commandant, Anna orders and we follow.' Likewise, 43 year old Lakshman Pathare says, 'I am an army man and my ideology is the same as Annajee. Army's discipline is the ideal. Obedience is your habit there.'

Five universal rules have evolved out of the developmental experiences in Ralegan. They are *arenasbandi* (restriction of family size), *nashabandi* (ban on alcohol), *charaibandi* (ban on free grazing), *kurhabandi* (ban on tree felling) and *shramdan* (donation of voluntary labour for community welfare). It is mandatory for the villagers to take oath that they will follow these rules. The path of rural development here depends in a large measure on many other 'dos' and 'don'ts'. No shop in Ralegan can sell bidis or cigarettes. Film songs and movies are not allowed. Only religious films, like Sant Tuka Ram, Sant Gyaneshwar can be screened. Only religious songs are allowed on loudspeakers at the time of marriages. Says Kailash Pote: 'Last year a villager, who is a Mahar by caste and a driver by profession, got a dish antenna installed in his house and started watching cable. Anna scolded him severely and he had to apologise.'

Acquiescence is the key word here. People, as an individual and as a collective, give their assent to these rules. They are not always afraid of punishment. The initial persuasion and fear give way to a wilful acceptance. The external manifestation of acceptance is dissolved in internal believing, and the environmental regime in Ralegan thrives on this. It is emphasised in the village that the villagers themselves decided not to sell bidis in their shops; they themselves do not watch films or listen to film songs. However, the language of acquiescence can be highly

brahminical and hegemonic. The narrative of Anna Hazare on the importance of vegetarianism is a case in point. He first contextualises the issue within the Hindu philosophy. After deliberating on how excessive non-vegetarianism has led to human beings shedding their innate peaceful nature and acquiring aggressive and cruel characteristics of animal kingdom, how vegetarian creatures are normally peaceful and lead a harmless life unless provoked, and how our own saints have propagated a vegetarian diet from old times, he goes on to say: "We presented all these considerations to the people of Ralegan Siddhi and they were influenced by this to such an extent that there is no longer anybody who eats meat and all villagers have adopted vegetarian diet." Dalits too have been targeted here. Says Anna:

"We used to go to their area sometimes and sat in front of one house. People used to gather there, wondering how this high-caste person has come to their place. This way, a faith relationship came into being. Sometimes we asked from them water to drink and had food together. Based on this relationship, we started telling them the reasons why people kept them at a distance. We said that the society condemns you because your living is dirty, your food habits are dirty, and your thinking is dirty. Therefore, you have to change. With such constant hammering, the Dalits were also made vegetarian."

Accomplishment has been a hallmark of this environmental movement, which has consolidated the moral authority of Anna. Everyday discourses around economic achievements have strengthened this authority. As villager Mapari Ramdas says, 'It was difficult to even feed oneself in the previous days. Now those days are over. It is all because of Anna's grace that we are managing our family well.' Sakara Bai Ganpat Gajare was a panchayat member for five years. She is satisfied that drinking has stopped, and the village is free from wife beating. The sense of accomplishments thus goes beyond the material and the physical, and provides a basis for a regime.

The real and perceived feeling of continuous accomplishment in Ralegan has two other distinct elements. Firstly, the village system can legitimately claim to make broader and long-term policies, covering not only the physical environment, but also the social, political and cultural life of the village. More important, achievement establishes its own institutions, justifying its own structure of governance. There have been no elections of gram panchayat in the village since the last 24 years. No elections have been held in cooperative societies as well. Anna expresses:

“In the *gram sabha*, representatives to the panchayat as well as of the societies are nominated. Elections were not allowed here, as they bring party politics and divide the people. Electioneering also destroys the unity in the village.”

Anna Hazare takes every possible opportunity to sharply question electoral and party politics and remarks that power and politics cause corruption. Those who wish to involve themselves in our anti-corruption movement, will have to take pledge not to get involved in party-politics, nor to contest elections. There is no space for formal structures of democracy here. In the village, there is no poster or pamphlet allowed during the state/national elections. No direct election campaigning can take place. Says Machindra Balwant Sendge, a villager, ‘In our village, the offices of political parties, their signboards or flags do not exist. We never allow them to be here.’

### ***Setting Goals***

Anna Hazare believes in setting aims and objectives for the individual and the society. For individuals, they can be as hard as ‘dedicating his life entirely to his work’, and ‘ready to face death if necessary’. For the society, they can be as wide as ‘the achievement of an ideal village’ and ‘watershed development’. The environmental objectives become the driving force here, while means, processes, freedom or democracy take a back seat. To use the experiences of Ralegan at a macro level, the Government of Maharashtra launched

the Adarsh Gaon Yojana in 1992. The programme, aimed at developing 300 villages in Maharashtra using Ralegan as a model, was spearheaded by Anna. The budget for each selected village was Rs. 50 lakhs. The funds were routed through the Adarsh Gram Office, headed by Anna. The objective of the programme was to demonstrate that an individual, a family, and a village can become self-sufficient, with sustainable use of environment.

Concepts of 'an ideal village' and 'self-reliance and self-sufficiency as stressed by Mahatma Gandhi' have been frequently used to legitimise certain policies in independent India, including the above. They profess their success on a strict following of certain principles, which are legitimised by personal authority and official sanctions conferred on them. The process of idealising and replicating an environmental model negate the possibility of holding any other version of rural development as truthful and correct. This value system denies the existence of conflict and contradiction, and places 'natural' harmony as the ultimate ideal.

### ***Nation and Nation-building***

Anna Hazare in the end states:

"I close this story of the village development at Ralegan Siddhi with the fervent request and hope that every village should achieve similar success and build our India into a strong, powerful nation."

A colourful poster, carrying the slogan 'Ideal Village, Ideal Nation' is displayed in many parts of Ralegan. The idea of a strong nation is firmly entrenched in the consciousness and work of Anna. An environmentally sound rural development is an effective means to make that idea a reality. Nation is a matter of life and death for Anna. The meaning of a nation took specific shape in him at the time of the Indo-China war in 1962 and crystallised during the Indo-Pak war in 1965.

Narratives of war, army and enemy remain the core

references in much of the discourse on nation and rural development in Ralegan. This has also something to do with the circumstantial fact that more than 200 people from this village are serving in the Indian army, and most of the families have at least one member employed there. In Ralegan, expressions like 'national regeneration', 'wholesome crop of national glory through comprehensive rural development' are coupled with others like 'We have to hold the nation. Otherwise, Pakistan will grab it. That is why we consciously send our sons to the army.'

These thoughts can well merge with the rural development discourse in the village, 'The way army jawans jointly attack enemies and control them; we can similarly tackle the problems here in the village.' They continue to maintain their salience in the present by arousing an emotional cord of sacrifice, devotion and determination as an effective response to the nation today.

### ***Morality***

The concept of morality and subsequent codes/behaviours/practices based on it are important elements in Anna Hazare's notion of environmental and rural development. An author remarks:

"Anna's leadership is 'moral'. Ralegan's example has shown that moral leadership works with the people even 50 years after the death of Mahatma Gandhi. Sacrifice has always been highly valued in Hindu philosophy."

There is a strong personal basis to Anna's concept of morality, which has evolved with his life experiences. This has been often highlighted. However, there is very little emphasis on his concept of morality being and becoming a basis for a strong nation, where morality is defined through a pure cultural environment. Anna's concern with the moral is couched in his discourse of the nation, 'Nurturing moral values is essential for nation building.' The moral preaching of Anna developed as an encompassing tool for influencing the villagers. Slowly it became an integral part of a moral

regime, not only to get rid of liquor, smoking or non-vegetarianism, but also to exercise control over the private and the public, the personal and the political.

Anna Hazare's sense of morality is wide-ranging, spelling out details of everyday social life. At various points he says, 'People should have good samskar to do service. They should believe in nishkam karmayog'; 'Differences between the rich and the poor will remain, but the poor should get some share of the prosperity'. For school children there is moral education and practice, comprising physical training, body building, patriotism, obedience, samskars and Hindu culture. Doing surya namaskar and chanting Om is regular for the students. For women, it is stressed that they should certainly look after the household but they must also participate in activities intended to help their community and country. It is stated, 'Woman is the Universal Mother, The Great Mother. Many such Great Mothers have given birth to Great Sons — Chhatrapati Shivaji Maharaj, Swami Vivekananda for instance. She is also a symbol of purity, sublime as well as innate strength. She can, if she means it, make a God out of a mortal being and build a model, healthy society.' Morality here is integrated in such a way that directs the everyday life of a society in a hierarchical moral order.

It is significant that much of the problematisation of morality of children, youth and village is done in the context of influence of western, modern culture. 'Western lifestyle', 'modern development' and 'invasion of western culture' invariably emerge as repeated expressions, signifying the collapse of morality in modern India. Further, the external environment, like the 'indecent' cinema posters, TV, or video shows of 'undesirable' moral values, 'lurid' songs and 'pornographic' books on the roadside stalls are viewed as undermining the integrity of people. Alongside runs a parallel anxiety about the integrity and health of India as a nation-state, due to falling moral standards. The unification of these two anxieties under the fold of morality speaks in a

voice of well being for the villagers, but is intimately associated with a precise regimen of nation.

### *Dalits*

In Ralegan, there are a few Mahars, Chamars, Matangs, Nhavi, Bharhadi and Sutars. Barring a few STs besides them, the rest of the villagers are Marathas. Since the beginning of his work, Anna has been particularly emphasising the removal of untouchability and discrimination on caste basis meted out to people, who are popularly referred to as Harijans here. There have been several efforts on his part to do away with the ban on Harijans' entry into the temple and to allow them to take water from the same well. They are associated with committees, formed to run the village affairs, and take part in several village functions and festivals. Occasionally, they cook or serve food to all the villagers and even perform puja. The village once repaid the bank a loan of Rs. 75,000, taken by Dalit families. In many economic programmes, they have been chosen to be the first beneficiaries. The concept of 'village as a joint family', or all inhabitants of the village as 'almighty God', has prompted the villagers to pay attention to the problems of Harijans.

However, Dalits have a different perception. Kailash Pote, a landless Chamar, gives a different meaning to village, family and Hindu religion:

"We do not call Ralegan Siddhi a village. We call it a family in which Annajee is the headman and we are the people who provide service to the family. Here Hindus mean Marathas only. We Chamars and Mahars are never called Hindus. How can we claim that everybody is equal here? People who have land or jobs in the military have a different level of development. There is a lot of difference between them and me."

Lakshman Dondiwa, another Dalit, was injured in police firing in the course of an agitation for electricity in the village many years ago. He still remembers how Anna took care of him like a mother. He and other members of his caste are

now free from the clutches of moneylenders and he is a devotee of Anna. However, he goes on to remark: 'We have food, clothing and house now. But that is all. There is nothing more to it than that. Shoes are for feet and will always be placed there. We will never be able to go ahead beyond this point. The village ethos is like this.' 25 year old Kailash is landless. He knows driving and has a licence for it, but he survives on wage labour. He utters: 'I was poor before and am poor now. We were starving in the past and the situation has not changed for me. I cannot even afford the education of my children. I cannot even open my mouth. Whatever is said in this village, it has to be followed.'

There are three houses of Matangs in the village. They are still tied to their traditional occupation of making brooms and ropes. They are also agricultural labourers. They have some forestland, but according to them, it is only giving fodder for cattle. One of them remarks, 'We get work in the village. However, it is barely enough. We need some support, work or job. Since there is no alternative, we try to be happy.'

Mathura Dharmagadka was a vice sarpanch until last year. During her time, there was an all-women panchayat for five years. She remarks:

"We women learnt how to run the panchayat and since there was no male member, we could speak freely. However, we cannot do anything about the wage difference between male and female labourers in the village. A male labourer gets Rs. 50 a day, whereas it is only Rs. 30 for females."

Namdeo Arjun Mapari, a poor Maratha, also has a dissenting note. He has two acres of land, but it is mostly rocky and unproductive. He and all his three sons work as agricultural labourers. He comments: 'We all worked for the development of the village. I did shramdan along with other villagers. Our village and watershed programme are world famous. However, in our land and well, there is no water. We have not benefited from all the water flowing in the village.'

There can be many explanations about the way Dalits are placed in Ralegan. Within the locality and community, they are largely still tied to their traditionally given status and occupation. Simultaneously, possession of land, utilisation of water, labour relations and wages, and other forms of power exist and work against the Dalits. Notion of Dalits being 'dirty' still prevail. And the village republic works in such a way that broader values and codes assigned within it are never challenged. Dalits' own perceptions are clearly formed as much from authoritarian discourse as from their own contesting experiences.

The integration of Dalits into an ideal village has two components in Ralegan. One is to assume that they were always there to perform some duties and necessary services and that their usefulness justifies their existence in the present. Anna expresses:

"It was Mahatma Gandhi's vision that every village should have one Chamar, one Sunar, one Kumhar and so on. They should all do their work according to their role and occupation, and in this way, a village will be self-dependent. This is what we are practising in Ralegan Siddhi. "

The other component is hegemonic, designed to get Dalits into a brahminical fold. It is not only manifested in the way food or dress habits are propagated; it is prevalent in several other forms. It is significant that the *Organiser*, the mouthpiece of RSS, carried a series of articles on Anna Hazare and Ralegan Siddhi, in which the writer expressed his deep admiration for the model being followed. Regarding the incorporation of Dalits by Anna, he remarks:

"Anna-saheb Hajare imprinted on the minds of the villagers that, as children of the same God, any discrimination on the basis of one's birth would be reprehensible to Him.... To start with, the young workers called a meeting of the Harijans in the village. Together they decided to bury the bitter memories of the past and start a fresh page of social equality and harmony. On their part, the Harijans decided to give up carrying of dead animals, eating their flesh and

also vices like ganja, gambling, etc. The meeting was followed by efforts for cleanliness and sanitation in their houses and their neighbourhood and imparting of healthy samskaras to their children."

Anna Hazare's concern for Dalits works at many levels. One is the ritual organised for the Dalits, to integrate them into a whole. Here the ritual centrality of the dominant caste is significant. These rituals also come through his totalling discourse on purity and pollution, in which is embraced political and economic power. Here we can also see the importance of practices of gift giving, for the cultural construction of dominance. In Ralegan Siddhi, the position of Dalits is grounded not only in rituals or in a language of integration, but also in the concept of a united family, cemented by the continuous reference to religion, the centrality of the dominant caste, and the authority of an environmental leader.

In spite of the apparent diversities that characterise the various elements that make up Anna Hazare and Ralegan Siddhi, we find that there is an underlying thread of unity in the ideological system of a green village. Authority and its legitimacy is the key to Anna Hazare. Not only is this authority deeply rooted in the dominant socio-political tradition of the region; it is often blind to many basic and universal issues of rights, democracy and justice. There are other obvious limitations. Even when the personal moral authority genuinely motivated, it is difficult to imbibe, evolve and transfer personal moral authority to independent successors and followers, as there is a basic lack of a plural and democratic culture.

The legitimisation of a moral authority is necessarily complex and variegated. This legitimisation at times is also an interactive process between the leader and the villager. Achieved as an outcome of a long journey, it is contingent, dynamic and continuously defined. Its cultivation is also non-ending. However, a command-obedience relationship is the basis of this ideal village, which is seen as legitimate, as it is

rooted in shared norms and values, in established rules and codes, in the exercising of power for the promotion of a community's common good, and in serving for the unity and integrity of the nation and nation-building. The sustainable use of natural resources in the village legitimates the belief of the villagers in the moral right of their leader to issue commands and the corresponding obligation of the people to obey such command.

## The Unholy Cow

*Shekhar Gupta*

In Vishal Bhardwaj's *Ishqiya*, the most adorable uncle-nephew pair of tramps (played brilliantly by Naseeruddin Shah and Arshad Warsi) is vying for the affections of Vidya Balan, apparently a widow whose eyelashes never cease to flutter. The "uncle" catches Warsi and Balan in what police press handouts would usually describe as a compromising position. Hurt and indignant, he accuses the nephew of indulging in cheap, lusty behaviour. There is a quick and devastating comeback from Arshad Warsi, who says to uncle Naseer: "Tumhara ishq ishq, aur humara ishq sex!" Devastating, indeed, as it questions a senior's moralistic hypocrisy where you set one standard for yourself, and another for the rest. But why are we recalling that exchange today?

Now go over what we have been hearing from several members of Team Anna as questions have been raised about their own past. One lot has been found getting very, very sexy farmhouse properties at very, very, very lucrative prices from Mayawati's government in a totally discretionary, and non-transparent, "allotment". Remember, it is an "allotment", not even a lottery, or first-come-first-served. Their defence:

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\* Shekhar Gupta is the Editor in Chief of Indian Express

yes, indeed, it looks rather unusual, and if somebody goes to court questioning these allotments he may have a good case. But that doesn't mean we will be returning these since we did no wrong.

Now please allow me the licence to translate that into simpler English: Mayawati was distributing these plots on some unknown and undisclosed criteria which look legally dodgy, but if I benefited in the process, why should I complain? If you have a problem, you go to the courts.

Now what if some of the beneficiaries in the Adarsh Housing society scam had used the same argument? They would have been called thieves and hypocrites, and charged with compounding their own original crime. So what would be pristine, charming, innocent love from a lonely uncle would be straightforward lust from a randy nephew.

Let's explore this further. Another member of Team Anna overstays his leave from his government job, flunks his employment bond, and is asked to pay back what is due to the government as per the law and procedure; it is still only Rs 9 lakh or so. And what is the answer? It is not that the government's claim is fake or even vindictive. It is just that, what do my former employers (the Central government in this case) think I was doing? Was I whiling away my time? I was campaigning for the RTI, which is so important for my countrymen. So even if I did not come to work meanwhile, or was effectively AWOL, the government should have the good sense to waive all claims on me. Waive all claims? Use discretion? Didn't you think this entire campaign was about curtailing discretion, ensuring rules are followed fully and no exceptions are made? And what if lakhs of absentee teachers in our government schools, who the Jan Lokpal is expected to straighten, find similar excuses?

Which leads us nicely to the more current story, involving so far the most respected and certainly most dramatically visible face of the Anna movement, who has been caught fudging her travel bills variously. Various because she has travelled economy but claimed business, travelled for one

host but asked two to pay for the same flight, travelled on deep-discounted tickets and claimed full fare. And here is her defence, variously: none of this money came to me; it came to my NGO which does such wonderful work. I only suffered the discomfort of economy-class travel to save money for my noble cause. That it is sinful to even attribute any corruption to me. Some of the explanation, in fact, has been more colourful. What if somebody invited me home and offered non-veg and veg food and I ate only vegetarian? This is where she starts running into problems.

No harm if you ate only vegetarian. But was it okay if you took your share of the non-vegetarian food home, irrespective of who you gave it to? And would it still be a kosher deal if you knew that this entire meal, veg and non-veg, had been funded by the taxpayer? Gets dodgy now, no?

Let me explain how. The angry and desperate defence unleashed by Team Anna following the expose by Assistant Editor Ajmer Singh in this newspaper on Thursday morning focuses entirely on the business/ economy-class issue. All that she did, the argument goes, was a non-violent, clever equivalent of Robin Hood. But what about the tickets bought at 75 per cent "gallantry award" discount from Indian Airlines and Air India and billed to her hosts at full price? Every paisa of these discounts on these fully state-owned and near-bankrupt airlines is paid for by the taxpayer. So, in this case, you vacuum-clean the tax rupees I, the honest taxpayer, offer you in my gratitude for your gallantry, and you divert them to your own gain, even if it is your own non-profit charity. Playing Robin Hood with money coming straight out of the Consolidated Fund of India? Maybe we do need that Jan Lokpal, after all. Would have been interesting to see how they would have dealt with something like this. And what if a political leader facing corruption charges tomorrow, like Rajiv Gandhi on Bofors or A. Raja on telecom, said hey, there was no personal gain here, I was only giving it to the party. Or Kanimozhi asked why are you raising such "silly and sinful" questions about money that has after all

gone to her NGO, and whose accounts are audited? You will run into that same uncle-nephew, Arshad Warsi-Naseeruddin Shah, love-and-lust equation.

Please note that at least we haven't yet committed the "sin" of calling somebody corrupt or even stupid. Because this argument is about arrogance and hypocrisy and not about greed or corruption. I would, in fact, go so far as to say that even if somebody came to me and said that he saw with his own eyes any of these members of Team Anna taking a bribe, I would question his sanity. They are victims of their own, unthinking, I-am-a-legend-in-my-own-eyes-so-how-could-I-have-ever-done-any-wrong arrogance. They set an impossible standard for others in the system, but fail to check if they have themselves fully lived up to it, because now they are exposed to the public gaze and will be fully, brutally tested against it. It is useful to recall former Supreme Court Chief Justice J.S. Verma's brilliant line when I once asked him if it was possible for an individual to change the system, build an institution. "It is possible," he said, "but you must have no past, and you must have no expectations in the future." Members of the now disintegrating Team Anna would do well to check if they pass this test.

The truth is that members of Team Anna are, individually, decent, well-meaning people. But the politics they have constructed is dangerously faulty, and the basic premise it is built on carries the trigger for self-destruction. They have built a highly personalised campaign, basically as if these 790 members of Parliament were responsible for all that is rotten with India. Unless their own past was perfect even by the impossibly high standards they have set for the rest of us, they should have expected a vicious fightback. Enough evidence has now surfaced that this Team Anna is no Team Gandhi. The more outrage it shows in its defence, the more hollow it sounds. The price, indeed, for holier-than-cow arrogance, hypocrisy and hubris.

PART – IV

**SECOND GANDHI: SECOND  
FREEDOM MOVEMENT?**

# 10

## Is Anna Hazare the New Gandhi?

*Asghar Ali Engineer*

Anna Hazare is emerging as another Gandhi and he is not only in every newspaper but also on almost every page of every newspaper for making UPA government to accept his demand to draft Lok Pal Bill with real teeth and having eighth members of civil society on the drafting panel. The UPA government had no other course but to accept Hazare's demand after having been exposed in several matters of corruption.

Since some of the ministers of UPA government and some bureaucrats having been involved in 2G scandals and in Common Wealth Games scandals, it was on a very weak wicket. There was an overwhelming response from civil society to Hazare's fast unto death, so the government easily gave in to Hazare's demand. Had it not been so it would not have been such a cakewalk for Hazare.

Hazare is being praised by the entire nation today and has become a role model for thousands of activists, and civil society also feels proud of him. This fight against corruption is also being described by some as the second fight for

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\* Asghar Ali Engineer is a scholar of Islam, writer-activist, recipient of Rights Livelihood Award (also known as Alternate Nobel)

independence. These are all short-term, emotional reactions. However, one should not go by such emotional assessment. One has to not only examine the long-term implications but also whether it is really such a dazzling moral victory as it is being made out to be.

I think since Hazare is being described as Gandhian and his struggle as Gandhian, we must first briefly reiterate what Gandhian values are and what, strictly speaking, Gandhian struggle ought to be. To begin with there are three essential elements of Gandhian struggle which cannot be compromised: truth, non-violence and utterly simple lifestyle. Of all the three, one element was surely present in Hazare's struggle i.e. non-violence.

It is really debatable whether the other two were present or not. Non-violence in the long run is possible if, and only if the struggle is based on truth and nothing but truth. Also, to sustain truth and non-violence a stark simplicity of one's lifestyle is a must and without it in no way truth can be sustained and that is why it has been so difficult to produce another Gandhi.

Now coming to overwhelming response to Anna's fast against corruption. Naturally corruption itself is based on high lifestyle, falsehood, greed and lies. Who have responded to Anna's struggle? There are three distinct elements: the middle classes whose lifestyle is far from simple, let alone starkly simple like Gandhi. Also, it is mainly middle class, which apart from big business, easily resorts to corruption for its own work done. It readily shells out money to get a berth in trains, it bribes municipal offices for certain extensions and unauthorized structures and also readily accepts bribe as petty government officials to allow illegal work and so on.

These middle classes also pay heavy capitation fees for admission of their children in good schools and professional colleges. In fact, there is hardly any form of corrupt practice which these middle classes do not resort to. These classes have hardly any moral right to fight against corruption.

The second element which was responding to Hazare's call was a political class (though to some extent it remained invisible for strategic reasons) which also invisibly mobilized through its cadre a section of civil society to weaken the ruling UPA which again is not a pure motive. The third element was of course of those who really wants to fight against corruption on principle and this section can be described as much closer to Gandhian philosophy and values. This section was the smallest in the whole mobilization.

It is also necessary to understand the difference between Anna Hazare and Gandhi. Anna, at best, is Gandhian, not Gandhi. He has adopted Gandhian approach, nothing more, nothing less. Gandhi was an original thinker and had much deeper understanding and, above all, had pure motives and always listened to the voice of his conscience. Only those with pure motives can hear the voice of conscience. In that respect Anna cannot be compared with Gandhi. He does not have deeper understanding and towering intellect, much less pure motives.

Anna is not on record to having ever denounced communal violence. He kept quiet during Gujarat riots throughout. Gujarat genocide was a matter of great shame for India. Had Gandhi been alive, he would have undertaken fast unto death immediately, whether there was response from civil society or not. Non-violence was matter of principle for Gandhi, not mere strategy.

Not only this, Hazare praised Modi for his 'development model'. Can development model be isolated from violence it causes in the society? Is development something absolute? If it does not help weaker sections of society what is the use of that model. Gandhi wanted weakest of all to benefit from development and Modi's development is benefiting only the powerful and the elite, Reliance, Tatas and others. That is why the big industrialists find prime ministerial stuff in him.

What is worse when he was asked about communal carnage in Gujarat, he offered no comment and only spoke at the prodding of his colleague and said he stands for

communal harmony, and all, including Muslims, are part of his campaign. This was just an afterthought, and that too on suggestions from his colleagues who are much more secular than Anna Hazare.

Also, the overwhelming mobilization from civil society is part of the game by RSS, BJP and rightwing religious leadership like Baba Ramdev who felt aggrieved for not being included in the drafting committee. Such mobilization with rightwing political view is not good for secular health of the country. It can be greatly harmful. We know the result of Jaiprakash Narain's movement of which Narendra Modi is the product although Jaiprakash Narayan's stature was much greater than Anna Hazare.

Jaiprakash Narayan's anti-corruption movement and thereafter V.P.Singh's campaign against corruption did not have a lasting effect, else we would not be facing such a campaign again. Both these eminent leaders had greater reach and influence than Anna Hazare. So there is no point in celebrating Hazare's success as a second independence movement. The media has its own motives in building up Hazare and his campaign.

Hazare is all for Modi's kind of development and the media is mainly controlled by big industrialists and hence they see in Hazare as one who can be helpful to them, and since nothing works like Gandhi's name the media is projecting him as another Gandhi. The well known Gandhian from Gujarat Mr. Chunibhai Vaidya has criticized Hazare's statement praising Modi for him for rural development. "Where is rural development?", he asks. Had there been rural development 10% of rural population would not have migrated to cities. Shri Vaidya's comments are based on 2011 Census figures. "So what is there to emulate Modi under these circumstances in rural development?" He asked.

Malika Sarabhai has also criticised Hazare for praising Modi. She said that there has been little development in rural areas under Modi. "In fact, village common grazing land and irrigated farmland have been stealthily taken by the Modi

government and allotted to industrialists at throwaway prices," Sarabhai said. According to her rural population has suffered a lot under Modi.

She said that the state has witnessed maximum corruption during Modi's rule like Rs.1700 crore Sujalam-Sufalam Water conservation scam, Bori Bund Checkdam scam of Rs.100 crores and fisheries scam of Rs.600 crores. "The state is in terrible debt because of Modi's largess to industry," she said.

Other activists from Gujarat belonging to human rights organizations like Juzar Banduqwala, Prajapati and others have pointed out glaring facts about Gujarat and have challenged Hazare about his praise for Modi. Gandhiji's basic emphasis was on rural development but Hazare is praising one who not only allowed carnage of religious minority but is also helping industry at the cost of rural areas. Also, Gandhiji stressed human dignity of the last man in society whereas Modi's Gujarat accords no dignity to dalits and oppressed castes. In Modi's Gujarat dalit children have to sit separately for lunch even in government schools and if any teacher make them sit together he/she is immediately transferred. Perhaps Mr. Hazare is not aware of all these harsh realities.

While Hazare's fight against corruption is most welcome and must be praised but if wants his fight to continue he cannot afford to keep company with those who are responsible for corruption of various kinds. A Gandhi-like purity is a must for a very challenging fight.

# 11

## Gandhian Façade

*Praful Bidwai*

Anna Hazare's campaign may lead to a new Lokpal Bill, but it has legitimised middle-class vigilantism and other kinds of civil society mobilisation.

NOW that Anna Hazare has declared victory, it is time to take stock of one of the most powerful recent mobilisations of people in India, focussed on influencing policy or lawmaking processes. The victory, however, is largely symbolic. The original demand of the movement, carefully built around Hazare's fast, namely, that the government must withdraw its own Lokpal Bill and instead pass the Jan Lokpal Bill (JLB) drafted by India Against Corruption (IAC) by August 30, fell by the wayside.

Even its greatly diluted version, namely, Parliament must pass a resolution on the three contentious issues identified by Hazare, was not conceded. Under this, Members of Parliament would resolve to enact the Lokpal Bill in Parliament's current session to set up independent ombudsmen at the Centre and in the States; with jurisdiction over all government servants; and including a law requiring all government departments to make "citizens' charters" that set limits on the time taken to provide public services such

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\* Praful Bidwai is a journalist, working on the issues of dangers of nuclear weapons. He is currently working on ecological issues

as ration cards and driving licences, and punish breaches of the norm.

On August 27, Parliament discussed a highly truncated form of the demand and passed a Sense-of-the-House motion drafted by the Congress' Pranab Mukherjee and Bharatiya Janata Party's Arun Jaitley. It said: "This House agrees in principle on the following issues: a) Citizens' charter b) Lower bureaucracy also to be under the Lokpal through appropriate mechanism c) Establishment of a Lokayukta in States. And further resolved to transmit the proceedings to the department-related Standing Committee for its perusal while formulating its recommendations for the Lokpal Bill."

This is not a binding commitment. Nor is there a deadline by which the Standing Committee must write its report and Parliament must pass the Bill. So the motion was a face-saving formula for Team Anna. According to reports, Hazare's core supporters had decided on the morning of August 27 that he would have to end the fast within a day if his health were not to be seriously jeopardised.

At any rate, the balance of forces had shifted over the preceding few days, with the government calling an all-party meeting, appointing Pranab Mukherjee as chief negotiator, MPs across parties defending Parliament's legislative supremacy, former Maharashtra Chief Minister Vilasrao Deshmukh talking directly to Hazare, and the cracks widening within Hazare's core group. Eventually, Parliament asserted its primacy in lawmaking, but also cast a duty on the government to produce a strong Lokpal law.

Meanwhile, the entire political system was delivered a shock. Segments of it were exposed as dysfunctional. An attempt was made to set up a direct opposition between Parliament and the people. That it succeeded at least to the point of creating total panic and disarray within the government for days should occasion serious introspection.

It is easy to lay the blame for this on the colossal ineptitude of the Congress and the several near-suicidal decisions it took. Having first underrated both the middle-class support for

and the amazing degree of organisation and media management by the IAC campaign in April, Congress leaders panicked and took the extraordinarily ill-advised step of establishing a joint drafting committee with Team Anna, giving it the same representation as the government – instead of a broad-based committee with diverse political and non-governmental organisation representation (NGO).

This laid the basis for Team Anna's claim that it represents the people in a unique way, in contraposition to government – which easily morphed after the Ramlila Maidan spectacle into the assertion that it alone represents the people. Soon, Arvind Kejriwal would say that Parliament may be supreme in lawmaking, but the people come first; Parliament must listen to "Us the People". Kiran Bedi would famously equate Anna with India. Democracy thus collapsed into majoritarianism with all its arrogance and intolerance.

Instead of fielding political veterans and skilled crisis managers, the Congress got a bunch of lawyers to negotiate the Lokpal Bill, whose technical approach messed things up. Meanwhile, Congress spokespersons abused Hazare's team as "armchair fascists, overground Maoists, closet anarchists... funded by invisible donors" (with foreign links), and alienated people further.

Even more inept was the decision to arrest Hazare preemptively on August 16 and lodge him in Tihar jail, in gross underestimation of public sympathy for his right of protest – apparently against official intelligence reports. The mistake was magnified when Hazare was released. He refused to leave Tihar unless he was allowed to fast publicly, thus garnering more sympathy.

It is simply incomprehensible that the Congress did not depute Maharashtra leaders such as Vilasrao Deshmukh, Sushilkumar Shinde or even Prithviraj Chavan earlier to talk to Hazare bypassing his hard-line supporters, and that it did not convene an all-party meeting until August 24.

Yet, a far deeper failure is involved here, in understanding the depth of genuine popular or grass-roots revulsion against

corruption, in two senses. The first is corruption that ordinary people suffer in day-to-day life when they have to pay bribes just to survive or to realise a right, that of getting their entitlements, such as ration cards or freedom from police harassment.

The second is corruption in the larger sense, including plunder of public money by powerful interests through manipulation of policies and fiddling of contracts, irresponsible and unaccountable governance, and abuse of power, itself distributed in a skewed and iniquitous manner in this extremely unequal society. Both forms are related to the social and governance system, and the unequal access to privilege and power centres inherent in it. When the poor protest against corruption, they often protest against the system.

By contrast, the upper-middle-class elite or the 10-15 per cent upper crust of society does not suffer the first form of corruption, certainly not to a degree remotely comparable to the poor. And it is often the beneficiary of the second kind. Its resentment arises, if it is genuine at all, from having to pay bribes to obtain a privilege, like admission to a top-rated school or jumping the queue to get a reserved train seat.

## **Deep distrust**

Middle-class anger is directed not at the system or the real wielders of power in the corporate world and government but at soft targets such as MPs, MLAs and bureaucrats. It is easy to single out politicians because they are typically portrayed by the media, including popular films, television channels and newspapers, as arch-villains – irredeemably corrupt, and venal and crooked by choice, just as business tycoons are glorified as wealth creators who contribute to social welfare. Underlying this is a deep distrust of representative democracy and mass politics. Our hierarchy-obsessed, casteist middle class cannot possibly accept political equality between itself and the unwashed masses.

Focussing on corruption offers a nice escape from this

society's myriad problems, including mass poverty and deprivation, stunted growth of our children, pervasive lack of social opportunity, economic servitude and social bondage, absence of social cohesion, rising income and regional inequalities, and the impossibility for millions of people to realise their elementary potential as human beings, not to speak of communalism, patriarchy, growing militarism and decreasing human security. Corruption here performs the role that population growth did a few decades ago. Then, the elite blamed all of India's problems on the poor breeding like rabbits.

Originally, Hazare's movement spoke narrowly to this middle class, reducing the issue of corruption to paying bribes to government officials. The campaign in April was Facebook- and Twitter-driven. It mobilised upper-middle-class people in big cities through the technology of returning free missed calls. A telecom company provided the technology, and somebody paid for the calls answered (13 million by August 15, says the IAC website).

Support for the movement snowballed after Hazare's wrongful arrest-release. Multiple scripts got written into it as peasants, trade union workers, dabbawalas and other poor people joined the protest. But that did not transform the campaign's quintessentially upper-middle-class character or its vigilantism. Meanwhile, its leaders mistook general support for the anti-corruption cause as informed agreement with the JLB. They built a dangerous cult of personality around Hazare as a demi-god, on whose command people were ready to fast unto death. The government deferred to Hazare's campaign, as it always does to movements with an elite character. There were many continuities between the campaign, motivated by hatred of all politicians, and recent agitations against affirmative action, driven by hatred of the "low" castes. That is one reason why Dalits, low-caste Hindus, and large numbers of Muslims are cold towards Anna's movement or oppose it.

The campaign uses a strongly chauvinist Vande Mataram

Bharat-Mata-ki-Jai-type idiom, based on an unthinking, conformist nationalism and illiberal and conservative ideas, including hero worship and absolute obedience. This fits in with the involvement of Hindutva forces in the campaign, frankly admitted by Sushma Swaraj in Parliament on August 17, confirmed by BJP president Nitin Gadkari's letter supporting Hazare, and reinforced by Rashtriya Swayamsewak Sangh (RSS) pracharak-ideologue K.N. Govindacharya's August 26 statement confirming significant RSS presence at Ramlila Maidan.

The Hazare movement's legitimisation in media and society creates an unhealthy precedent. Other intolerant movements can create a lynch-mob mentality and demand death to the "traitors" or the building of a temple at Ayodhya – because the People want it. That is positively dangerous.

*Courtesy : The Hindu*

# 12

## Anna Hazare: Tragedy to Farce

*J. Sri Raman*

But Anna can hardly be more unlike Gandhi. Anna can hardly be more unlike Gandhi. The man who presided over floggings of alcoholics in Ralegan and calls for capital punishment for the corrupt, is obviously, no advocate of non-violence “Hegel remarks somewhere that all great world-historic facts and personages appear, so to speak, twice. He forgot to add: the first time as tragedy, the second time as farce.” So said Karl Marx in his celebrated *The Eighteenth Brumaire of Louis Napoleon*. How about a history of holy pretensions repeated for the umpteenth time in a country that fascinated Marx as much as 19th-century France?

India is currently witnessing the latest in a long series of avowedly anti-corruption movements of ironic content and consequences. Starting as so-hyped people’s revolts against “politicians” and parliaments that empowered them”, every one of these past movements for “probity in public life” ended up as a pursuit of power. The Anna Hazare movement, a.k.a. “the second freedom struggle”, is showing signs of proving no exception.

Sticking to the tragedy-farce template, the Anna crusade is an attempted repeat of Jayaprakash Narayan (JP)

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\* Late J. Sri Raman was a freelance journalist and a peace activist, based in Chennai

movement of the seventies, also known as the Total Revolution. The movement then started with a call for "partyless democracy" and carried it forward to a campaign that included a 'gherao' (encirclement) of individual legislators, intimidated into resigning from elected assemblies in some States. What the nation got at the end of it all was a government under a newly formed Janata Party, formed by the merger of major parties with the far-right Jan Sangh. A tragic end, indeed, to what many saw as a great endeavour.

Anna Hazare is, of course, no JP. The latter had been a long-time leader of, shall we say, the first freedom struggle. He was a luminary of the Congress Socialist Party, whom many a would-be Communist expected then to work revolutionary wonders. Renouncing his leftism subsequently, he still retained a place in national headlines as an associate of Acharya Vinoba Bhave in the Bhoodan (Land Donation) movement.

Baburao Hazare acquired the title of Anna (Elder Brother) after his work as a "rural development" activist in the Ralegan Siddhi village in his home-State of Maharashtra. He was little-known outside the region until he was thrust into all-India limelight just around a month ago. It has, however, taken far less time than for JP to declare a punitive offensive against Parliament and to call upon his new-found supporters in New Delhi to "gherao" members of Parliament and the Prime Minister.

The multiplying tribe of Anna's acolytes compare him, not with JP, but with none less than Mahatma Gandhi. Anna has been on a public fast and that, in the eyes of his admirers, makes him a successor to the Father of the Nation, who pressed his demands with similar exercises in self-denial.

But Anna can hardly be more unlike Gandhi. The man who presided over floggings of alcoholics in Ralegan and calls for capital punishment for the corrupt, is obviously, no advocate of non-violence. Anna cannot be compared to the Mahatma, who died a martyr to the cause of Hindu-Muslim

unity, after his unsolicited testimonial to Narendra Modi, even if he took it back under pressure from his present associates.

True, he has won support from some progressive Muslims, like Shabana Azmi, who think perhaps that the minority should not keep away from a campaign for a secular demand like "a strong Lokpal" (ombudsman). Ultra conservative Muslim leaders like Shahi Imam Syed Ahmad Bukhari of Delhi's Jama Masjid have done Anna a service by denouncing him only for some slogans (associated with the ultra right even if innocuous-sounding) raised at his rallies.

The fact, as noted before, is that the political front of the far right is always among the primary beneficiaries of personality-centred campaigns for probity, purity and the like. Few seasoned observers can fail to see that the Bharatiya Janta Party (BJP) is fairly salivating at the prospect of political returns for it from the Anna affair. As a participant in India's first non-Congress government during 1977-80 and the primary ruling party in three regimes from 1996 to 2004, the BJP did more than its bit to stall an effective law on the Lokpal from entering the statute book.

This has not prevented the party from waxing indignant against the Manmohan Singh government's approach to the Anna agitation. Even while professing to disagree with Team Anna on the powers and procedures of parliament, the party has allowed some of its leaders to voice unreserved support for the movement, thus keeping a door open for an expedient, election-eve dialogue with it.

We don't know for certain how many votes the "war on graft" can garner. But Anna's real constituency is invisible at the moment. We have only a faint glimmer of the larger forces behind the rallies we see non-stop, nearly 24x7, which must need considerable resources in addition to anti-corruption wrath.

The saddest thing about it all is that only a tiny part of the tomes written and sound bytes squandered over the Anna phenomenon asks the most relevant questions about

corruption. Is it not a symptom of a systemic disease and distortion? Can corruption be combated without making any effort to curb the growth of inequalities? Can a Lokpal of any description abolish corruption in a land which boasts of 55 "dollar billionaires", accounting for 4.5 per cent of the global total, while 46 per cent of its children under three years in a miserable state of malnutrition.

PART – V

**INTERVIEWS**

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# 13

## Jan Lokpal: An Alternative View

Based on Interview

*K. N. Panikkar*

Given the scale of corruption in India, the constitution of a Jan Lokpal will be a welcome initiative. But the proposed Lokpal has the makings of a super-monster.

After 42 years of hesitation and uncertainty, an institutional mechanism to deal with the all-pervasive incidence of corruption in India is in sight. What apparently moved the state machinery was the agitation spearheaded by Anna Hazare, which drew spontaneous support primarily in the metropolitan cities. Within five days of Anna Hazare starting a 'fast unto death' at Jantar Mantar in New Delhi, the Government of India conceded his demand to constitute a committee to draft a bill to establish the institution of a Lokpal at the Centre.

This was quite different from the past practices of the Indian state. Remember Potti Sriramulu, who at the end of a prolonged fast sacrificed his life for the formation of Andhra Pradesh. And Irom Sharmila has been on a hunger strike for

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\* Dr. K.N. Panikkar is a former Professor of the Jawaharlal Nehru University

more than 10 years, demanding the repeal of the Armed Forces (Special Powers) Act.

Nevertheless, the developments leading to the constitution of the committee to draft a Lokpal bill, and the provisions of the draft bill, raise fundamental questions about the working of Indian democracy. Some of these questions demand urgent attention before a bill is piloted in Parliament.

In the matter of deciding the composition and the terms of reference of the committee, Anna Hazare appears to have exercised decisive influence. He chose the "representatives of civil society" and the government accepted his suggestions. The committee consists of five "representatives of civil society," and five Union Ministers representing the government. Welcoming the initiative, the Prime Minister has said that the "coming together of the government and civil society is a step that augurs well for democracy." But it should be apparent that no democratic principle was followed in the constitution of the committee. The civil society representatives were handpicked by Anna, and the government nominees do not reflect the diverse political opinion that is represented in Parliament.

A Magsaysay award winner, Anna Hazare brought to the movement against corruption his considerable reputation and the moral strength derived from his social work in a village in Maharashtra, Ralegan Siddhi. But the methods he has adopted to press his demand have raised eyebrows. Many people believe that the hunger strike he undertook and the ultimatum he served were coercive in nature and have no place in a democracy. The attempt made by some of his followers to equate him with Gandhiji need not be taken seriously, as neither his ideas nor his methods justify such a claim. Nevertheless, his Gandhian credentials have earned him recognition from the state and civil society. Although he claims to be apolitical, he entertains a deep distrust of politics and politicians.

Paradoxically, he has sought the help of the political system to deal with the malaise of corruption. If he had

chosen the moral path, he would have addressed the social conditions that made corruption possible. Yet, supported by a few civil society activists and projected by a section of the English media as a saviour of the nation, Anna acquired a larger-than-life stature that appeared to have punctured the government's self-assurance.

His agitation has been lionised by some people as a second freedom struggle. But it appears to have escaped general notice that "the assertion of a few to represent the majority" without any representative character is essentially anti-democratic. The emotional, even unthinking, support that Anna Hazare commanded is understandable, given the widespread corruption indulged in by the political elite and the bureaucracy.

However, it is the timing of the agitation rather than the moral content of the campaign that accounts for the popular response. The neo-liberal policies pursued by the ruling elite had opened up the possibility of corruption in the massive transfer of public assets and the promotion of corporate interests through political patronage. Both the National Democratic Alliance led by the Bharatiya Janata Party and the United Progressive Alliance under the leadership of the Congress were bedfellows in promoting privatisation and inviting foreign capital to modernise India. The unprecedented levels of corruption in recent times are a concomitant of the economic conditions created by liberalisation.

Corruption is a complex issue that is embedded in bureaucratic rigidity and issues of economic access and political power. In this sense, the state is the main promoter of corruption. It cannot be reduced to a question of morality alone, nor can a solution be found by punishing individuals as a deterrent. Such a solution, however, will be most welcome to the state and its functionaries, and even to the liberal intelligentsia. It appears that corruption is a great unifier. For Anna Hazare's anti-corruption platform attracted the former police officer Kiran Bedi and Arya Samaj leader

Swami Agnivesh, along with communalists like Ram Madhav and religious entrepreneurs such as Baba Ramdev and Sri Ravi Shankar on the same platform. Not only were communalists and rightwing elements part of his entourage, but Anna extended his 'blessings' to the likes of Narendra Modi by praising the Gujarat model of development, ignoring in the process the moral problem that is so dear to his heart.

It is tragic that a person who believes that morality is neutral is being celebrated as the 'saviour' of the nation in some quarters, including the government. But the state's favorable demeanour towards Anna is not surprising. So long as Anna Hazare, or for that matter anybody else, does not raise systemic and institutional issues, and only champions reformist measures, the state will have no problem in promoting them. In fact, the state's attempt will be to 'instrumentalise' them.

As a result, Anna Hazare and his committee may end up as apologists for the state-run machinery of corruption. For it is not the absence of law that prevents action against the guilty, but the absence of a political will to do so. For a crisis-ridden government, the periodic appearance of the likes of Anna Hazare, and their reformist agendas, are safety valves. The government functionaries who are sharing the table with Anna now may help create another fortress around the beleaguered state.

The committee that was quickly constituted on the basis of mutual consent between Anna and the government has started its deliberations. More than one draft bill was presented at its first meeting, and therefore it is premature to discuss the provisions. Yet, there are some visible directions. Anna Hazare's authoritarian approach to social problems, as is evident in the social ambience created in Ralegan Siddhi, and the principle of centralisation of authority that the state follows (in the matter of the National Council for Higher Education and Research Bill, for instance) find a common resonance in the drafts. They envision the Lokpal functioning in a social vacuum as a super-judicial

authority, undermining the existing judicial system — which, all said and done, has withstood the pressures and preserved the rights of citizens. There is nothing in the draft to suggest that the Lokpal will bring to bear a greater sense of transparency and accountability of the system than what the existing institutions have so far achieved.

The aim of the bill is not to prevent corruption but to punish the corrupt. In this respect, the draft does not provide an approach that is qualitatively different from that of the existing institutions of the state. Only when a transparent system is put in place will the prevention of corruption become possible. Social audit does not necessarily create such transparency. The process of decision-making has to be fundamentally altered in order to ensure transparency. The targets should be the conditions that make corruption possible; that requires a complete overhauling of the existing mode of government management.

Given the scale and influence of corruption in India, the constitution of a Jan Lokpal will be a welcome initiative. But the proposed Lokpal has the makings of a super-monster. By absorbing all existing anti-corruption agencies, the Lokpal will have complete powers of independent investigation and prosecution. It will be an institution with overriding powers — but without any accountability. As such, it goes against all norms of democratic functioning. If the Jan Lokpal is to live up to its *jan* character, its authoritarian and centralised structure should be dispensed with and it should be turned into an instrument of people's empowerment. A beginning towards this end should be made at the formative stage itself by sending the draft bill to every panchayat for discussion, so that nation's conscience is truly aroused.

*Courtesy; The Hindu*

# 14

## Jan Lokpal Bill is Very Regressive: Arundhati Roy

*Sagarika Ghose*

*In an exclusive interview, writer Arundhati Roy said there are serious concerns about the Jan Lokpal Bill, corporate funding, NGOs and even the role of the media.*

**Sagarika Ghose:** *Hello and welcome to the CNN-IBN special. The Anna Hazare anti-corruption movement has thrown up multiple voices. Many have been supportive of the movement, but there have been some who have been sceptical and raised doubts about the movement as well. One of these sceptical voices is writer Arundhati Roy who now joins us. Thanks very much indeed for joining us. In your article in 'The Hindu' published on August 21, entitled 'I'd rather not be Anna', you've raised many doubts about the Anna Hazare campaign. Now that the movement is over and the crowds have come and we've seen the massive size of those crowds, do you continue to be sceptical? And if so, why?*

**Arundhati Roy:** *Well, it's interesting that everybody seems to have gone away happy and everybody is claiming a massive victory. I'm kind of happy too, relieved I would say, mostly because I'm extremely glad that the Jan Lokpal*

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\* Arundhati Roy is a Booker Prize winner, known for her writings on issues like Narmada Dam, Nuclear bomb explosion and Naxalism

Bill didn't go through Parliament in its current form. Yes, I continue to be sceptical for a whole number of reasons. Primary among them is the legislation itself, which I think is a pretty dangerous piece of work. So what you had was this very general mobilisation about corruption, using people's anger, very real and valid anger against the system to push through this very specific legislation or to attempt to push through this very specific piece of legislation which is very, very regressive according to me. But my scepticism ranges through a whole host of issues which has to do with history, politics, culture, symbolism, all of it made me extremely uncomfortable. I also thought that it had the potential to turn from something inclusive of what was being marketed and touted and being inclusive to something very divisive and dangerous. So I'm quite happy that it's over for now.

**Sagarika Ghose:** *Just to come back to your article. You said that Arvind Kejriwal and Manish Sisodia have received \$ 400,000 from the Ford foundation. That was one of the reasons that you were sceptical about this movement. Why did you make it a point to put in the fact that Arvind Kejriwal is funded by the Ford foundation.*

**Arundhati Roy:** Just in order to point to the fact, a short article can just indicate the fact that it is in some way an NGO driven movement by Kiran Bedi, Arvind Kejriwal, Sisodia, all these people run NGOs. Three of the core members are Magsaysay award winners which are endowed by Ford foundation and Feller. I wanted to point to the fact that what is it about these NGOs funded by World Bank and Bank of Ford, why are they participating in sort of mediating what public policy should be? I actually went to the World Bank site recently and found that the World Bank runs 600 anti-corruption programmes just in places like Africa. Why is the World Bank interested in anti-corruption? I looked at five of the major points they made and I thought it was remarkable if you let me read them out:

- 1) Increasing political accountability
- 2) Strengthening civil society participation

- 3) Creating a competitive private sector
- 4) Instituting restraints on power
- 5) Improving public sector management

So, it explained to me why in the World Bank, Ford foundation, these people are all involved in increasing the penetration of international capital and so it explains why at a time when we are also worried about corruption, the major parts of what corruption meant in terms of corporate corruption, in terms of how NGOs and corporations are taking over the traditional functions of the government, but that whole thing was left out, but this is copy book World Bank agenda. They may not have meant it, but that's what's going on and it worries me a lot. Certainly Anna Hazare was picked up and propped up a sort of saint of the masses, but he wasn't driving the movement, he wasn't the brains behind the movement. I think this is something very pertinent that we really need to worry about.

**Sagarika Ghose:** *So you don't see this as a genuine people's movement. You see it as a movement led by rich NGOs, funded by the World Bank to make India more welcoming of international capital?*

**Arundhati Roy:** Well, I mean they are not funded by the World Bank, the Ford foundation is a separate thing. But just that I wouldn't have been this uncomfortable if I saw it as a movement that took into account the anger from the 2G Scam, from the Bellary mining, from CWG and then said 'Let's take a good look at who is corrupt, what are the forces behind it', but no, this fits in to a certain kind of template altogether and that worries me. It's not that I'm saying they are corrupt or anything, but I just find it worrying. It's not the same thing as the Narmada movement, it's the same thing as a people's movement that's risen from the bottom. It's very much something that, surely lots of people joined it, all of them were not BJP, all of them were not middle-class, many of them came to a sort of reality show that was orchestrated by even a very campaigning media, but what was this bill about? This bill was very, very worrying to me.

**Sagarika Ghose:** *We'll come to the bill in just a bit but before that I want to bring in another controversial statement in your article which has sparked a great deal of controversy among even your old associates Medha Patkar and Prashant Bhushan, where you said, 'Both the Maoists and Jan Lokpal Movement have one thing in common, they both seek the overthrow of the Indian state.' Why do you believe that the movement for the Jan Lokpal Bill is similar to the Maoist movement in seeking the overthrow of the Indian state?*

**Arundhati Roy:** Well, let's separate the movement from the bill, as I said that I don't even believe that most people knew exactly what the provisions of the bill were, those who were part of the movement, very few in the media and on the ground. But if you study that bill carefully, you see the creation of a parallel oligarchy. You see that the Jan Lokpal itself, the ten people, the bench plus the chairman, they are selected by a pool of very elite people and they are elite people, I mean if you look at one of the phases which says the search committee, the committee which is going to shortlist the names of the people who will be chosen for the Jan Lokpal will shortlist from eminent individuals of such class of people whom they deem fit. So you create this panel from this pool, and then you have a bureaucracy which has policing powers, the power to tap your phones, the power to prosecute, the power to transfer, the power to judge, the power to do things which are really, and from the Prime Minister down to the bottom, it's really like a parallel power, which has lost the accountability, whatever little accountability a representative government might have, but I'm not one of those who is critiquing it from the point of view of say someone like Aruna Roy, who has a less draconian version of the bill, I'm talking about it from a different point of view altogether of firstly, the fact that we need to define what do we mean by corruption, and then what does it mean to those who are disempowered and disenfranchised to get two oligarchies instead of one raiding over them.

**Sagarika Ghose:** *So do you believe that the leaders of this*

*movement were misleading the crowds who came for the protest because they were not there simply as an anti-corruption movement, they were there to campaign for the Jan Lokpal Bill and if people knew what the Jan Lokpal Bill was all about, in your opinion, setting up this huge bureaucratic monster, many of those people might well have not come for the movement, so do you feel that the leaders were misleading the people?*

**Arundhati Roy:** I can't say that they were deliberately misleading people because of course, that bill on the net, if anybody wanted to read it could read it. So I can't say that. But I think that the anger about corruption became so widespread and generalised that nobody looked at what, there was a sort of dissonance between the specific legislation and the anger that was bringing people there. So, you have a situation in which you have this powerful oligarchy with the powers of prosecution surveillance, policing. In the bill there's a small section which says budget, and the budget is 0.25 per cent of the Government of India's revenues, that works out to something like Rs 2000 crore. There's no break up, nobody is saying how many people will be employed, how are they going to be chosen so that they are not corrupt, you know, it's a sketch, it's a pretty terrifying sketch. It's not even a realised piece of legislation. I think that, in a way the best thing that could have happened has happened that you have the bill and you have other versions of the bill and you have the time to now look at it and see whatever, I just want to keep saying that I'm not, my position in all this is not to say we need policing and better law. I'm a person who's asking and has asked for many years for fundamental questions about injustice, which is why I keep saying let's talk about what we mean by corruption.

**Sagarika Ghose:** *And you believe that the reason why this movement is misconceived is because it's centered around this Jan Lokpal Bill?*

**Arundhati Roy:** Yes, not just that, I think centrally, that I was saying earlier, can we discuss what we mean by corruption. Is it just financial irregularity or is it the currency

of social transaction in a very unequal society? So if you can give me 2 minutes, I'll tell you what I mean. For example, corruption, some people, poor people in villages have to pay bribes to get their ration cards, to get their NREGA dues from very powerful vested interests. Then you a middleclass, you have honest businessmen who cannot run an honest business because of all sorts of reasons, they are out there angry. You have a middleclass which actually bribes to buy itself scarce favours and on the top you have the corporations, the politicians looting millions and mines and so on. But you also have a huge number of people who are outside the legal framework because they don't have pattas, they live in slums, they don't have legal housing, they are selling their wares on redis, so they are illegal and in an anti-corruption law, an anti-corruption law is naturally sort of pinned to an accepted legality. So you can talk about the rule of law when all your laws are designed to perpetuate the inequality that exists in Indian society. If you're not going to question that, I'm really not someone who is that interested in the debate then.

**Sagarika Ghose:** *So fundamentally it's about service delivery to the poorest of the poor, it's about ensuring justice to the poorest of the poor, without that a whole bureaucratic infrastructure is meaningless?*

**Arundhati Roy:** Well Yes, but you know as I said in my article, supposing you're selling your samosas on a 'rehdi' (cart) in a city where only malls are legal, then you pay the local policemen, are you going to have to now pay to the Lokpal too? You know corruption is a very complicated issue.

**Sagarika Ghose:** *But what about the provisions for the lower bureaucracy. The lower bureaucracy is going to be brought into the Lokpal, they're going to have a state level Lokayukta, so there is an attempt within the Lokpal Bill to go right down to the level of the poorest of the poor and then you can police even those functionaries who deal with the very poor. So don't you have hope that there, at least, it could be regularised because of this bill?*

**Arundhati Roy:** I think that part of the bill will be interesting, I think it's very complicated because the troubles

that are besetting our country today are not going to be solved by policing and by complaint booths alone. But, at the lower level, I think we have to come up with something where you can assure people that you're not going to set up another bureaucracy which is going to be equally corrupt. When you have one brother in BJP, one brother in Congress, one brother in police, one brother in Lokpal, I would like to see how that's going to be managed, this law is very sketchy about that.

**Sagarika Ghose:** *But just to come back to the movement again, don't you think that the political class has become corrupt and has become venal and you have a movement like this it does function as a wake up call?*

**Arundhati Roy:** To some extent yes, but I think by focusing on the political class and leaving out the corporations, the media that they own, the NGOs that are taking over, governmental functions like health, you know corporates are now dealing with what government used to deal with. Why are they left out? So I think a much more comprehensive view would have made me comfortable even though I keep saying that for me the real issue is what is it that has created a society in which 830 million people live on less than Rs 20 a day and you have more people and all of the poor countries of Africa put together.

**Sagarika Ghose:** *So basically what you're saying is that laws are not the way to tackle corruption and to tackle injustice. It's not through laws, it's not through legal means, we have to do it through much more decentralisation of power, much more outreach at the lowest level?*

**Arundhati Roy:** I think first you have to question the structure. You see if there is a structural inequality happening, and you are not questioning that, and you're in fact fighting for laws that make that structural inequality more official, we have a problem. To give an example, I was just on the Chhattisgarh-Andhra Pradesh border where the refugees from Operation Greenhunt have come out and underneath. So for them the issue is not whether Tata gave a bribe on his mining or Vedanta didn't give a bribe in his

mining. The problem is that there is a huge problem in terms of how the mineral and water and forest wealth of India is being privatised, is being looted, even if it were non corrupt, there is a problem. So that's why we're just not coolly talking about Dantewada, there are many a places I mean what's happening in Posco, in Kalinganagar . So this is not battles against corruption. There's something very, very serious going on. None of these issues were raised or even alluded to somehow.

**Sagarika Ghose:** *So basically what you're saying is that it is not the battle against corruption which is the primary battle, it's the battle for justice that has to be the primary battle in India. Just to come back to the point about the law, many have said that this is a process of pre-legislative consultation, that all over the world now civil society groups, I know you don't like that word, are co-operating with the government in law making and a movement like this institutionalises that, institutionalises civil society groups coming into the law making process. Doesn't that make you hopeful about this movement?*

**Arundhati Roy:** In principal, yes, but when a movement like this which has been constructed in the way that it has, you can talk about, sort of calls itself the people or civil society and says that it's representing all of civil society. I would say there's a problem there and it depends on the law. So right now I think the good thing that has happened is that the Jan Lokpal Bill which probably has some provisions that will make it into the final law, is one of the many bills that will be debated. So, yes, that's a good thing. But if it had just gone through in this way, I wouldn't be saying yes, that's a good thing.

**Sagarika Ghose:** *Let's talk about the media. You've been very critical about the media and the way the media, particularly broadcast media has covered this movement, do you believe that if the media had not given it this kind of time, this movement simply wouldn't have taken off? Do you believe that it's a media manufactured movement?*

**Arundhati Roy:** Well, I'm not going to say that's entirely

media manufactured. I think that was one of the big factors in it. There was also mobilisation from the BJP and the RSS, which they've admitted to. I think the media, I don't know when before campaigned for something in this way where every other kind of news was pushed out and for ten days, you had only this news. In this nation of one billion people, the media didn't find anything else to report and it campaigned, not everybody, but certainly certain major television channels campaigned and said they were campaigning, they said, 'We're the channel through whom Anna speaks to the people and so on. Now firstly to me that's a form of corruption in the first place where presumably, a broadcast licence as a news channel has to do with reporting news, not campaigning. But even if you are campaigning and the only reason that everybody was reporting it was TRP ratings, then why not just settle for pornography or sadomasochism or whatever gives good TRP ratings. How can news channels just abandon every other piece of news and just concentrate on this for 10 days? You know how much of spot ad costs on TV, what kind of a price would you put on this? Why was it doing this? Per se if media campaigns had to do with social justice, if the media spent 10 days campaigning on why more than a lakh farmers have committed suicide in this country, I'd be glad because I would say okay, this is the job of the media. It is like the old saying - to afflict the comfortable and comfort the afflicted.

**Sagarika Ghose:** *But don't you think one man taking on the might of the government is a big story and don't you think that that deserves to be covered?*

**Arundhati Roy:** No, I don't. For all the sorts of reasons that I've said, it was one man trying to push through a regressive piece of legislation.

**Sagarika Ghose:** *Let's come to the role of the RSS which you have also eluded to. You've spoken about the role of aggressive nationalism or Vande Mataram being chanted, of the RSS saying that we're involved in this particular movement, but then your old associates Prashant Bhushan and Medha Patkar are in this*

*movement as well. Is it fair to completely dub this movement as an RSS Hindu right wing movement?*

**Arundhati Roy:** I haven't done that though some people have. But I think it's an interesting question to talk about symbolism and this movement. For example, what is the history of Vande Mataram? Vande Mataram first occurred in this book by Bankim Chandra Chatterjee in 1882, it became a part of a sort of war cry at the time of partition of Bengal and since then, since in 1937 Tagore said it's a very unsuitable national anthem, very divisive, it's got a long communal history. So what does it mean when huge crowds are chanting that? When you take up the national flag, when you're fighting colonialism, it means one thing. When you're a supposedly free nation that national flag is always about exclusion and not inclusion. You took up that flag and the state was paralysed. A state which is not scared of slaughtering people in the dark, suddenly was paralysed. You talk about the fact that it was a non violent movement, yes, because the police were disarmed. They just were too scared to do anything. You had Bharat Mata's photo first and then it was replaced by Gandhi. You had people who were openly part of the Manovadi Krantikari Aandolan there. So you have this cocktail of very dangerous things going on, you had other kinds of symbolism. Imagine Gandhi going to a private hospital after his fast. A private hospital that symbolises the withdrawal of the state from healthcare for the poor. A private hospital where the doctors charge a lakh every time they inhale and exhale. The symbolisms were dangerous and if this movement had not ended in this way, it could have turned extremely dangerous. What you had was a lot of people, I'm not going to say they were only RSS, I'm not going to say they were only middle-class, I'm not going to say they were only urban. But yes, they were largely more well off than most people who have been struggling on the streets and facing bullets in this country for a long time. But in some odd way the victims and the perpetrators of corruption of the recipients of the fruits of modern

development, they were all there together. There were contradictions that could not have been held together for much longer without them just tearing apart.

**Sagarika Ghose:** *But weren't you impressed by the sheer size of the crowd? Weren't you impressed by the spontaneity of the crowd? The fact that people came out, they voiced their anger, they voiced their protest, surely it can't just all be boxed into one shade of opinion.*

**Arundhati Roy:** Should I tell you something Sagarika? I have seen much larger crowds in Kashmir. I have seen much larger crowds even in Delhi. Nobody reported them. They were then only called 'traffic jam bana diya inhone'. I was not impressed by the size of the crowds apart from the fact that I'm not that kind of a person. I'm sure there were larger crowds chanting for the demolition of the Babri Masjid, would that be fine by us? It's not about numbers.

**Sagarika Ghose:** *Is that how you see this movement? You see it as a kind of Ram Janmabhoomi Part 2?*

**Arundhati Roy:** No, not at all. I've said what I feel. That would be stupid for me to say. But I see it as something potentially quite worrying, quite dangerous. So I think we all need to go back and think a lot about what was going on there and not come to easy conclusions and easy condemnations, I think we really need to think about what was going on there, how it was caused, how it happened, what are the good things, what are the bad things, some serious thinking. But certainly I'm not the kind of person who just goes and gets impressed by a crowd regardless of what it's saying, regardless of what it's chanting, regardless of what it's asking for.

**Sagarika Ghose:** *But what about the persona of Anna Hazare? Many would say that he evoked a certain different era, he evoked the era of the freedom struggle, he is a simple Gandhian, he does lead a very austere life, he lives in a small room behind a temple and his persona of what he is evokes a certain moral power perhaps which is needed in an India which is facing a moral crisis.*

**Arundhati Roy:** I think Anna Hazare was a sort of empty

vessel in which you could pour whatever meaning you wanted to pour in, unlike someone like Gandhi who was very much his own man on the stage of the world. Anna Hazare certainly is his own man in his village, but here he was not in charge of what was going on. That was very evident. As for who he is and what his affiliations and antecedents have been, again I'm worried.

**Sagarika Ghose:** *Why are you worried?*

**Arundhati Roy:** Some of things that one has read and found out about, his attitude towards Harijans, that every village must have one 'chamaar' and one 'sunaar' and one 'kumhaar', that's gandhian in some ways, you know Gandhi had this very complicated and very problematic attitude to the caste system, anyone who knows about the debates between Gandhi and Ambedkar will tell you that. But what I'm saying is eventually we live in a very complicated society. You have a strong left edition which doesn't know what to do with the caste system. You have the Gandhians who are also very odd about the caste system. You have our deeply frightening communal politics, you have this whole new era of new liberalism and the penetration of international capital. This movement just did not know the beginning of its morals. It could have ended badly because nobody really, you know, you choose something like corruption, it's a pot into which everyone can piss, anti-left, pro-left, right, I mean, I was in Hyderabad, Jagan Mohan Reddy who was at that time being raided by the CBI was one of his great supporters. Naveen Patnaik...

**Sagarika Ghose:** *But isn't that its strength? It's an inclusive agenda. Anti-corruption movement brings people in.*

**Arundhati Roy:** It's a meaningless thing when you have highly corrupt corporations funding an anti-corruption movement, what does this mean? And trying to set up an oligarchy which actually neatens the messy business of democracy and representative democracy however bad it is. Certainly it's a comment on the fact that our country suffering from a failure of representative democracy, people don't

believe that their politicians really represent them anymore, there isn't a single democratic institution that is accessible to ordinary people. So what you have is a solution which isn't going to address the problem.

**Sagarika Ghose:** *So a corporate funded movement which seeks to lessen the power of the democratic state and seeks to reduce the power of the democratic state?*

**Arundhati Roy:** I would say that this bill would increase the possibilities of the penetration of international capital which has led to a huge crisis in the first place in this country.

**Sagarika Ghose:** *Just on a different note, what do you think of the fast-unto-death? Many have criticised it as a 'Brahamastra' which shouldn't be easily deployed in political agitations, Gandhi used it only as a last resort. What is your view of the hunger strike or the fast-unto-death?*

**Arundhati Roy:** Look the whole world is full of people who are killing themselves, who are threatening to kill themselves in different ways. From a suicide bomber to the people who are immolating themselves on Telangana and all that. Frankly, I'm not one of those people who's going to stand and give a lecture about the constitutionality of resistance because I'm not that person. For me it's about what are you doing it for. That's my real question - what are you doing it for? Who are you doing it for? And why are you doing it? Other than that I think I personally believe that there are things going on in this world that you really need to stand up and resist in whatever way you can. But I'm not interested in a fast-unto-death for the Jan Lokpal Bill frankly.

**Sagarika Ghose:** *So what is your solution then. How would you fight corruption?*

**Arundhati Roy:** Sagarika, I'm telling you that corruption is not my big issue right now. I'm not a reformist person who will tell you how to cleanse the Indian state. I'm going on and on in all the 10 years that I've written about nuclear powers, about nuclear bombs, about big dams, about this particular model of development, about displacement, about land acquisition, about mining, about privatisation, these are

the things I want to talk about. I'm not the doctor to tell the Indian state how to improve itself.

**Sagarika Ghose:** *So corruption really does not concern you in that sense?*

**Arundhati Roy:** No, it does, but not in this narrow way. I'm concerned about the absolutely disgusting inequality in the society that we live in.

**Sagarika Ghose:** *And this movement has done nothing to touch that. What precedents has it set for protest movements in the future? Do you think this movement has set a precedent for protest movements in the future?*

**Arundhati Roy:** For protest movements of the powerful, protests movements where the media is on your side, protests movements where the government is scared of you, protest movements where the police disarm themselves, how many movements are there going to be like that? I don't know. While you're talking about this, the army is getting ready to move into Central India to fight the poorest people in this country, and I can tell you they are not disarmed. So, I don't know what lessons you can draw from a protest movement that has privileges that no other protest movement I've ever known has had.

**Sagarika Ghose:** *Just to re-emphasise the point about Medha Patkar and Prashant Bhushan, these are old time associates of yours in activism. They are deeply involved in this particular movement. How do you react to them being involved in this movement of which, you're so critical?*

**Arundhati Roy:** With some dismay because Prashant is a very close friend of mine and I respect Medha a lot, but I think that their credibility has been cashed in on in some ways, but I feel bad that they are part of it.

**Sagarika Ghose:** *You have voiced fears in your article as well that in some ways, this movement and this bill is an attempt to diminish the powers of the democratic government and to reduce the discretionary powers of the democratic government. So you feel that this is a corporate funded exercise to reduce the powers of the democratically elected government?*

**Arundhati Roy:** Well not corporate funded, but there's a sort of IMF World Bank way of looking at it, fuelling this whole path because if you remember in the early 90s when they began on this path of liberalisation and privatisation. The government itself kept saying, 'Oh, we're so corrupt. We need a systemic change, we can't not be corrupt,' and that systemic change was privatisation. When privatisation has shown itself to be more corrupt than, I mean the levels of corruption have jumped so high, the solution is not systemic. It's either moral or it's more privatisation, more reforms. People are calling for the second round of reforms for the removal of the discretionary powers of the government. So I think that's a very interesting that you're not looking at it structurally, you're looking at it morally and you're trying to push whatever few controls there are or took the way once again for the penetration of international capital.

**Sagarika Ghose:** *But people like Nandan Nilekani have argued this movement and this bill could stop reforms actually. It could actually put an end to the reforms process by instituting this big bureaucratic infrastructure - this inspector raj. But you don't go along with that. You believe that this is a way of taking the reforms agenda forward.*

**Arundhati Roy:** I think it depends on who captures that bureaucracy. That's why I'm worried about this combination of sort of Ford funded NGO world and the RSS and that sort of world coming together in a kind of crossroads. Those two things are very frightening because you create a bureaucracy which can then be controlled, which has Rs 2000 crore or whatever, 0.25 per cent of the revenues of the Government of India at its disposal, policing powers, all of this. So it's a way of side-stepping the messy business of democracy.

**Sagarika Ghose:** *That's interesting the combination of Ford funded NGOs, rich NGOs and the Hindu mass organisations. That's the combination that you see here and that's what makes you uneasy.*

**Arundhati Roy:** yes, and when you look at the World Bank agenda, it's 600 anti-corruption plans and projects and

what it says, what it believes, then it just becomes as clear as day what's going on here.

**Sagarika Ghose:** *And what is going on, just to push you on that one?*

**Arundhati Roy:** What I said, that you stop concentrating on the corruption of government officers when you know of governments, politicians, and leaving out the huge corporate world, the media, the NGOs who have taken over traditional government functions of electricity, water, mining, health, all of that. Why concentrate on this and not on that? I think that's a very, very big problem.

**Sagarika Ghose:** *So it was a protest movement of the entitled and the protest movement of the privileged. Arundhati Roy thanks very much indeed for joining us*

*Courtesy: [ibnlive.in.com](http://ibnlive.in.com)*

# 15

## **Communalism is Bigger Issue for Muslims: Akhtarul Wasey**

*Sadiq Naqvi*

**Why didn't Muslims come out openly in favour of Anna Hazare's Jan Lokpal campaign?**

Corruption is a secular issue that affects everyone. But if the movement has been hijacked by the RSS, then how can Muslims support it, knowing fully what the RSS and its affiliates stand for? Moreover, corruption is not the only issue in this country. Communalism is a bigger issue for the Muslims. Why didn't Anna Hazare speak out against Modi's doings in Gujarat? It is easy for people to talk of rights, but they start stammering as soon as the issues of Muslims come up. Also, why is the India Against Corruption team silent on its funding? And did they try to talk to Muslims and take them into confidence before going ahead with the campaign? Muslims have bigger issues to deal with than just corruption.

**Where do you think is the campaign headed?**

Basically Anna wants to tinker with the secular democratic system of this country – the outcome of a long and continuing struggle. How can he be allowed to do that?

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\* Professor Akhtarul Wasey, a regular contributor to various Urdu publications, is from Islamic Studies at Jamia Millia Islamia, Delhi

He is doing it because he has no stakes in this system. How can he talk of bringing all the institutions, the legislature, the executive and the judiciary, which hang on fine checks and balances, under the one monolithic institution of a Lokpal?

**Are you sure that this was a Rightwing campaign?**

By now, we know where and how this whole campaign was born, where it was thought through, and also who were the people. The campaign was fully funded by the corporates and BJP. Why was Anna silent on BJP's corruption? And why is their draft not including the corporates and the NGOs? All the main actors in the campaign – Hazare, Kejriwal, Kiran Bedi – have their own NGOs. Haven't we seen in the past, and in the 2G scam, how corporates were hand-in-glove in corrupt activities?

**What if BJP projects Modi as its prime ministerial candidate?**

Modi's elevation to the country's top job will undeniably have a negative effect on Muslims. All Muslims are aware of his gimmicks. He won the 2002 elections in Gujarat post the genocide, but don't forget that the BJP-led National Democratic Alliance lost the elections in 2004 and again in 2009. Even voters from the majority community won't support him. We live in a country that did not accept LK Advani as candidate for the prime minister's post.

*Courtesy Hardnewsmedia*

PART – VI

**NATURE OF MOVEMENT**

# 16

## Fuzzy Movement

*Prabhat Patnaik*

“COMBATING corruption”, like “promoting peace”, can mean anything to anyone; and precisely because of this “fuzziness” it appeals to everyone. Some join the anti-corruption movement because they are against “corporate loot”; others join because they are against the Nehru-Gandhi “dynasty”; and still others join because they oppose the “corrupt practice of job reservation”. The movement itself has a cathartic effect on all of them, because each comes to it to give expression to his or her pet hate, to overcome his or her sense of private oppression. Their objects of resentment may not coincide, but each gets elated by the sheer numbers of those who have gathered with similar motivations.

The movement itself makes very little demand upon those who have gathered. There are no great intellectual demands: the nuances in the differences between the Jan Lokpal Bill, the official Lokpal Bill and other “civil society” proposals are left happily to the so-called “Team Anna” to mull over. There are no demands in terms of activism either, not even of an organisational kind for running the show, for the food and other arrangements are managed not by volunteers but

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\* Prabhat Patnaik, an eminent economist, is former Professor of JNU

by contractors. The movement in short brings catharsis at no cost.

But as against this disengaged participation by many is the intensely engaged activism of the one man who is undertaking an indefinite fast. The movement revolves around him. He is the messiah who draws the crowds and brings hope to those whom he draws. His intense activism is the dialectical counterpoint of the non-activism of the thousands around him. They condition one another. He is intensely active because the others are happily inactive; on the other hand, because he is active, the others can be happily inactive. For them, if we slightly modify the words of the German historian Fritz Stern, "the resentment against a disenchanted secular world" finds "deliverance" in the ecstatic expectation that the paradise will soon appear gratis.

The Anna Hazare movement is the very opposite of what one means by a "movement". It stands the usual concept of a "movement" on its head. By a "movement" one normally means the coming together of people around a set of concrete demands, on which they are more or less agreed and for which they struggle, often at great cost to themselves, under a set of leaders who are respected for their sagacity and integrity but not revered as messiahs. Take, for instance, the Tebhaga movement, an outstanding peasant movement in southern Bengal, straddling both sides of the line of partition, at the time of Independence. Its demands were concrete: not more than one-third of the crop should be given as rent to the landlord by the tenant; it called forth great sacrifices and activism from the peasants; and its leaders, though popular among the peasants, were no messiahs. Who remembers even the name of Kangsari Haldar today (though he was elected to Parliament in the 1957 elections when he was underground)?

The Hazare movement by contrast demands no activism from its followers, not even a clear understanding of the specific demands with regard to the Jan Lokpal Bill. The twists and turns in Team Anna's negotiations with the

government are never explained to the followers, let alone seeking the imprimatur of their approval. And the very “fuzziness” of the movement, which is its strength, also means that almost anything can be passed off as a “victory”. If the Parliament resolution, which was hailed as a victory for the movement and used for calling off Anna Hazare’s fast, had been worded differently, even that could have been construed as a victory. The “fuzziness” of the outcome reflects the “fuzziness” of the movement itself.

Many, including, paradoxically, many in the Left itself, rue the fact that the Left has not been able to build any such movement. What they miss is that the Left must not build such movements. The Left’s movement must be in the nature of Tebhaga, not of Anna Hazare’s. Of course, the fact that the Left has not built movements of the sort it should be building is a matter of concern. But that is a separate issue; the conclusion that the Left should be building movements of the sort that Anna Hazare is doing is totally unwarranted. Many others would like the Left to be with Anna Hazare because that is where “the people” are. But this, too, is a wrong argument. The Left’s role must be to activate people; for the Left to be with a movement that attracts people only to keep them deactivated, on the grounds that it “must be where the people are”, entails ironically a deactivation of itself.

What the Hazare movement can claim to have achieved to date is that it has ensured that some sort of a Lokpal Bill will be passed in the near future, that a piece of legislation that has been hanging fire for over four decades will finally see the light of day. Whether this would have happened without the Hazare movement or the specific turns and forms it took are matters that need not detain us here. Let us accept this claim. The Lok Pal will certainly not eradicate corruption; and the fundamental problems of the country such as poverty and unemployment will certainly not disappear if corruption is reduced or even eradicated. (It is a symptom of our intellectual banality at the moment that

both propositions, especially the latter, are so seriously entertained by so many).

### **Damage to Democracy**

Nonetheless, legislation of this sort is essential in a democracy. The real problem is that in ensuring such legislation the Hazare movement has done much damage to the fledgling Indian democracy. Its assault on Parliament, on the grounds that the will of the people is expressed by Hazare rather than the elected representatives of the people, has mercifully been defeated for the moment, with Parliament not caving in to Hazare's specific demands, but the assault is bound to be renewed in the coming days. The speeches, full of venom and contempt against parliamentarians made by a host of speakers at the Ramlila Ground, have left a residue of anti-parliamentarianism, which is bound to be seized upon by those wishing to enfeeble parliamentary democracy in the days to come.

The case for privileging the will of Hazare over that of Parliament is argued empirically, and there are two distinct but mutually complementing strands of the argument: the first points to the "mass participation of the people" in his movement, which is taken as proof that the people are with him. This is an absurd claim: Uttar Pradesh Chief Minister Mayawati rightly said, in such a case Hazare and his group should contest elections, enter Parliament in large numbers and get the Jan Lokpal Bill passed. The second strand points to his moral stature and his intuitive connect with the people ("whether they vote for him or not, he knows what they want"). A contrast is drawn here between Hazare and Parliament: Hazare is honest, morally upright, committed to the welfare of the "nation", and so on, while Parliament consists of billionaires, crooks and ragamuffins; ergo Hazare's will must be privileged over that of Parliament. To oppose this privileging as anti-democratic, they argue, is not only harmful to the country since it gives a free run to ragamuffins, but is itself fundamentally anti-democratic since if democracy

means the assertion of the people's will then Hazare is a truer representative of this will than those who have been chosen by the people as their representatives.

The issue, it should be noted, relates to privileging, not to Hazare's freedom of expression or to his right to protest against the government, or to his right to oppose legislation passed by Parliament. Even if, for argument's sake, the position of the Hazare group about his greater uprightness compared with the parliamentarians is accepted as being empirically true, the argument for privileging his will over that of Parliament is still fundamentally unacceptable. This is because a distinction must be drawn between democracy as the constitutive principle of the polity and democracy as a practical instrument of governance. To privilege Hazare's will over that of Parliament is to violate democracy as the constitutive principle of the polity; it cannot be justified on empirical grounds, that is, on the grounds that democracy as a practical instrument of governance has proved to be inadequate. For instance, there may well be situations where a king is wiser than parliament and can provide better governance; but to accept monarchy as an institution, even temporarily, is a massive regression in the quest for human freedom.

The institutionalisation of parliamentary democracy as the constitutive principle of the Indian polity represents an enormous advance, nothing short of a veritable social revolution, in a country marked by millennia of horrendous inequality enshrined in the caste system. Whether or not Parliament is full of "thieves and corrupt people", any undermining of parliamentary democracy represents a huge social retrogression, a counter-revolution against this fledgling social revolution, a reversion to our pre-modernity marked by institutionalised inequality. Many argue, no doubt very rightly, that such undermining is the inevitable outcome of the fact that "thieves and corrupt people" have made their way into Parliament in large numbers, that "we have brought it upon ourselves"; but saying this does not absolve us of the

responsibility of opposing firmly any denigration of Parliament.

When Karl Marx ( *On the Jewish Question*) talked of the "democratic state" as bringing about "political emancipation" ( but not "human emancipation", for which, nonetheless, he saw "political emancipation" as a condition), he was talking of the "democratic state" not as an empirical entity but as the state founded upon democracy as the constitutive principle of the polity. A "democratic state" even in its ideality, let alone as an empirical entity, is not enough since "human emancipation" requires an overcoming of capitalism, but an undermining of the "democratic state" and a reversion to any form of pre-democracy constitutes a setback to the quest for emancipation.

### **Insensitive "youth"**

What is dangerous about the current Indian situation is that such a setback has become a possibility. So far I have accepted for argument's sake the position of those around Hazare that Parliament is full of "thieves and corrupt people"; but this is a canard spread by the elite, expressive of its contempt for the "plebeians". In a country where a substantial number of people continue to remain illiterate and an even larger number without much formal education, a fact over which the elite, so exercised over "corruption", is not known to have shed tears, the election to Parliament of persons without much formal education should be a matter of pride, indicative of the authenticity of its democracy; but running it down as a "failure" of our political system is not just ironical, it disturbingly portends a possible elite coup against our democracy. The Hazare movement has been credited by many with having aroused the latent activism among the "youth", their idealism which had hitherto remained suppressed. But the fact that the "youth" (that particular segment of it that joined Hazare) remains insensitive to the threat of a possible elite coup against democracy, and could

even become cheerleaders for such a coup, is one of the most worrying aspects of contemporary India.

To be sure, Parliament must rid itself of "thieves and corrupt people", but this has to be done by Parliament itself. Accepting the necessity of a messiah standing above Parliament for the purpose of cleansing Parliament itself undermines ipso facto the institution of Parliament, even of the "cleansed Parliament". Any compromise with messianism is ipso facto an abridgement of the "democratic state". A positive fallout of the Hazare movement, hopefully, is greater awareness among politicians for effecting steps to cleanse parliamentary institutions. It is said to be dangerous for any revolution to drive its counter-revolution underground, for it then loses its capacity for self-rectification; the counter-revolution thus plays a role in the advance of the revolution, despite its being a counter-revolution. Likewise, the "democratic state" stands to gain from Hazare-type movements, not because of the virtues of the latter, but precisely because the challenge they pose is of a kind that threatens to undermine the "democratic state"; it cannot afford complacency and its self-rectification then becomes a necessity in the face of such challenge.

The real obstacle to self-rectification by the democratic state lies in the political economy of our country. "Fuzzy" middle-class movements of a moralistic kind that touch a chord among large sections of the people and draw participants from other classes are not uncommon in the era of monopoly capital, when skulduggery, or what was called in Lenin's time "American ethics", is pervasive. What these movements aim to achieve, and may even tangibly achieve, is usually quite different, however, from the historical role they play. (Even fascism, which began as a petty-bourgeois movement against finance capital, ended up as the terrorist dictatorship of finance capital.) Can one speculate what the Hazare movement may spawn, despite itself, in view of the current state of India's political economy?

## **Delegitimisation of State Expenditure**

Furore over “corruption” has the effect of delegitimising state expenditure. It becomes easy in such a setting to argue that much of this expenditure “goes down the drain” because of “corruption”, and hence should be cut back. And the typical items of state expenditure that get cut as a consequence are the welfare expenditures and transfer payments to the poor. The deflationary process under neoliberalism already takes its toll on such expenditures anyway; but whatever residual expenditure is incurred under these heads gets further delegitimised in a setting where the state machinery is widely perceived to be corrupt. Just as the public sector was sought to be delegitimised on the spurious argument that it did not make enough profits (though the rationale of the public sector was not necessarily to make profits but rather to curb private profiteering and to enhance “entitlements” of the poor), likewise public expenditure, too, is sought to be delegitimised through the creation of a furore over corruption. Not that corruption is absent, or was ever absent, and not that it does not increase manyfold under neoliberalism; but the beneficiaries of this very increase in corruption under neoliberalism then use this increase itself to delegitimise the state and its expenditure on the poor.

The counterpart of this delegitimisation of state expenditure is the delegitimisation of state taxation. “Why should I pay so much tax to the state since most of it goes into private pockets?” becomes a common refrain for the affluent middle class. Tax cuts, therefore, become the order of the day along with expenditure cuts by the state, which is exactly what successive Republican administrations did in the United States. Since the tax cuts are for the rich and the affluent middle class, while the expenditure cuts are for the poor, this has a directly regressive effect on income distribution.

In addition, however, there is an indirect effect. Since state provisioning shrinks and private provisioning

correspondingly expands, the service providers in the private sector have to be appeased through various inducements to ensure that they continue to provide services and expand their operations to the requisite degree. The role of the state then shifts from being a defender of the interests of the poor (which even a traditional bourgeois state does to some extent) to being an exclusive promoter of the interests of corporate and financial capital on the plea that this is socially necessary. For example, if the government stops building hospitals, then it has to provide incentives to the private sector to do so; if a corporate house wants to build a hospital and demands prime land for the purpose, the government hands over this land in “public interest” on a long lease, and that too for a pittance, no matter whether a shopping mall or a swanky guest house comes up next to the hospital. (Incidentally, all such “inducements” will be outside the purview of any Lokpal as long as no direct palm-greasing is involved, no matter how much indirect palm-greasing goes with it.)

The transition from democracy to what some have called “corporatocracy”, which characterised post-Reagan-Bush America, is an integral part of the rise to hegemony of globalised finance capital. This requires an assault on democratic institutions to discredit and delegitimise them. The Hazare group’s assault on parliamentary institutions and exclusive emphasis on corruption within the state machinery, to the exclusion of the corporate sector and civil society groups, could well turn out to be, albeit unwittingly, a part of this agenda of converting our democracy into a “corporatocracy”.

*Courtesy: The Hindu*

## Why I didn't Go to Jantar Mantar

*Harsh Mander*

As young middle-class Indians gathered to express their anger at corrupt governance, it was a significant moment for Indian democracy. The country has witnessed many protests for wages and land, self-determination and human rights. But this campaign was different. It's decades since educated and privileged young people felt stirred enough to take to the streets, seeking hope of a better India. But this is not a one-time eruption and the political leadership can afford to ignore this message only at its own peril.

I believe that the addition of this new constituency, of a youthful and aspirational middle class, to democratic dissent, is healthy for the republic. Unlike the poor and toiling masses, their opinion matters to the political establishment, who learned to their dismay that these young people too want clean governance.

For four decades, repeated governments have demonstrated bad faith in failing to pass a law to constitute a Lokpal. All political parties demand it when in opposition, and subvert it when in power. The UPA's draft Lokpal Bill was another weak-kneed attempt. But I worry that the

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\* Harsh Mander, a member of National Advorsort Council, is director Centre for Equity Studies

alternative Jan Lokpal Bill would instead create a statutory dictator, by bringing investigation, prosecution and recommendation for punishment under the Lokpal. It would sacrifice 'due process' of justice in its anxiety to ensure powerful policing of official corruption. There are few checks to prevent a dominant Lokpal from becoming oppressive.

I support the more general demand of the demonstrators that citizens must be consulted before laws and policies that affect them are framed and passed. The government conceded this in small part by constituting the National Advisory Council (NAC). But of course there are innumerable shades of opinion in civil society beyond those in the NAC. The governments must institutionalise a mandatory process of pre-legislative consultation with citizen groups before any major statute is considered by Parliament.

And yet why could I not actively join the demonstration at Jantar Mantar? First, the symbols and allies that the campaign chose disturbed me: the stage was decorated with a picture of Bharat Mata, almost identical to that propagated by the right-wing RSS. Baba Ramdev and Sri Sri Ravi Shankar, the two 'god-men' who dominated the campaign and whose followers contributed the largest numbers at the protest, endorse many Hindutva causes including the construction of a Ram Temple. RSS leaders like Ram Madhav were welcomed on to the stage. My fears were further confirmed when Anna Hazare declared that Narendra Modi was a 'model' chief minister. It's difficult to comprehend how a campaign that claims to be Gandhian can extol a government responsible for the slaughter of its religious minorities. Is the condoning of violent retribution against communities, the complicity in slaughter of the official machinery, the systematic subversion of the criminal justice system to protect those guilty of the massacre, or extra-judicial killings not signs of corruption?

My notion of good governance includes but extends beyond cleansing governments of bribery and financial malfeasance. It is of a just, compassionate, democratic State,

which is fair to all citizens regardless of their faith, caste, gender or wealth. Corruption has deeper causes than merely the absence of institutions to punish the corrupt. It stems from inequality and injustice, from illegitimate power and dispossession.

For many young people of privilege, their discovery of democracy began with this televised campaign against corruption. But Mahatma Gandhi taught us that fundamental to satyagraha is love, self-sacrifice and a firm adherence to truth. And that wrong means can't authentically deliver right ends. I can't choose allies to fight corruption who stand opposed to the egalitarian and secular democratic foundations of our Constitution. To me the battle against corruption must be intrinsically part of a larger confrontation against oppression, injustice, hate and fear. There are no shortcuts.

*Courtesy: Hindustan Times*

# 18

## Ambedkar's Way & Anna Hazare's Methods

*Sukhadeo Thorat*

A group of people, with placards showing Dr. B.R. Ambedkar, staged a demonstration in Delhi a few days ago against Anna Hazare's proposals on the Lokpal and the methods used by his team. More often than not, Dalits look with suspicion on any attempt to tamper with the Constitution. Team Anna has, however, suggested that its Lokpal bill would benefit Dalits more than anyone else. This led me to look at Dr. Ambedkar's position as compared to the mode of agitation being deployed by Anna Hazare and his team.

In his last, visionary speech after the submission of the drafted Constitution on November 25, 1949, Dr. Ambedkar warned of three possible dangers to the new-born democracy. These related to social and economic inequalities, the use of unconstitutional methods, and hero-worship.

Dr. Ambedkar first pointed to the contradiction between equality in politics in the form of one-person-one-vote and the inequalities in social and economic life. He argued that for political democracy to succeed, it needed to be founded on the tissues and fibres of social and economic equality. He

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\* Sukhadeo Thorat is Professor of Economics, Centre for the Study of Regional Development, Jawaharlal Nehru University

warned that we must remove this contradiction at the earliest possible moment, or else those who suffer from inequality will blow up the structure of political democracy. Although we in India are trying hard to reduce the vast inequalities that exist, the working of political democracy is already under heavy stress due to discontent in some parts of country.

Dr. Ambedkar's second, and more important, warning in the present context related to the methods to achieve social and economic objectives. He urged the people to abandon bloody as well as coercive methods to bring about change. This means abandoning methods of civil disobedience, non-cooperation, coercive forms of satyagraha and fast. Referring to the use of these methods during the British period, Dr. Ambedkar observed: "When there was no way left for the constitutional methods for achieving economic and social objectives, there was a great deal of justification for unconstitutional methods." But using them since that period, in his view, was "nothing less than the Grammar of Anarchy." He advocated that "the sooner they are abandoned, the better for us as a nation."

Dr. Ambedkar's third warning related to "hero worship." He was immensely concerned over the political culture of "laying down the liberties at the feet of great men or to trust them with powers which enable them to subvert their institutions." He believed that there is nothing wrong in being grateful to great men who have rendered life-long services to the country. But there are limits to gratefulness. No man can be grateful at the cost of his honour, and no nation can be grateful at the cost of its liberty. This caution is far more necessary in the case of the people of India than in the case of any other country, for in India, *bhakti*, or what may be called the path of devotion or hero-worship, plays a part in politics, unequalled in magnitude to the part it plays in the politics of any other country in the world, argued Dr. Ambedkar. He went on to add that *bhakti* or hero-worship in religion may be a road to the salvation of the soul, but in politics, *bhakti* or

hero-worship is a sure road to degradation and to eventual dictatorship.

These views of Dr. Ambedkar also evolved through a much deeper commitment to constitutional methods and their use in the anti-untouchability movement during the 1920s and the 1930s. The 1920s and the 1930s saw a series of agitations led by Dr. Ambedkar to get public wells, tanks and Hindu temples opened to "untouchables." In the present context, recalling two such incidents is very relevant, namely, the agitation for access to a water tank in Mahad, and for entry into the famous Kalaram temple in Nasik. In both cases, Dr. Ambedkar was up against violent high-caste Hindus, with the British sitting on the fence.

Dr. Ambedkar started the Mahad agitation in 1927, but the "untouchables" got access to the tank only in 1937 through a court order. The people of the high castes had managed a court order to ban the entry of "untouchables" into the tank on the grounds that it was a private tank. Dr. Ambedkar accepted the court order and discontinued a second march to the tank. But he fought through the courts and got justice in 1937, almost after 10 years. He did this using legal instruments and a peaceful mass movement, without the coercive means of fasts and hunger strikes.

Similarly, the agitation for entry into the Kalaram temple went on for four years, from 1930 to 1934. He discontinued the agitation in 1934 following opposition by priests, notwithstanding the support extended by Gandhiji. But he fought a legal battle, along with a peaceful agitation, for the next four years, and in 1939 ultimately secured entry to the temple for "untouchables."

During the 1920s and the 1930s, Dr. Ambedkar combined mass mobilisation with legal methods in the anti-untouchability movement, but never allowed unconstitutional and coercive methods to take hold, despite instances of violent attack on "untouchables." Once he came face to face with Gandhiji with the latter's fast-unto-death and he had to compromise on the demand for a separate

electorate with what is the present-day political reservation. Coercive means forced him to surrender the demand for a separate electorate, the consequences of which are visible today.

Team Anna should realise that the Indian Constitution provides ample opportunities for advocacy, through discussion and lobbying with parliamentary Standing Committees, Groups of Ministers, the Ministers concerned, the Prime Minister, courts, and above all through a peaceful agitation. With several political parties on their side, the possibility of reaching a middle ground is high. Experience with constitutional means shows that civil society activists, through their constant struggles, have persuaded the two successive United Progressive Alliance governments to acknowledge several basic rights and convert these into laws. The right to employment through the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), the right to information, rights under the Forest Act, the right to education, and now the right to food, are some of the revolutionary measures that civil society has been able to accomplish through constitutional methods. It is an opportunity for Team Anna to use constitutional methods and enhance the faith of people in these; otherwise Team Anna will convey the message that only coercive and unconstitutional methods work.

As Dr. Ambedkar observed, due to certain aspects of Indian culture our people are highly vulnerable to hero-worship. How a yoga teacher could convert yoga devotees into religious devotees and finally into political supporters within a few years' time is a classic example of what hero-worship and *bhakti* can do. Another religious preacher has threatened that he would use his religious followers for political end which he thinks does not require discussion with them as they follow him in whatever he tells them to do.

Anna and his team should recognise that for a new democracy like ours, which is operating within the framework of undemocratic relations based on the caste

system, constitutional methods and social morality need to be cultivated and promoted with a purpose. The Lokpal Bill is too important a piece of legislation to be passed under threat and unreasonable deadlines. All its aspects need to be discussed with extreme care and with consensus among all sections. Dalits have begun to express concern about its implications for them. In a society where the anti-caste spirit and prejudices are present in abundance, they feel that given its proposed wide-ranging powers, it may be misused.

The Commissioner for Scheduled Castes reported about 11,469 complaints by Dalit government employees during the period from 2004 to 2010 that were linked to caste prejudice. Several thousand more complaints under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, such as giving "false or frivolous information to any public servant and thereby cause such public servant to use his lawful power to the injury or annoyance of member of SC/ST" are waiting for justice. Therefore, Dalits have begun to seek safeguards against the complaints emanating from caste prejudices in the Lokpal Bill. I think the government has rightly brought the bill for an open discussion before the Standing Committee that comprises MPs from all parties, so that the Bill is discussed by all sections in a peaceful milieu and not under duress and force.

Anna Hazare knows that the road to social change is a difficult one. He helped Dalits in a number of ways, including by repaying loans taken by Dalits with contributions from villagers. Yet he could not bring about fraternity between them — Dalits continue to stay in segregated localities in his village. Corruption, like untouchability, is deeply embedded in the social fabric of our society. Therefore, besides legislation its eradication requires changes through education and moral regeneration.

# 19

## Born Again Patriot — An Anti-Corruption Movement and The Rise of Illiberalism

*Kanti Bajpai*

The Anna Hazare agitation is showing signs of becoming a political and social monster. There are several disturbing elements already in evidence, perhaps more disturbing than the awfulness of corruption. Whatever one thinks of the anti-corruption bill drafted by the government, the agitation, by the day, is growing scarier. There is a combustible mix here of hero worship, cult propagation, populist absolutism and irrational exuberance, mass hysteria, de-politicization, militarization, and, increasingly, signs that religion and agitation politics are being intermeshed.

First of all, and most palpable, is the cult of Anna Hazare. The media and those appearing on television, in particular on 24-hour news channels, are breathlessly elevating a rather obscure Gandhian into a Saviour who can do no wrong. Children, old women, teachers, students, doctors, lawyers, even officials, who know little or nothing about Anna, are dedicating themselves to the Leader. There are people fasting who say they will seek “direction” from Anna and only call

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\* The author teaches international politics at Jawaharlal Nehru University, New Delhi

off their fasts when told to do so by him. The Anna cult has just begun. Rumour, gossip, popular stories and anecdotes about his life and work, and the relentless campaign by adulatory media are deepening the cult around him. I doubt that it is possible to say anything sceptical or critical about Anna Hazare in the vicinity of the protests. This is the surest sign of cult propagation. The fourth estate, which is supposed to be the voice of scepticism in a society, has forgotten its true purpose and is embarrassing itself by fostering the hero-worship developing around him.

Secondly, we are seeing the rise of populist absolutism and irrational exuberance on a large scale. Team Anna has rejected the government's anti-corruption bill, has insisted that its jan lok pal bill must be presented in Parliament, and has largely ignored all other efforts at writing an anti-corruption bill. If corruption is the issue, there are various ways of thinking about controlling it. There are existing institutions and laws, and there are the proposals made by other civil society groups. Team Anna has more or less ignored all these alternatives. Apparently, there is only one Way. Person after person interviewed on TV declares that they have seen the light, the Anna light, and there is only one Way for them. A former civil servant, from the Indian Administrative Service no less, declared on a major channel that Parliament was corrupt and irrelevant, and so the agitation would now demand a referendum on this and other issues. Elections, representative institutions, all government ministries and departments were beside the point: only the People and the Crowd had the right to decide matters. With the passage of the jan lok pal bill, corruption would be eradicated, and a new India would be born. Watching the exuberance of those who think that a magic wand will make India and Indians good and pure, one almost longs for the dogged, monotonous, legalistic, mumblings of the prime minister.

This irrational exuberance about a utopian future which is seemingly just around the corner is increasingly being

manifested in, or being matched by, social hysteria. For over a week now, we have been witness to scenes of thousands of people, mostly young, predominantly from the urban, educated middle classes, shouting, chanting, celebrating, haranguing, eyes wide and wild, dedicating their time and their bodies to the Cause, talking the language of Sacrifice for the Nation, disclosing that they have woken from their inertia and sleep to a new reality. Many look physically and emotionally charged. The experience of being in a crowd, for several days without a break, is both energizing them and seemingly exhausting them. They are in a highly suggestible state psychologically, therefore, and could behave as crowds often can, with great intolerance and with a longing to submerge themselves in the gathering and submit themselves to the wishes of the Leader.

In this crowd, the air is thick with de-politicization. There are those who sincerely think that they are engaged in a highly political struggle. At a certain level, they are. Anyone making collective demands on the political system is engaged in a political struggle. However, politics is more than this. It is a complex, messy, and continuous activity. The Anna agitation, on the other hand, emphasizes the opposite: "real", "honest" politics is about simplicity, clarity, and great bursts of involvement. There is corruption, it is an evil, and it must be wiped out. It is possible to wipe it out, if everyone just had the determination to do so. How is it to be done? Draft a strong anti-corruption bill, with no loopholes, and create an institution that cannot be corrupted and that cannot be stopped by anyone. This will ensure that everyone is disciplined and honest, from the prime minister to the peon. Once the bill is passed and the anti-corruption institution created and manned, India can get on with everyday political life which is mundane and tedious and which only politicians, poor things, get excited about.

The last few days have seen, in addition, a militarization of the agitation. It is not militarization in the sense of violence, or at least not yet. It is militarized, though, in its vocabulary,

with calls to give one's life to the cause, to fight until the end, to wipe out and destroy corruption, to win a great victory, to bring the government to its knees in surrender, to get unconditional acceptance of its demands. This is the language associated with war and the military. A prominent English-language news channel has for several days presented short, evocative portraits of retired Indian soldiers. These soldiers, to a man, endorse Anna Hazare and the agitation, and do so in emotional and colourful language. With each passing day, we are being assailed by messages of Patriotism, as if only Team Anna, the crowds supporting Anna, and these soldiers qualify as patriots.

Finally, there is the increasing intermixing of religion and the agitation. The first phase of the agitation, before the lok pal bill, saw Anna sitting in front of the image of a Hindu goddess superimposed on the map of India. Anna was joined on the dais by Baba Ramdev. He is now apparently supported by Sri Sri Ravi Shankar and Swami Agnivesh. Even as Anna fasts at Ramlila Maidan, the spiritual leader, Bhayyujji Maharaj, has offered to mediate with the government. Supporters shout Hindu religious slogans. From the dais, members of Team Anna have led the crowd in the Hindu devotional song, "Raghupati Raghav Raja Ram". Suggestions that Anna Hazare has been associated with the Rashtriya Swayamsevak Sangh have not gone away. His praise of Narendra Modi, one of the most rightwing leaders in India, is also troubling and is not easily forgotten.

When we encounter people who invoke stirring images of the Saviour, the Leader, the Way, the Cause, the Nation, Sacrifice and Patriotism in highly charged times, we should worry. When we hear impatient calls for an end to Politics, when we witness religious or spiritual leaders come to the fore of the political stage, and when we hear the militarized language of victory and surrender in teeming crowds, we should fear for the future.

# 20

## The Ayatollah in Waiting

*Govind Talwalkar*

It is a misnomer and an insult to call Anna Hazare the second Gandhi.

Mahatma Gandhi's non-violent movement against the British government had several critics. Some of his political opponents such as the Communist leader, M N Roy, and even some Socialists, who were for quite some time with the Congress, used very harsh words against him. The Communists characterised his methods as reactionary, while Roy said that Gandhi represented nothing but the ignorance and superstitions of India.

When Jayaprakash Narayan was all for a fight with the British and was against any talks with that government, he was furious because Gandhiji gave priority to a dialogue. JP went to the extreme by writing that Gandhi's policy was just like that of Chiang Kai-shek.

Nevertheless, Gandhiji always kept his calm and even though he disagreed with many of his critics, he was courteous and persuasive. He did not call them traitors. He would tell the leftists that he was also a Socialist but could not run so fast like them on the path to this goal.

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\* Govind Talwalkar is the former chief editor of the *Maharashtra Times* and author of several books on history, politics and literature

Gandhiji was the most popular leader; but he did not endeavour to dominate or avoid any discussions with those holding opposite views.

When he visited Ratnagiri in the Konkan area of Maharashtra, he held talks with V D Savarkar, whom he used to address as Veer, a courageous fighter. Gandhi suggested to Savarkar that though they had differences, they could cooperate in the task of abolishing untouchability.

In contrast, Hazare thinks that he is the only person who has all the answers to all the questions; moreover, he is the only honest person. Because of this moral superiority complex, he has even labelled all those in power since Independence as traitors.

Of course, he did not decline the Padma awards from the people in power nor has he ever hesitated to take police protection. Gandhiji was always ready to find a compromise solution and did his best to reach one. Anna, on the contrary, lays down the terms; and commands that they be followed and then keeps adding new terms.

It is his way or the highway.

This is not the attitude of the Mahatma, but that of the Ayatollah. Like the Iranian religious supremo, in the Anna demands supreme power and he dreams that with the present dysfunctional government, he could wield power from Kashmir to Kanyakumari and everybody would just obey his fiats.

This is fascist tendency and may have roots in his career army. In India, when chaotic conditions prevail, a large section of the middle class prays for military dictatorship. In the Second World War, Hitler had several admirers from this class. That is why the authoritarian Anna may be satisfying their craving.

No wonder the Rashtriya Swayamsevak Sangh has openly come out in support of this Ayatollah in waiting. He promises to bring in a pure and benevolent democracy, but his fascist attitude would be a deterrent.

His unlimited ambition is to take control of the whole

government machinery, right from the prime minister and judiciary down to the village-level employee. The Jan Lokpal from top to bottom would be selected by Anna and his revolutionary guards.

Thus, instead of drastically reducing the rigid bureaucracy, India would have a gigantic parallel bureaucracy. And who would guarantee that this new army proclaiming moral re-armament would make corruption in the country a thing of the past?

Gandhiji had a gift for selecting individuals of talent, integrity and competence who could make their mark. Because of his novel political technique, dedication and mild nature, he was able to attract from all over the country several outstanding personalities such as Motilal and Jawaharlal Nehru, Sardar Patel, Rajaji, Dr Rajendra Prasad, the Bose brothers, Maulana Azad, and also several young people.

They had their differences. Some left the Congress. However, most of them did not waver from the ultimate goal. Many of them served several years in jail. People like Nehru, Sardar Patel, Rajaji, Rajendra Prasad etc had their own personalities; and after Gandhiji they laid the foundation of this great Indian democracy, which the coming Ayatollah and his revolutionary guards are doing everything in their power to bring down totally.

Our political parties are playing their usual games. It is not clear whether the Bharatiya Janata Party supports Anna's demands. But it has taken full advantage to make political capital. Forgetting the Tehelka incident and the recent Karnataka scandal, it is vociferous against the Congress's corruption.

The Communist Party of India-Marxist is not expected to lead the ministry at the Centre in the near future. So it can go along with Anna. But, then, why did it not move an amendment to the Lokpal resolution?

Shanti Bhushan was some time ago a law minister. Why did he not do anything to usher in a new era then? Even while enjoying his lucrative law practice, he could have

launched an anti-corruption movement. He and Kejriwal seem to require moral support from Anna Hazare.

According to Arundhati Roy, Kejriwal is reported to have monetary support from the Ford Foundation. The so-called new Gandhi preaches Swadeshi, but does not mind this ardent supporter receiving money from a foreign organisation. But all these contradictions are not taken notice of.

The rules applying to ordinary mortals are not applicable to the Ayatollah.

Baba Ramdev has numerous enterprises which are now under scrutiny. Anna did not take any objection to him.

It is beyond doubt that the government has mismanaged and prepared the ground, but Anna and his team have proved to be like the Ayatollah and the revolutionary guards in the making, with student puppets.

# 21

## Hardly a Revolution

*Soumitro Das*

A middle-class revolution is a contradiction in terms. To be middle-class in India today is to be a creature of privilege. To be middle-class is not to go hungry ever, not to have to pull one's children out of school so that they can help in putting food on the table, not being prey to a thousand diseases deriving from an unhygienic environment and the list could go on and on. Who could the middle-class revolt against if not itself?

However, it's a quirk of history that the class which is economically the most powerful in the country is not the most powerful politically. The legislature is dominated by downtrodden masses of the country. It is they who vote in a new Parliament every five years or so. The middle-class doesn't have the numbers to win the parliamentary game and, therefore, desists from casting its vote. Thus, its attitude towards democracy is at best ambivalent, at worst schizophrenic. It likes to flaunt the country's democratic credentials before the world community; but it is furious about not having a say in how the country should be run, especially when legislators elected by, for example, the rural masses get away with the kind of indiscipline that would shame any politician in the developed world.

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\* *Soumitro Das is a Kolkata-based writer*

The middle-class holds the political class in contempt. There are several reasons for this. One of them is the fact that most politicians would be unable to secure and hold down a job in the private sector. Another reason is the fact that our legislators are elected by the most poor and illiterate mass of people to be found anywhere on earth. Such an electorate, the middle-class thinks, is unable to produce modern leadership. Then, there is the behaviour of our politicians inside and outside the legislature. They can indulge in acts of hooliganism, but the middle-class is watching them on TV.

The complaint about criminals sitting in Parliament is partly misinformed. Registering cases against political rivals is one of the easiest things to do in India. Amar Singh may represent the worst in our politics, but he is certainly not a murderer. Yet, he has murder cases against him. One also remembers the occasion when Mayawati asked her cohorts to register cases against Mulayam Singh Yadav all over UP and overnight Yadav was faced with the prospect of fighting cases in a 100 different courts in the state. So this business of criminality needs to be looked at on a case-by-case basis; no generalisations - such as Arvind Kejriwal's, "They are all thieves" - are warranted. Last, but not the least, the political class is demonised by the media. The middle-class follows the media faithfully, since it's the media that promote the fiction that the middle-class speaks for the nation and that all other points of view are mendacious, if not superfluous.

All this to say that Anna Hazare's movement, being largely driven by the middle-class, is not a revolution. For it to be revolutionary it must scare the living daylights out of the middle-class. What could be a real revolution in this country? The answer is provided by Dalit voices that were heard briefly amid the cacophony surrounding Anna's fast. Both Kancha Ilaiah and Chandrabhan Prasad said that the central issue before the country is not corruption, but the caste system. Ilaiah and Prasad are right. Dalit insurgence is the one thing that is liable to scare the living daylights out of

not only our middle-class, but also out of village notables who rule through traditional bodies such as caste panchayats.

It's not just a coincidence that Kiran Bedi named Lalu Prasad, Amar Singh, Ram Vilas Paswan and Mulayam Singh Yadav when she implied that a parliamentary standing committee composed of such people would be unlikely to do justice to a strong lokpal legislation. They are all caste politicians, protagonists of India's 'long revolution'.

The middle-class is comfortable with Hazare's movement. It's in charge. And what it wants to seek through the institution of the lokpal is a sort of a permanent moral guardianship over the political class as a whole.

# 22

## Anna Upsurge and The Social Movements

*Ram Puniyani*

Anna Hazare's second fast (August 2011) in Delhi, demanding the acceptance of his teams' draft for Janlokal bill has raised many different debates about the nature of this upsurge and how the social action groups, engaged in the process of struggle for Human rights of different sections of society, should relate to such movements.

Just to recall the first such fast was taken by Hazare was undertaken in April 2011, on the issue of Jan Lokpal Bill. Around that time there was a competing movement by Baba Ramdev for getting back illegitimate money stashed abroad. While Hazare withstood the pressures of state to resurface again, Baba Ramdev collapsed soon enough and tried to run away wearing women's clothes. Hazare's, 'Team Anna' has diverse people, engaged with different social issues, including reforms in judiciary, bonded labor, communal amity etc.

Many of them have been rubbing shoulders with grass level social activists working for social change. This time around other social activists of repute of Medha Patkar have

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\* Ram Puniyani is a writer activist, member of All India Secular Forum

come forward more openly and joined hands with Hazare upsurge. Lot of sympathy for Hazare movement has also been elicited in amongst other activists seriously committed to the issues of human rights. While others like Shabnam Hashmi, Mahesh Bhatt, Anand Teltumde and the noted writer Arundhati Roy have come out with heavy criticism of this Anna movement. Aruna Roy's group has come out with alternative draft for Lokpal Bill. The dilemma for activists is what do we do? Do we be part of Anna upsurge and fight for getting his draft of Jan Lokpal Bill accepted or should we stand aloof from this movement. Surely Anna movement has at one level caught the imagination of a large section of people.

The Lokpal Bill idea was floated decades ago and many different parties have come to power during this time, but this bill remained unattended to. Janata Party, VP Singh, BJP led NDA all had put the proposal of a Lokpal bill in the cold storage. Anna's fast has made it come to the fore. Anna movement came suddenly and soon was converted into a spectacle by the mobilization done by RSS-BJP-VHP combine. The same was hugely overblown by media which pitched in to give it the exalted status. Live coverage, hype reserved for a cricket match, all was on display. Most TV anchors were screaming and exhorting the people to be part of the Anna upsurge. The RSS mechanism, visible- invisible both, which is capable of making the Ganesh idol drink milk, came into action and candle holding middle class, the 'Shining India' class was there at Jantar Mantar in good strength. Bharat mata was in the backdrop and cry of Vande Mtram was in the air. RSS functionaries and associated Godmen were around to mix overt faith with a particular type of politics. This politics, which earlier had by a different type of mobilization to demolish the Babri Masjid.

This time around (August), when Anna went on fast again, this 'shining India' group was joined in by other sections in larger numbers. Many sections who are part of this mobilization are hardly aware of what the real debate is

about. Team Anna succeeded in projecting that they are against Corruption and those who are not with them are supporting corruption. The real issue that Anna wants only his draft to be made in to a bill within a stipulated time, went to the background in popular perception.

Some other points related to the issue are worth giving an attention. One of these is as to how come the issue has been raised both by Anna and Ramdev around the time when some corporate executives were arrested for corruption and there was a fear that big honchos may also have to be behind the bars. And secondly, is it a mere coincidence that it is around this time also that many a cases against the crimes of Modi are coming to a stage where he may be pinned down.

The Anna movement has two components. One is the core one, the one which has been called by political scientists as 'Shining India' or 'the MBA type generation'. This class is receiving good packages and is showing its concern about social issues mainly by opposing state affirmative action like NAREGA or reservation for dalits. This is the class, large sections of which called for need to attack Pakistan in the aftermath of July 2010 Mumbai blasts. Second group, smaller and less assertive around this core of middle class is constituted by those deprived sections that are looking for a platform to express their anguish with the rising prices and problems of daily life, which is worsening by the day.

While the 'Anna protest' is valid, the pressurizing of state-government to bring in a suitable law for Lokpal, one does not understand why the insistence by Anna, that the Bill must be passed in the stipulated time, and only his draft should be accepted. Anna's group is not the only civil society group, there are other options also, which have come out with probably better alternatives and have tried to overcome the authoritarian nature of the Governments draft Bill and Team Anna's draft bill. One means by this the draft by Aruna Roy group, which has been quietly working on it. Why is there this attempt to bypass the parliamentary norms, to rush through them? One knows the bills like RTI, took years to

become the law. One knows the necessary bills like those against communal violence and for Right to Food are in the pipeline, and taking good gestation period. The haste can be understood only from the angle that this Anna's attempt is an attempt to undermine Parliamentary system of democracy.

Many sincere social activists feel that the present system has failed and needs to be replaced. Good enough. There are severe fallacies in the present system. Lots of lacunas, lots of inertia! So what is the solution? To change the government, as Anna is demanding, *Lao ya Jao*, (bring my Lokpal Bill or Quit)! This is a political call to bring in the party whose affiliates are mobilizing the middle and other classes and is distributing tee Shirts and caps "I am Anna Hazare", whose volunteers have going door to door to whip up support for Anna. The other interpretation is that the parliamentary system will give way to a revolution, a better system. Many sincere social activists believe this. This is a sign of frustration with present state of things and also the lack of deeper understanding of logic of 'democratic system in evolution'. Democratic systems can always give way to other systems, but surely those systems coming in place of democratic ones' can only be authoritarian. Comparing this upsurge with the one in many Muslim countries is misplaced again. In countries like Egypt, Tunisia the authoritarian regimes are being replaced towards democratic ones', with all their teething troubles. As such every mass movement does not bring in democracy. We have witnessed that in Germany Hitler's also built up a mass movement, Hitler's movement crushed democracy. Every mass movement is not for better values, Ramjambhoomi movement was one such, which created Hate Politics and paved the way for massive violence. One welcomes mass movements as far as they are inclusive and within the democratic norms for the values of Liberty, Equality and Fraternity. The one being orchestrated around Anna Hazare, smacks of intolerance for other's views and has lack of patience. There is a need to nurture the norms of Parliamentary democracy, which should be non-

negotiable. The hidden/overt hand of divisive forces and the core composition of 'shining India' class raises lots of doubts about the democratic credentials of this current Ram Lila ground upsurge.

Social movements and their campaigns must give direction to the democratic system, the government, the parliament. The space of democratic society is currently being usurped to do away with parliamentary democracy, it is a danger signal of sorts. In the core of this movement, what dominates is the superficial attitude to the widespread cancer of corruption. Corruption is being seen in isolation. The point to remember is that corruption is a mere symptom of a disease, and not the disease by itself. The deeper disease, which is the system based on inequality lack of transparency and lack of accountability are the issues which need to be addressed by and by, that's where we need to pay our serious attention to. Creating another unaccountable all powerful institution may be something worse than the disease the society is suffering from.

# 23

## A Tale of Two Movements

*Amita Baviskar*

The agitation for the Jan Lokpal Bill (JLB) is being hailed as 'unprecedented' and as a 'second freedom struggle'. More grounded analysts have likened it to the Navanirman movement led by Jayaprakash Narayan in the 1970s. However, a more apt comparison lies closer at hand.

Less than six years ago, Parliament enacted a national Right to Information Act. This was a major victory for the RTI campaign which aimed to empower people to fight corruption and malgovernance. It mobilised a nationwide network of support, bringing together activists, NGOs and ordinary citizens, and effectively using media and middle-class interlocutors. India Against Corruption (IAC), the coalition leading the present campaign, shares the goals and the networking strategy of the earlier campaign, and its leaders Arvind Kejriwal, Prashant Bhushan and Anna Hazare were closely associated with it.

Yet, the differences between the two campaigns are striking as well as instructive. The RTI campaign and the JLB campaign both strive for greater government accountability, but their ideologies, modes of organisation,

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\* The writer is a sociologist at the Institute of Economic Growth, Delhi

support base and strategies diverge in important ways. Understanding these differences is crucial if the Lokpal Bill, once enacted, is to achieve its stated goal.

The RTI campaign grew out of the experiences of the Mazdoor Kisan Shakti Sangathan (MKSS), the jan sangathan (people's organisation) in rural Rajasthan which had, for two decades, fought corruption in village development works. The MKSS pioneered the use of jan sunvai or public hearings as a technique to empower villagers to 'speak truth to power', challenging an opaque, oppressive and corrupt system of governance. The jan sunvai's success depended on systematic preparation to mobilise people to testify, collect information and check its accuracy. The groundswell of public anger against abuse of public funds was harnessed to create a coordinated campaign led by trained local activists.

From the villages, MKSS took its campaign to the district and state level, staging determined demonstrations that attracted the middle classes and intellectuals, before leading the national RTI campaign. The national network was more eclectic; it included not only jan sangathans like the MKSS, but also individual anti-corruption activists like Anna Hazare and Shailesh Gandhi. Notably, the RTI campaign aligned itself with the National Alliance of Peoples Movements, sangathans of the rural and urban poor fighting against dispossession. This organisational base gave the RTI campaign a solid political credibility.

The JLB campaign shows a distinctly different trajectory. Even though Kejriwal's Parivartan, which battled corruption in ration shops in two Delhi slums, was a jan sangathan, its base was too limited to launch a nationwide campaign. The other campaign leaders – Prashant Bhushan, Kiran Bedi and Hazare – also cannot muster a trained cadre of activists. The JLB campaign has mobilised participants in two ways: through social networking and the media; and via regional chapters of Baba Ramdev and Sri Sri Ravi Shankar's congregations.

The coming together of a predominantly young, white-

collar constituency that communicates through text messages and Facebook, lower-middle-class followers of Baba Ramdev, and the professional classes that practise the Art of Living gives the JLB campaign the strength of numbers as well as the image of appearing all-inclusive. However, this strength may dissipate once the Bill is passed. Mobilising crowds for a successful agitation is one thing; having a committed and trained activist base to convert that success into long-term institutional change is quite another.

If the RTI campaign embraced sangathans with an Independent Left ideology, the political beliefs of the participants in the JLB campaign are harder to pin down. Eight of the 20 founders of India Against Corruption are religious figures, of whom only Swami Agnivesh can be described as a champion of jan sangathans. The rest voice patriotic sentiments and anti-government hostility without a clear analysis of how the systemic problems that plague public affairs will be tackled. Sri Sri Ravi Shankar's previous social initiatives have been of doubtful value (cleaning the sewage-laden Yamuna by picking up garbage from the riverfront) and marked by dubious claims (11,000 Naxalites 'converted' to the Art of Living).

While other founders like Hazare and Bedi have a reputation for personal probity and courage, they endorse a form of individualist authoritarian action that's applauded by a public hungry for vigilante heroes. The JLB thus represents a shift in the political spectrum: from the left-of-centre democratic decentralisation of the RTI campaign, to the right-of-centre legal-technical-fix of India Against Corruption.

The test of any law lies in its implementation. Much disquiet has already been expressed about the overly-centralised design of the JLB and the impracticability of the mammoth bureaucratic machinery it demands. However, making a law work also requires a mobilised public, a dedicated and organised network at every level that will keep up the pressure on public institutions. The ideologies,

organisational structure and support base of the JLB campaign do not indicate that it is capable of such long-term and systematic social action.

The RTI campaign's activist base has allowed it to sustain an arduous struggle against corruption, but the challenges have been formidable. It remains to be seen how the JLB campaign will equip itself to walk the talk, and translate strident demands into effective action.

*Courtesy: Times of India*

# 24

## Anna's Social Fascism

*Kancha Ilaiah*

The recent happenings in Delhi around the issue of the Lokpal Bill have been celebrated by the media as people's victory, pinned down on Team Anna Hazare. But the majority of the "masses" of this country, living in institutional caste and class enclosures, are not yet part of the "civil society" that the victorious group was talking about.

The so-called anti-corruption movement, therefore, needs to be examined from a multi-dimensional perspective. For example, I see it as a modern Manuvaadi Leviathan's victory. Manu's modern disciples walked into the Ramlila Maidan to celebrate the rise of a modern Levia-than, decorated in Gandhi topi.

This 21st century "social" Leviathan walked into the maidan as the enemy of corruption, but he sought to set aside the Constitution (maybe because it was drafted under the chairmanship of a dalit) and throw overboard the supremacy of Parliament that came into existence to dismantle the fascist social structures that existed for centuries in the form of Varna Dharma. Vande Mataram was its slogan and the national flag (not its own flag) became the symbol of its street power.

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\* Kancha Ilaiah is director, Centre for the Study of Social Exclusion and Inclusive Policy, Maulana Azad National Urdu University, Hyderabad

Social fascism becomes the reality of a civil society that constructs a moral basis of its own. A middle class like the Indian one, which has erected strong caste enclosures around itself, looks for morality to serve its own interests. Corruption in general becomes a buzzword of condemnation within its day-to-day discourse, despite the fact that it lives with corrupt practices on a daily basis. For example, a middle-class government or NGO functionary does not hesitate to take Rs 1 lakh or more as salary, plus thousands of rupees of honorarium and sitting fees, but that same person would treat a chaprasi, who works for a Rs 5,000 monthly salary, as corrupt if he/she asks for Rs 200 for extra work.

The civil society that led the anti-corruption crusade also does not see corporate houses paying hundreds of crores of bribe money as corruption, but, a minister, an MP or a government official, who takes such bribe money is seen as corrupt because the corporate houses are still in the hands of "their people", while the political and bureaucratic positions are slipping into the hands of people who are "corrupt by birth".

Take, for example, A. Raja and Kanimozhi. They are treated as corrupt but the corporate houses that gave kickbacks and took huge contracts at throwaway prices are not treated as corrupt. The same corporate houses and their media boxes have been mobilising civil society of Gandhi topi into maidans to fight corruption.

In an unethical capitalist market like ours, whoever takes more space in English TV channels can portray themselves as clean. That very media can become a source of mobilisation of mobs to define corruption as they want. Any other mode of defining corruption is treated as illiterate rhetoric.

If the chant of Vande Mataram has the power to empower civil society, it also has the power to destabilise democratic institutions that gave life to the poorest of the poor and the lower castes, particularly India's Muslims.

The high moral ground on which the Hindu middle class stands is a breeding ground for social fascism. The poor and

lower castes have fought huge battles to checkmate saffron social fascists in the last 20 years. Now the same forces have come to occupy centrestage wearing the Gandhi topi.

I wish all those who came to Ramlila Maidan in Gandhi topi would also send their children to schools in Gandhi's dress code.

But back home they prefer suits and boots for their children who go to a St. Mary or St. Peter's, and not to a Mahatma Gandhi or a St. Hazare school. Corruption is not just economic practice; it is also cultural practice. Social fascism does not want us to see that inter-linkage, though it knows that such linkage exists.

Social fascism always lives in duplicity. It uses Sanskrit as its temple language, Hindi for maidan speeches and English as its office language. Hypo-crisy is its innate cultural being. It pretends to be simple in public life but its dining table has to have all items that the corporate market supplies with brand names.

Team Anna does not think that the Indian corporate houses are corrupt because they are supplying all the cameras that show them as crusaders out there in the new avatar of Gandhi. The social fascist ideology treats corruption as a one-way process. Any process of flow of money to the poor and lower castes in the Indian context is treated as a process of corruption or economic waste. But deployment of market prices by monopoly traders that acquire huge margins of profits, without subjecting themselves to state regulations, is not treated as corruption.

Take, for example, all Bollywood heroes and heroines who joined the anti-corruption bandwagon — most are people who evaded taxes. Team Anna believes that the agendas that have the potential to establish equality among people or at least change the basic life of the oppressed masses need not exist in the national discourse at all. The nation is being shown in the image of Bharat Mata who controlled and manipulated the consciousness of oppressed people for

decades, and that image is being shown to the others, minute by minute, 24×7, making them shiver.

Fascism now lives in pucca houses and democracy has been sent to a shed. Social fascism treats hierarchical ordering of the society as natural. Any economic redistributive mechanism put in place by the state or a civil society organisation is treated as corrupt and unethical. When corruption is seen through the glasses of this upper caste middle class, it appears to them that it has a legal solution and that legality is crafted in its own terms. It doesn't want to understand that the dharma of the oppressor has always worked against the interest of the oppressed.

Social fascism emerges when a nation is in a deep crisis of moral confidence. It formulates itself in the layers of civil society and moves on to occupy the portals of political power. This happened in many countries — Germany, Italy and so on. In all countries where social fascism emerged victorious, it emanated from the fold of middle class that asserts a high moral ground for itself. That high moral ground generally gets established around the theory that it is non-corrupt.

*Courtesy: Deccan Chronicle*

# 25

## Enough! Mr. Hazare

*John Dayal*

The problem with revolutions is that no one can predict how they will end up. That is as true of Cromwell's in England's hoary history as of Jose Marti and Bolivar in South America, and not forgetting Napoleon Bonaparte and Lenin in Europe. The jury is still out in the Indian subcontinent which saw "revolutions" in 1857 and 1942. The last one, a so-called "peaceful" one, led to Independence five years later in 1947 in the aftermath of one of the bloodiest unclassified religious civil wars in the history of the world, with at least a million dead, and tens of millions displaced in what are now Pakistan, India and Bangladesh.

And if you are of a religious bend of mind, the revolution started by Martin Luther. Not many would dare write about moral revolutions started by Jesus Christ, Mohammed and Nanak, which today face charges of paedophilia and prosperity doctrines, terrorism and xenophobia. Hinduism escaped a study because of its unforgiving allegiance to Brahminical exclusivity, and the Manu code, both proof against mere social, political and religious revolutions and analysis.

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\* Dr John Dayal is a journalist, documentary film maker and Human Rights and Civil society activist based in New Delhi

Retired Havildar Kisan Baburao Hazare, better known to TV news-channel audiences as “Gandhian Anna Hazare”, yoga teacher and tele-evangelist Ramdev, and for that matter Arya Samaj breakaway sect leader and former Haryana Minister Agnivesh, each promise India a new revolution which will cure “Bharat Mata”, the mythological icon common to their rhetoric, of such ills as corruption, hunger, mal-governance and homosexuality. Millions of middle class innocent and lumpens have sought instant nirvana in their arguments, “satyagrahas” and fasts unto death. No one has died for the cause so far, barring perhaps the death of credibility and a diminishing of a faith in parliamentary democracy and its instruments.

Faced with food shortages and corruption, rising prices in uncured inflation, a shortage of jobs and a rapidly widening gap between the haves and the have-nots, it is not spurring that in both the poor and the middle classes – who are not starving, but do feel the pinch of rising prices of fruit and television sets – there is a desire to see the system change. For want of any other argument, they mistakenly also see the omen of systemic failure as a failure of democracy itself, and then seek solutions and instant cures outside the perimeter of Parliament and its structures. They lose faith in judicial institutions which, as wheels of justice are wont to, grind exceedingly slow, even if they occasionally grind exceedingly fine and do deliver justice. It remains to be seen if justice delivered in the rare judgments of the Supreme Court has the inertia to change systems of governance and of democracy in a permanent manner. Because such judgments are rare, as are the infrequent piece of legislation, they remain tantalizing in their hope. But they do not have the strength to reassure the masses, and stop them from pursuing mirages of permanent revolutions, and “new independence struggles.”

Early in the 1960s, a mere 15 years after the dawn of Independence, one of the grandsons of Father of the Nation Mohandas Karamchand Gandhi, launched the Moral

Rearmament Movement. Raj Mohan Gandhi, one of the three celebrity siblings – the others were his elder brother and philosopher Ramu Gandhi and the younger Gopal Gandhi who last was Governor of West Bengal – had reinvented for India a version of the MRA birthed as a moral and spiritual movement in 1938 from the Reverend Frank Buchman's Oxford Group. This was a response to the first indications of the second world war and the militarisation of Europe. The slogan was that moral recovery was critical to economic recovery. MRA was, in Europe at least as well as in emerging free nations after the second world war, important in bringing unity between groups in conflict, and helping ease the transition into independence.

In its initial phases, Rajmohan Gandhi's MRA attracted the youth, and as a student of Delhi University, this correspondent participated in some of the meetings together with hundreds of others. MRA however failed to take off as a major social movement in India, fast losing even its youthful participants. But it did leave an impact on the discourse on politics and critiquing the state apparatus in a non violent way.

Ram Manohar Lohia, lifelong critic of Jawaharlal Nehru's eliticism, and articulating a socialism of his own away from the Gandhi-Nehru brand of Congress politics after 1947, had even earlier attracted the young, together with the socialist elements in the Congress such as Acharya Narendra Dev, Aruna Asaf Ali and others who flirted with democracy, socialism and Marxism of the Russian variety through the early years of Independent and democratic India.

It was perhaps left to Jaiprakash Narayan, working in the economic and political crisis after the euphoria of the Bangladesh war of independence in 1971 and India's transient victory over Pakistan – remember the 90,000 Prisoners of War from the Pakistani army captured by India – had ended, to launch another, and the most powerful, movement in contemporary history. His version of a "sampoorna kranti", or total revolution, based on morality, rebelling against all

forms of corruption and dynastic rule, would perhaps have taken another route if it were not for Indira Gandhi losing a court case against her election to the Lok Sabha from Uttar Pradesh. Instead of accepting defeat and bowing to the judicial ruling, Indira chose a drastic way out. Believing that the people would eventually back her up, she suspended the Constitution, and imposed a state of internal emergency. Narayan, in hindsight, played into her hands, calling upon the army to revolt. That was the last straw. Opposition leaders were arrested overnight, the media shackled and democratic discourse banished. With no checks and balances, power, as it is wont to, soon passed into the hands of a apolitical coterie led by her younger son Sanjay Gandhi.

This was an extra-constitutional centre of authority. A vicious governance became the norm.. More people filled jails. Bulldozers cleared off slums an millions were banished to far off resettlement camps. Muslims rebelled in town after town in Uttar Pradesh, seeing a design to disperse them and disenfranchise them. Forcible sterilisations were the norm, but Muslims again saw themselves as the main targets. There was much violence. Obviously, a police state of this sort could not last long and Indira Gandhi had to lift emergency after 22 months and call for elections. A grand coalition in which the RSS was partners with the Marxists and all sorts of middle parties, many of them break way groups of the Congress, came to power as the Janata Party government under Morarji Desai. But JP's movement was quite dead in that government.

By the way, two major evils of today have roots in that rule of the Janata Party. One is the legitimisation of the Sangh Parivar [and what was then the Bharatiya Jana Sangh and is today the Bharatiya Janata Party], in its members' shared incarceration in several jails with Marxists and rebel Congressmen. The second is the infiltration by RSS cadres into Media, the Police and other administrative and judicial structures which came under the control of this motley bunch in their brief "raj" or governance between mid

1977 and 1980 when Indira Gandhi swamped Parliament once again in a powerful resurgence.

It is always, therefore, good to remember a bit of history as one sees, or imagines, seeds of a revolution in the Hazares and the Ramdevs, Kiran Bedis and sundry self appointed leaders of civil society.

The people are today correctly and legitimately questioning the dispensation of the day. The IMF-ordered liberalisation and globalisation that the then Finance Minister Dr. Manmohan Singh unsheathed in India has not brought about the desired impact on the economy as it is visible at the grassroots. It has created thousands of Dollar Billionaires in India. It has sired a 200 million and expanding middle class, estimates say. But it has had a terribly negative impact on the poor in the villages and the small towns, and in the slums of the metropolitan cities.

Writing in a recent edition of the *Tehelka* magazine, that bright young journalist Revati Laul – who defied the trend by switching from satellite news channels to the print media – wrote “The Indian growth story has been written with the blood of famers and tribals” She is referring to sell-outs to big land mafias and multinationals such as Posco and Mittals, but also to home grown giants such as Reliance and Tatas.

India’s education, food and employment records – the so called quality of life index – make it shrink from a economic powerhouse to a pigmy not too far ahead of new Africa.

India’s record as presented in its UPR – the Universal Periodic Review that nations have now to face in the United Nations once every five years – makes for dismal and tragic reading in just about every segment – from gender and dalits, farmers and landless peasantry, all the way to police atrocities, custodial deaths, miscarriage of justice, and the xenophobic treatment meted out to religions memories, specially to the Muslims and Christians.

At a recent hearing in Geneva, NGOs spoke at length of the “exclusion of the most vulnerable – Dalits, adivasi communities, the rural poor – being perpetuated by the

current economic growth model". The vast majority of India's working population are employed in the informal sector as "flexible labour". As a result of this, the vast majority of India's working population has been reduced to further poverty – about 77% (850 million) of the working people of India subsist on Rs. 20 per day. With no social protection, their rights are totally denied to them. The "social cost" of India's growth was also discussed, particularly the mass displacement of millions of families due to purported "development" projects. With the displacement, traditional livelihoods are being destroyed on an unprecedented scale.[Data from the NGOs document for the UPR]

Although the then Minister of State for Home Affairs Ajay Maken told Parliament of 6,000 communal riots [mostly attacks on Muslims, but also the Kandhamal atrocities against Christians] in the last decade, the Indian state has failed to acknowledge this. Or to address human rights violations, including: large-scale displacements resulting from development projects and communal violence; enforced disappearances in conflict areas, deaths through encounters. widespread use of torture and increasing attacks against human rights defenders. The curtailing of human rights in the state's response to terrorism, and the need to interrogate this response and its impact on human rights, was also discussed in the UPR.

Christian Solidarity Worldwide (CSW), the international associate of the All India Christian Council, specialising in religious freedom, told international for a of the widespread abuses in India, and the infringements of religious freedom, particularly that of the most oppressed castes, the Dalit Christians, "which are symptomatic of the extremist nationalist agenda of Hindutva." It noted that the issue of caste lies at the heart of many of India's human rights problems, including prejudicial violence, discrimination, labour exploitation and religious freedom infringements. "It should be considered as the main prism through which to view and interpret these problems; and the means of

addressing these problems should involve reference to caste. The hierarchical caste system continues to dominate and shape Indian society to a considerable extent, detrimentally affecting the social status, treatment and socio-economic prospects of the Scheduled Castes, or Dalits, who comprise the 'lowest' layer of the caste system and represent 16% of the total population (at least 167 million), according to official 2001 census data. Dalits often bear the brunt of religious freedom violations in India, owing largely to proponents of Hindutva.

It is not just international agencies that have noted the extremist nationalist manifestation of Hindutva, which encompasses a vision of India as a Hindu nation in which minorities must assimilate to and revere the Hindu religion, race and culture and which, in practice, seeks to preserve and defend the cultural hegemony of Hinduism at the expense of minority religions.

CSW and others note that the chief victims of human trafficking, bonded labour, sexual slavery and other forms of labour exploitation, are Dalits or members of 'low' castes. The implementation of laws to prevent such exploitation is extremely poor.

Freedom of religion is infringed by legislative means: specially through religious discrimination in reservation policy and through state-level 'anti-conversion' laws. It is also threatened by religiously-motivated violence against the minority Christian and Muslim communities, which is typically committed with impunity.

Former Delhi high court chief justice Rajindar Sachar, author of the eponymous report on the social and economic status of India's Muslim community, recently noted "The cynicism of political parties is shown by the facts that inspire of warning in recent state elections which show another trend to criminal nexus in elections, thus of 824 newly elected MLAs of recent elections in the States a total of 257 have criminal cases pending against them. As is well known the politicalization of criminal is a stark and dangerous reality.

Even in Parliament there are nearly over 100 MPs having criminal cases pending against them. There has been demand that tainted persons should not be allowed to contest elections. I feel that the law of Lok Pal should provide that the legislator has to be prosecuted for his misdemeanour, he should be deemed to be ineligible to continue as legislator till he is proved innocent." Justice Sachhar was commenting on the controversy raised in the formulation of the Lok Pal, or Ombudsman Bill, with government keeping the Prime Minister, the senior judiciary and Members of Parliament out of its purview while the Hazare led group not only wanted all these groups to be covered by the Bill, but also demanded that government have no say in the choice of the ombudsman.

The furore over the Bill is an indication of the rot that has sent in. But the debate also shows that the voice of the pretty well off middle class – the same group that does not want affirmative action for Dalits in education – has swamped the voice of the men and women in the village, the bonded labour, the homeless.

What sort of a second Freedom Struggle can we envisage for the poor. Not a freedom from Direct taxes, and certainly not the freedom to profiteer in the guise of free market economy.

Aruna Roy, perhaps one of the more sober human rights activists in the country – like many others, she too was a member of the elite Indian Administrative service, but resigned long before she would have become entitled to a pension – came up with some telling comments in recent reflection. "We have warned that in its current form, the Lokpal could become a Frankenstein Monster, concentrating power in a few, new, hands. Our key argument is over democracy itself. You know how easily one can become almost fascist in this country under its democratic overlay. To prevent that, one has to make sure he parliamentary process is strengthened, cleansed. But if you bypass the institution, you create very serious worries. Tomorrow, if three lakh RSS workers want a joint committee to look at

changing the Constitution to make India into a theocratic state, will there be space for the/”

There is absolutely no question but that India needs reforms. Sensible economic reforms that put food into the mouth of babes and ensure cash transfers to the poor and the marginalised for all sorts of things, from education to clothing and a roof.

There must be a multiple pronged attack on corruption – the institutionalised payolas of the ministries and the nexus between the tycoon and the minister as exposed in the 2G scam have to be stopped. So also the corruption in the educational sector, and even in the private sector. It is common knowledge that in the entire private sector, including schools and colleges run by famous groups, the employees including teachers sign one certain amount as salary and get a substantially lesser one. There must be an end to the corruption which sends a soldier to the Siachin Glacier clad in ill suited uniform, and an end to the racket in coffins in which some of these soldiers return home.

Above all there must be an end to the corruption – the bribe giving and the bribe taking – which impinges on the common man back in the village, in the small town, over every facet of life – from the making of a ration card to the money that comes from the Mahatma Gandhi National Employment Guarantee Scheme. It needs a commitment and a political will to contain this corruption. It can surely be done. That is the sort of revolution that can bring a second Independence. Independence from the tyranny of corruption and the moral and physical poverty it breeds.

## II

The problem, of course is that Hazare, and more than him, those two former government functionaries Arvind Kejriwal and Kiran Bedi have started believing that they indeed are a mixture of Bhagat Singh, Subhash Chandra Bose and Mohandas Karamchand Gandhi. You can almost see the

jackboots under their civilian dress as they strut across television screens, their body language sending out a clear message of their self importance. This is why so many of their colleagues have deserted the, protesting as much their participation in electoral politics as when they campaigned against the Indian national Congress in Haryana as against the utter lack of internal democracy in their movement.

We have also noted the absence of the Dalits, OBCs and religious minorities from the mobilisation for the Kejriwal-Kiran Bedi-Hazare gathering at Ram Lila grounds and some metropolitan crossroads in the country. Perhaps it had to do with the forceful and convincing speeches, in Hindi, in the Lok Sabha by former Union ministers and OBC leaders Sharad Yadav and Lalloo Yadav who cut through the mist of hyperbole in analysing the India Against Corruption campaign.

Amidst populist cries on television of the launch of a Second Freedom Movement, the non political institutions waited for the crisis to resolve before they commented on the situation. While film stars spoke, the leaders of India Inc, the corporate giants remained silent, perhaps because they did not want the public gaze to shift to their own very dark records in fomenting political and structural corruption. The occasional demand that the private sector and the Non Government Organisations also be brought under the purview of anti corruption legislation was never really allowed to come into the televised discourse, though it was raised by angry Parliamentarians in both the Lok Sabha and the Rajya Sabha.

Despite the very visible role played by Art of Living founder Ravi Shankar, and the aborted attempt of television yoga entrepreneur Ramdev, the Hindu religious sector kept its distance in the Hazare movement [after their overwhelming saffron presence in Ramdev's short-lived fast a few weeks earlier], with no Shankaracharya making even a press statement.

Religious minorities and the Dalits also kept away, both

fearing that an absence of space for them in the campaign, and that they could become eventual targets of a hyper nationalistic piece of legislation when implemented by administrative and judicial structures whose caste and religious origins have made them suspect among the people on the margins.

The Muslims quite directly distanced themselves from the movement. Several organisations issues press statements, which were not widely covered in the media, expressing their fears. Pointing at Anna's signature tune - "Vande Mataram", "Bharat Mata Ki Jai", which have been echoing in the Ramlila grounds, venue of Hazare's hunger strike, Imam Syed Ahmed Bukhari of Delhi's historic Jama masjid asked all Muslims to stay away from Anna's movement. "Islam does not condone the worship of the nation or land. It does not even condone worship of the mother who nurtures a child in her womb for nine months. How can Muslims then join his stir with a war cry that is against the basic tenets of their religion?"

Not all Muslims share the Imam's worldview, but they too kept away, citing reasons varying from his alleged "communal" supporters and what they call his "dictatorial attitude", even as they said they did not have any problems with slogans like 'Vande Mataram' or 'Bharat Mata Ki Jai'.

The Dalits have kept away more aggressively, neo Buddhist Dalit leader Udit Raj organising a counter march at the India Gate and denouncing the leadership of the Hazare movement. Dalit spokespersons analyse from a caste perspective the reason why the oppressed castes have shown little or no interest in what is projected by the media as independent India's largest mass movement. They note that when Anna went on a fast at Jantar Mantar in New Delhi, the banners that his supporters put up depicted a whole range of icons, from Bharat Mata to Gandhi, Shivaji and Lakshmi Bai. But Babasaheb Ambedkar and Mahatma Jyotiba Phule, who they maintain as the true liberators of the oppressed castes, were conspicuous by their absence.

At the venue of the fast, slogans like 'Scrap Reservations,

End Corruption!' rent the air. "The few Dalits who visited the venue came back thoroughly disheartened on being confronted with the fact that the movement was distinctly opposed to reservations for the oppressed castes." But that was not all. When the joint drafting committee for the Lokpal was formed and five members from 'civil society' were nominated for this purpose, "not a single one of them was found to be from among the Dalits, Adivasis or religious minorities. Not one of them was a woman."

Dalit leaders also questioned the Hazare-Kejriwal movement on its stand on reservations for the oppressed castes in the private sector, and the condition of Dalits in Anna's own village of Ralegan Siddhi? Perhaps unfairly, but they also raised questions against Hazare himself. They wanted to know why Hazare and his followers did not care to go on a fast when heinous atrocities were committed against Dalits, as in the brutal massacres in Hazare's own state of Maharashtra in the remote village of Khairlanji. The Dalits said Hazare and his team had no interest at all in the injustice and oppression that millions of Dalits, Adivasis and religious minorities have to suffer on a daily basis. A particularly sharp observation was Hazare's past praise of Gujarat Chief minister Narendra Modi who has been denied a visa to the United States for his role in the massacre of Muslims in 2002. "He has clearly shown that communalism and fascism, too, are not issues that he is interested in challenging, nor has he ever sat on a fast to protest against the suicides of tens of thousands of impoverished peasants in Maharashtra."

The Christian church was more divided, and perhaps more confused than anyone else in what to make of the Hazare movement and whether to join it or side with the Dalit-Bahujan and Muslim groups.. Many in the laity and the clergy of the Catholic and protestant churches were swayed by the Television frenzy, and enthusiastically joined the first phase of the movement. It was natural. The laity, specially in north India, Maharashtra and parts of Karnataka,

has made common cause with the largely Hindu majority in their neighbourhood. In his travels in various parts of the country, this writer has often found the church and the community on the wrong side of civil society when it has failed to condemn Hindutva violence as in Gujarat or Maharashtra with the same vigour that it condemns the bombings in various places by Islamic terrorist groups. In the eyes of the Muslims, and perhaps even in the mind of the politicians, the Christians of the Hindi-Gujarati-Marathi belt are seen firmly on the side of the Hindu majority, making common cause on most social, political and economic issues.

The distance from the Muslims has to do with local reasons and demography, as much as it has to do with a sort of safety-shelter syndrome in not challenging the aggressive presence of other groups. In Kerala of course, the Church sees itself as threatened by the rise of Islam and the increase in their population in their enclave districts of Malappuram and environs. The absence of a genuine political lay leadership, the severe divided nature of the church in terms of denominations, rites, liturgy, ethnicity and mother tongues makes it impossible for the Christian community to think as, or act as, an organic whole. In the Catholic Church, divided in the three rites of the Latin, Syro Malankara and Syro Malabar cultural entities, there was no occasion to discuss the issue and come to some sort of reasoned and studied response. Cardinal Oswald Gracias, Archbishop of Mumbai and President of both the multi-rite catholic Bishops Conference of India, CBCI, and the Latin Rite Conference of catholic Bishops of India, CCBI, ultimately issued a statement urging upon Hazare to call off his hunger strike once it had gone beyond a week.

The Archbishop of Delhi, Vincent M Concessao, himself an activist in his youth, is in fact a founder member of 'India against Corruption'), which former Income Tax officer Arvind Kejriwal founded as a coalition to lead the anti-corruption campaign. Concessao had first met Kejriwal ten years ago, and was apparently taken in by the young officer's

enthusiasm in fighting corruption, of which the clergyman had seen considerable evidence while working in Delhi's slums. Concessao was among several other patrons of the movement, but patently had no say in the policy formulation or day to day activities. He also joined Ramdev's meetings at Ram Lila ground where much to his embarrassment not only he and his priests had to share the dais with known Sangh Parivar leaders who had a role in the demolition of the Babri Mosque, but had anti Christian literature thrust into his hand. His representatives who attended the core group meetings of Kejriwal had much to say how a very few people were manipulating both Hazare and the other groups extending support to the movement.

Eventually, the Archbishop formally distanced himself from the movement, stressing his continued commitment to the war against corruption, even though the Bharat Mata armed goddess figure was replaced with the benign photograph of Mahatma Gandhi, and the Saffron flags gave way to the national Tricolour. In an explanatory statement, the Archbishop said "corruption is not only illegal it is also immoral, unjust and exploits the helplessness of people who are forced into bribing. The tremendous response of the people to Anna's appeal is an indication of how prevalent the problem is and that the people's awareness of the problem has grown. We need an effective Lokpal to deter people from corruption as a first step towards a corruption free India. Much more has to be done in terms of value education and conscience formation in the days to come. However, we cannot set aside the democratic processes. I am in favour of fasts to make a point but fast unto death is not acceptable as life is a gift of God and God alone has the right to take it away. We are supposed to preserve and promote life. What we need is the education of our Parliamentarians so that they can amend the Lokpal Bill to ensure its effectiveness in practical terms. That would ensure the responsiveness of our Parliamentarians to the needs and aspirations of the people they represent".

A more politically nuanced statement was made by the All India Christian Council which, while expressing happiness at the ending of the hunger strike which had put at risk the life of an ageing Hazare, said the council was "even more happy that after a seeming capitulation to mobocracy, Parliament finally asserted its dignity and its sovereign rights. After many hours of debate, Parliament did not concede the hidden demand that it allow the anti corruption law to be passed in the streets and the Ram Lila ground rather than in the hallowed chambers of the Lok Sabha and the Rajya Sangh. The government was inept, specially in arresting Hazare, and the opposition, specially the BJP, opportunistic in trying to be both with Hazare's populist campaign and also with Parliamentary privileges. I commend the interventions of Rahul Gandhi who gives a formula that should be looked at, and Sharad Yadav whose rustic speech spelled out the imperatives of a Parliamentary democracy. Hazare's aides — specially Kejriwal and Kiran Bedi — have repeatedly shown they have no faith in a Parliamentary democracy. Both push for a Unitarian, even dictatorial, regime where decisions, good or bad, are taken instantly. Hazare patently has been used by these people who do not have any interest in the philosophy of Mahatma Gandhi." Repeating Archbishop Concessao's moral argument that corruption "is both a crime and a sin" and therefore needs both a moral and legal response, the Council said "There must be a series of laws to curtail it in various sectors, not just one monolithic and super-ombudsman who can easily become a threat to democracy and national security and unity. The interests of all sections have to be taken into account." It cautioned "For the religious minorities and the Christians in particular, it is a dangerous precedent where mobs brought by whatever means to paralyse the national capital and dethrone the elected government of the day can dictate policy and laws. Tomorrow Hindutva mobs will demand the disenfranchisement of Muslims and Christians as alien religions."

# 26

## Please Don't Call It A Revolution

*Happymon Jacob*

Anna Hazare is a courageous man and I admire him for his guts. He has managed to do what a lot of others have not: think of it, a villager from Maharashtra is close to winning an eyeball-to-eyeball confrontation against a huge state machinery which is not in a habit of listening to the voice of the people. Before you start thinking that “I Am Anna”, let me clarify: today’s column is a political criticism of the Anna movement. And yet I wish to acknowledge that the “anti-corruption” part of the campaign and team Anna’s courage to take on the state are both laudable. That said, I am extremely skeptical of messiahs, I think they are a dangerous species for modern democracies and, in any case, too much adulation often turn them into tyrants – umpteen examples from history will bear me out on this. In all, I have four major critiques of the Anna movement.

### **Cult of anti-politics**

First of all, I am worried that the Anna movement is the beginning of anti-politics in India. There is a certain understandable cynicism in the minds of the Indian middle

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\* Happymon Jacob teaches at the Jawaharlal Nehru University, New Delhi

class about the political class in India. Popular culture in India (jokes, cinema etc.) and the media in general assert that the root cause of all problems lie with the politicians in the country, be it corruption, crime, poverty or communalism. It is this deep sense of anger and skepticism that the Anna has managed to gather around himself in Delhi's Ramlila maidan. This campaign seems to be clearly promoting a culture of anti-politics which, together with the impending defeat of the government, will lead to a further erosion of middle class' faith in the country's institutions. The Anna movement will prompt many more groups to take law into their own hands. Such tendencies of deinstitutionalization will have far-reaching implications for a pluralistic, diverse, conflict-ridden and developing country such as India. More than anyone else, deinstitutionalization will prove to be disastrous for those living at the economic, political, social and geographical peripheries of the country. Let's face it, the last refuge of the underprivileged and minorities in India will never be the Indian middle class, but the state - a much better state of course! The rise of the middle class skepticism of institutions in the backdrop of the already receding state portends the beginning of the end of political representation as we know it now.

Many liberal commentators are taken aback by the huge amounts of people on the streets supporting the Anna campaign and hence argue that it is a legitimate campaign because it seems to have a huge amount of support around the country. But then getting people on the streets in a country like India is no formidable task: didn't the Sangh Parivar manage an even bigger mobilization for the 'Kar Seva'? Or for that matter, can not the Hindutva right wing in India mobilize such numbers for purely communal objectives? Remember, this is an age when the so called yoga gurus and spiritual gurus seem to take centre-stage in matters of politics and governance!

## **Politics of the apolitical middle class**

Whose protest is it anyway? This protest is choreographed to suit the 'apolitical' tendencies of the Indian middle class which is in the habit of critiquing politicians and politics but would not find time to cast their votes when elections come. They are in search of quick solutions and speedy justice, which, they assume, can and should be achieved by circumventing the din and noise of politics. Why corruption? Because corruption is apparently an apolitical issue (or so they think), isn't it? When Kashmir burned last summer and over a hundred Kashmiris were killed by security forces, the Indian middle class was busy chit-chatting about "Aisha" and "Rajneeti" – none of them were seen protesting in the Ramleela maidan against the atrocities committed on Kashmiris! They would, however, find time to assemble at the India Gate in candle-lit processions to protest against 'high-profile murders' (of urban, English speaking 'one of them') and when the Indian army fights Pakistan (remember the middle class and media support for the Kargil war?). And yet they prefer to look the other way when Dalit women are raped and killed in hinterland India or thousands of farmers commit suicide in the country or raise their voice against AFSPA, human rights violations and other draconian laws: these issues don't matter to the middle class because farmers, Dalits, slum-dwellers, Kashmiris, Manipuris etc. are not part of their class. More so, how could the middle class take up those issues – they are 'political' in nature, after all (which corruption is not)!!

## **The Rightwing Rising**

The Anna campaign would not have come at a better time for the Hindutva rightwing in India – they were in the process of losing political direction having run out of ideas, appeal and steam generated by Ram Mandir, nuclear tests and such other issues. What the nationalist, overly-patriotic, feverishly flag-waving Indian middle class led by political puritans like

Anna, yoga gurus, and spiritual gurus (with excellent RSS background work) has done are multiple things: they have shown that the Congress is an indecisive and spineless political party which does not have it in it to rule this country; that we need a new 'national awakening' in the country and the congress cant lead it; it is alright for the religious figures to be part of the 'civil society's' efforts at nation building, and; that the country needs to unite by blurring the various 'differences' (national agenda formulation process) that exist in the country in order to engage in nation building (read the last one as 'the other issues don't matter, only corruption does). All this bear good news for the resurrection of the Hindutva rightwing in the country. It is becoming ever so clear that the national struggle against corruption is increasingly becoming a cradle of rightwing ideas and Hindutva organizations.

### **This is no spontaneous movement**

Politics is understood to be dynamic and transformative; Anna campaign is self-serving, condescending and even dictatorial at times. More so, I am unprepared to believe that the Anna movement is a spontaneous countrywide mass uprising against corruption. Notwithstanding the fact their definition does not include all kinds of corruption, it is important to note that this movement is mechanical and result-oriented in a negative manner – as opposed to being organic and transformatory – and is led by technical experts and ex-bureaucrats, and certainly not a campaign led by the downtrodden and oppressed for their better tomorrow. The Anna movement excludes more than it includes.

*Courtesy: The Greater Kashmir*

PART – VII

**ROLE OF MEDIA**

## Media's Misplaced Triumphalism

*Nilottpal Basu*

The triumphalism by sections of the mainstream media following the circumstances led to the calling off of Anna Hazare's fast is completely misplaced. Additionally, it appears to be not without ulterior motives. The mainstream media would like to describe and interpret the settlement as a 'victory of the people'.

The events constitute an unprecedented chapter in the contemporary history of parliamentary democracy in this country.

Now there is a contestation for claims to success and interpretations are being put forth to claim credit. But since this process is so important for the future of this nation and its people, it is absolutely necessary to delve into the underpinnings.

For the last couple of years the people of this country have been saddled with revelations of corruption in high places in the government and the corporate sector involving loss of stupendous magnitude of money to the public exchequer. The sense of public disgust was palpable. The need for a strong and effective Lokpal to oversee and deal with the misconduct of the executive was almost universally accepted.

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\* The writer is a member of the central committee, CPI(M)

But what is to be noted is that this backdrop was not merely a result of the Jan Lokpal campaign but also the result of exposure by the judiciary and also sections of the opposition in Parliament.

Therefore, the description of the present state of affairs as a result of the singular efforts of Team Anna would be undoubtedly lopsided. This is not to suggest that the fast and some of the very relevant and meaningful suggestions of the Jan Lokpal did not contribute significantly to what was adopted by Parliament. In fact, the civil society has a major role to play in democracy. This is particularly so in highlighting the inadequacies of the political process and its misgivings by sensitizing the citizens at large to express themselves to rectify the situation. And, in that the intervention of the civil society culminating in the past did play a very important role.

But, at the same time, to pose the development as a triumph of the civil society over the political process and Parliament is not only patently wrong but also fringes on being mischievous. In order to strengthen democracy, the role of the civil society must be critical yet persuasive. The relationship between the civil society and the legislature cannot be adversarial. One has to complement the other. Because, finally, law making which takes into account the existing social reality and translate a desire of the people into a working arrangement sanctioned by law. And, that function is the 'sole prerogative' of the legislature.

There is no doubt that the outbreak of massive corruption is the outcome of policies pursued by parties in power — both at the Centre and states. The civil society, therefore, can and has given expressions to this sense of public disgust.

But certain disturbing questions do arise. Why were the civil society players pronouncedly silent on the corporate complicity? It is true that the Jan Lokpal version did contain certain suggestions on pursuing certain deterrence against erring corporate entities. But that was never highlighted. Similarly, the active attempt to delegitimise the political

process and undermining the role of elected representatives and the parliament itself was disturbing. Can the misgivings of the executive and their wrongdoings be simply equated with Parliament as such?

The Indian Parliament, flawed as it may be, has evolved in establishing the institution of Standing Committees and the methodology of facilitating public hearings in scrutinising the provisions of the draft legislation placed by the government — has indeed created public space for incorporating citizens' views in the process of law making. That cannot be ignored.

The government's specious excuse that there can be no protest against the proposed law or its provisions outside Parliament once it has been taken up for consideration is atrocious. There are too many precedents involving even the Congress to accept this preposterous suggestion. But, equally, Team Anna's claim that Parliament has to accept their version of the Jan Lokpal in total was no less atrocious.

Therefore, what happened in the end is, indeed, a certain maturing of our democratic process where Parliament as a whole — both the treasury and the opposition — could persuade itself to address the substantive issues that stood as sticklers were addressed but suggesting mechanisms which might not have been contemplated in the Jan Lokpal version. This moderation and adjustment was reflected in the sense of the House statement. This, therefore, was a triumph for democracy and its institutions — Parliament included.

Therefore, the triumphalism is suspect. More so when the increasing corporatisation of Indian media during the past course of reforms in the country has seen concerted efforts to jettison the political process and belittle the role of all those who raised their critical voice. Dissent over the neo-liberal course never found favour with our mainstream media. One wonders why Team Anna received the unstinted and full-throated support from 24x7 news channels in the manner that they did.

## Visibility as a Trap in the Anna Hazare Campaign

*Arvind Rajagopal*

The rapid escalation of the Anna Hazare campaign, aided by embracing the media as allies, compromised its political character in numerous ways. Political participation as a critique of the status quo has to exist both inside and outside the media spectacle. Visibility can be experienced as fulfilling, but when the image becomes the destination of politics, it is a trap.

Beginning in December 2010, a wave of public protests travelled across the world, opening with the “Arab Spring” in the Maghreb and west Asia. Not long thereafter, the autumn of 2011 saw the “Occupy Wall Street” movement in New York spread rapidly across the US. In a gesture rich with historical irony, it claimed the “revolutionary Arab Spring” as its inspiration.<sup>1</sup> The first set of movements sought regime change and lost thousands of lives in the process, possibly in vain.<sup>2</sup> The second targeted public rage at the finance industry believed to be responsible for the economic recession, and despite highly sceptical news coverage spread

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\* Arvind Rajagopal is Professor of Media Studies and Sociology at New York University; his latest book, *After Decolonization*, is under contract with Duke University Press

to 100 cities within days.<sup>3</sup> Book-ended by these movements, the Anna Hazare campaign in the summer of 2011 provides an interesting contrast. It combined extraordinary public fervour followed by corrosive wrangling amongst leaders, sweeping moral and political critique supplanted by implicit trust in political representation, and protest against corruption that saw so little opposition, it seemed everyone was on the same side. Affluent and educated classes could congratulate themselves that however corrupt, poor or unequal India might be, political expression is free. Free to do what? That might be the question.

Role of Media Even if ruling party leaders were caught offguard by the strength of Anna Hazare's popularity, it would be a mistake to equate their confusion with the response of the political system as a whole. The Hazare campaign may point to a bid by media corporations to act as political antennae, shock absorbers and conflict managers for Indian society, while staging criticism of the state. It is worth noting that the kind of criticism directed at the State is sweeping and impatient, and more confusing than clarifying. All politicians are under suspicion of being corrupt, while select civil society figures are held up as redeeming. But the same level of attention is not paid to procedures whereby grievances can be adjudicated; to assume that a new law or a new leader can solve the problems is surely too optimistic. The media themselves have emerged as most important in fructifying this campaign, and most exempt from criticism. In this respect, the publicity given to Anna Hazare shows the adroitness of corporate India and their allies in government in responding to popular protest. This is only one sign that India is not yet a society where Big Brother is Watching You. But the spectacle of crowds of people from a wide range of backgrounds wearing "I am Anna" tops and T-shirts offers another way of reading: if we recall "Anna" means Big Brother, we may wonder if in this case Big Brother is You, Watching. In the second case too, I would say, not yet. Unlike George Orwell's 1984 or fascist mass rallies in Nazi

Germany, the centre of the spectacle in this case was a 74-year-old villager on an indefinite fast against corruption. Echoing a widespread belief that prevailing institutions are self-serving and unmindful of people's welfare, Hazare was a reminder of the ethics that politics and government seemed to have turned their backs on.

In an earlier era Prime Minister Indira Gandhi demanded a "committed judiciary", and a "committed bureaucracy", suggesting that national development required a surplus of effort from its workers. Essentially, civil servants had to be ready to sacrifice for the nation, and avoid self-seeking behaviour. On that occasion, the demand smacked of autocracy, since it implied Gandhi would decide what was needed for the nation, and not Parliament or government servants. Today it is the media that is in a position not only to make such a demand, but also to stage a convincing response to it. At a time when disclosures about the corruptions of power were larger, better documented, and more extensive in the loot they revealed than anything before in recent history, the emergence of a protest movement was not surprising. That it turned into a popular affirmation of national values, and a demonstration of an immense readiness to mobilise, thus restoring a degree of confidence in a sinking stock as it were, was due to the news media's astute management. The Hazare campaign's success suggested that even if the government was dysfunctional, popular democracy was alive and well, and that the India growth story had a real future. Normally this is the kind of message we expect from political leaders. It is a symptom of our times that instead, this message was choreographed by the corporate news media.

Welding a Split Public Together What took shape with the Hazare campaign was perhaps the largest orchestrated media campaign since Ram Janmabhoomi. Unlike that campaign, this one destroyed nothing, and sought to introduce legislation that Parliament had resisted for decades. One of the key factors that distinguished the staging of the

Hazare campaign from the Babri Masjid demolition in December 1992 was the massive expansion of the media in the interim, most notably, the growth of satellite TV news channels.<sup>4</sup> Some comparison with popular agitations of the past will provide a perspective on this subject. The Indian media have historically responded in one of two ways to popular agitations and campaigns. Either they were seen as a threat to order to be contained by the law, or they were regarded as a positive expression, to be treated with respect. In the past, the English language media usually embraced the first position, and the Indian language media the second.

Anna Hazare's was perhaps the first mass campaign after 1947 where English and vernacular media came together so visibly. Thus, instead of applying a wholly positive or negative response to the agitation, this time the media applied it to the observer. Thus coverage of the movement was mainly in terms of a "with-us-or-against-us" approach. It should be noted though that the Hindi channels adopted a more positive attitude on the whole than the English language media, which provided space for criticism even if their overall thrust was promotional. Questions about the middle class limitations of the movement were more often raised in English language news shows on TV, for example, while Hindi media signalled a more consistently positive appraisal of the agitation.

Indian language media have a tradition of embracing popular agitation dating back to the freedom struggle. By contrast, the English media adopted the perspective of colonial rulers, and distrusted the public expressions of ordinary people. And in post-Independence times the English-language media, in its struggle to adhere to secular values, often found itself replicating colonial distrust of popular sentiment. Consider for example, its tendency to reduce news of popular demonstrations, whether of worker unrest or of religiously motivated campaigns, to questions of law and order, at the expense of understanding why such movements occur and what they aim to achieve.

The media's collective endorsement of mass agitation in this case was something new, therefore. What kind of media was at work here, that mirrored the collective imaginary, requires clarification however. Unusually in this case, news reporters downplayed criticism of a grassroots campaign. This was deliberate, not accidental. The Times Group, India's largest media conglomerate, aggressively defined Anna Hazare as a man of the people. The ceaseless reiteration of this theme across their numerous news organs left other news media scrambling to follow suit, and show they were on the right side.<sup>5</sup>

Compared to Ram Janmabhoomi, which was an agitation promoted from within the Hindi press, and resisted for good reasons by much of the English language press, the English language media defined the contours of the coverage this time, with the Times Group taking the lead, according to media industry observers. It is symptomatic of the pattern of media growth in the era of liberalisation that, while the Indian language is now many times larger than the English language segment, the latter displays an agenda-setting power that may actually be greater than it was hardly two decades ago. Although the television market now features about 800 channels,<sup>6</sup> the majority of which are Indian language, the force of Times Now TV, which has no Indian language counterpart, has been impressive indeed. This is a sign that the expansion of the visual media has led, not to a toppling of English language hegemony, but to a new mode of legitimising its agenda-setting role.

The Anna Hazare campaign was remarkable in that, across the language media, the spectacle of popular mobilisation became a thing of unqualified virtue, discreetly signalled in the nomenclature "civil society". Civil society, unlike the state, was assumed to be free of corruption, as if one could distinguish between them so neatly. The condition of it being so regarded however was that it made no demands in the name of any specific groups based on caste, gender, religion, region, etc.

During the anti-colonial struggle, the nationalist press could see popular mobilisation as a pure virtue, but that struggle was a momentous project of regime change. An increasingly corporate and globalised media could celebrate mass agitation only in a more contained way, as a sign of “the people” and as a statement that “the people” want what “we” want. The media’s construct of “civil society” does not look so innocent in this light; it is in fact a fantasy arising from the elite and projected onto the masses.

As Aruna Roy has noted, the huge Lokpal mobilisation had a relatively small outcome. No corrupt politicians were pinpointed, much less punished, although that was the stimulus for the movement. No relief was offered for the unaffordably high cost of living, although that was a major motive for the agitation. Instead we were given the promise of a new bureaucracy to examine bureaucratic corruption. What exactly will emerge amidst the government’s attempts to undermine and create rifts within the Anna Hazare team, is hard to say. But this is indeed a small victory for a mobilisation so impressive that Anna Hazare had to avow that he had no plans to overthrow the government.

#### Mass Media?

For the media, the popular mobilisation was a sign of their own success and not only of Anna Hazare’s. From the reports following the campaign’s conclusion, in fact, it is clear that the two were closely linked from the outset. It proved that the media could help move people onto the streets for a cause. This is not to deny the idealism involved in this phenomenon. Nor is the point to oppose real events against media artifice. At least from the time of the October Revolution, it has become clear that the entry of the masses on to the stage of history is both a real and a mediated event. Susan Buck-Morss has pointed out, in this connection, that the 20th century was an era where

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## A Feral Media Orchestrates Anti-Corruption Campaign

*Sashi Kumar*

It would, of course, be an unwarranted insult to the intelligence and solicitude of the cross-section of society taking to the streets against corruption to brand it a rabble roused to frenzy by media wiles.

The credit for bringing things to this pass goes, perhaps even more than to Anna Hazare, to the government strategists who thought up the incredibly foolish plan of taking him into preventive custody and soon found themselves at a loss to handle a detenu determined to overstay his welcome in Tihar jail. Hazare and his cohorts couldn't have asked for a better opening to this, the second round of their campaign for a Jan Lokpal bill. The government, which has clearly lost the plot, now seems reduced to a face-saving role in Hazare's script.

For the media, this is, no doubt, a delectable situation replete with possibilities. And, indeed, the generally barbed coverage fully befits the occasion. But, in the race for eyeballs, a section of the media—some TV channels in particular—give the impression of having sprinted ahead of the story and dragging it along behind them. What defies imagination,

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\* Sashi Kumar is a media person, regular columnist

even as it stretches journalistic credibility, is that the messengers become the lead players, directing the route the story will run, conjuring up twists and turns where there are none and keeping the news-in-the-making illusion breathlessly alive.

This hybrid genre of an agitprop news television is, by now, a familiar even if never pretty sight in India. The type depends on a number of props to keep the buzz going. Hyperbole is its figure of speech. The Hazare movement is instantly catapulted into: a revolution, the second war of independence, South Asia's 'Arab spring'. Nothing short of the entire nation, we are repeatedly told, is watching. So the man on the street, or the VIP in the studio, speaking to the TV channel is, ipso facto, speaking to the nation. It doesn't matter that the channel in question may only have a single-digit viewership. If there is a lighter side to Benedict Anderson's concept of a nation as an imagined community, this must be it.

The relationship between such media and their essentially middle-class consumers is becoming uncomfortably incestuous. When respondents cluster around a camera for a vox pop, they aren't so much required to offer their independent view on an issue as add to the chorus of opinion orchestrated by the channel. A photo op masquerades as a movement. Dissident voices get short shrift. It's more like a recruitment drive than a professional journalistic exercise to seek and purvey news. Increasingly, the channel's role seems to be to trigger and promote a form of direct democracy by the middle class. Politics and politicians are routinely debunked. Even representative democracy doesn't seem to cut it.

No channel in the league seems able to resist this strange, aggressive, white-collar evangelism. On the contrary, the more strident and hawkish ones in the pack seem to set the tone and tenor of the discourse and the rest follow helplessly as if driven by some inexorable law of the market. It is all so oracular and self-referential. The positions taken are almost

always maximalist and hardly even nuanced. A ratings mindset demands that the pot be kept boiling.

Arguably, the media enables such friskiness at its own peril. A revolution of rising expectations, even if not alarmist at present, might prove more and more difficult to cope with in the long run. Apart from the implicit risk to human sensibility of a relentless, adrenaline-pumping media, the law of diminishing returns is bound to kick in sooner or later. Truth-telling, at the core of journalism, may then become vulnerable to the market dictate of giving the people what they want—this already serves as an alibi for the dumbing down and tabloidisation of the news media. This argument, as former NBC president Reuven Frank argued, is a dope-pusher's excuse. Journalism, surely, is a higher calling.

Anna Hazare and his struggle for an effective Lokpal bill against corruption are not creations of the media. But there is a gnawing sense of a convergence of the civil society, which sustains the man and his movement, and the media market. It is at this nexus that 'brand Anna' takes shape, independent of its author. It is this brand that drives the media into its high-pitched hard sell. It is a rare confluence of big cause and huge profit. The irony is that the man who, more than most, paved the way for such freewheeling market-friendliness suddenly finds himself estranged and isolated. Manmohan was for long celebrated by the middle classes he enriched and pampered. Suddenly, his government is the butt of their ire and new expectations abound.

PART IX

**COMMUNAL UNDERTONES**

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# 30

## **India: Anna is the Icon of Banal Hindutva**

*Jyotirmaya Sharma*

The ethical compass of his followers is skewed

Does Anna Hazare have an ideology? Despite the surfeit of emotion that Hazare generates, this is a legitimate question that ought to be asked, understood and answered. That he is no democrat in the sense the word 'democracy' is normally understood is a foregone conclusion, something that even his most vocal admirers would admit. He brings to debate and discussion the rigour and predictability of a military drill. His model of rule, governance and statecraft is that of undiluted paternalism, something even his secret admirers would admit.

That he is medieval in his outlook, one who would like people who he doesn't like to be flogged in public, hanged in public and humiliated in public, is no great secret waiting to reveal itself. His world is a simple world that divides people into friends and foes and proceeds to pass moral strictures against his foes.

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► The writer Jyotirmaya Sharma is a professor of politics at University of Hyderabad

## Character

Neither is he too bright: calling actions evil can be polarising, but he calls people evil which is polemical and arrogant.

He does not have the mental facility to focus on actions rather than the agents of such action. He feels he has neither the capacity for error nor the capacity for self-deception. For him, rhetoric is a substitute for explanation and not a demand for explanation.

Hazare doesn't think twice before abusing words like 'evil' and 'corruption'. The excessive use of the words stifles thinking rather than promoting it.

By demonising the idea of corruption, he has managed to externalise the idea altogether as something other people do. And by other people, he simply means those who do not agree with him or do not attend his rallies. The poison of his rhetoric poisons our lives; it undermines our trust in people and institutions and robs us of our freedom to debate and dissent. He is a non-violent terrorist: he does not bother about collateral damage in carrying out his mission.

Having said all this, the question still remains whether Hazare belongs to the Hindutva camp. Notwithstanding Digvijaya Singh's relentless rhetoric on this question, or Mohan Bhagwat's open avowal of support, or Hazare's own disagreement with Prashant Bhushan on the Kashmir issue, the question of Hazare's seeming affinity with the Sangh Parivar needs careful analysis. One doesn't have to belong to the RSS or the VHP or the Bajarang Dal or the BJP to be formally part of the Sangh Parivar.

Analysts have often categorised Hindutva into 'hard' and 'soft' varieties. It is, therefore, important to understand that there are people who have formal allegiance to Hindutva as represented by institutions and organisations mentioned above, but there are those who might vote for the BJP not because of an ideological position that they take but because of resentment towards a particular party or dispensation.

Going beyond the categories of 'hard' and 'soft' Hindutva,

there is a third, and as yet not discussed, category of Hindutva.

This is 'banal Hindutva'. Its features are a love for abstractions rather than action, self-righteousness over self-improvement, inflamed nationalism, easy judgement, moral sanctimoniousness over moral understanding and a gnawing sense of inferiority and victimhood.

## Type

It manifests in the form of the person who regularly violates traffic lights, spits in public places, raves and rants about the state of education in India and then sends his children abroad, speeds in his car as if there was no tomorrow and yet complains of the fast life in the West, bribes his way through in life but gets tearful when Vande Mataram is sung.

This sort of person does not have the application or the courage to question seriously the status quo, nor does he have the tenaciousness required to join a political party and work for a cause or an ideology.

He wants a comfortable existence, dislikes disorder of any kind, finds dissent and debate in his own circles to be a waste of time, and is happy to fit several air conditioners in his own home while signing petitions to save the ozone layer.

He is a misogynist at home but a serious champion of 33 per cent seats for women in Parliament.

He relentlessly speaks of India's great Hindu traditions but knows no more than what he gleaned from Amar Chitra Katha comics. He swears by Hindu tolerance yet makes no effort to have a Muslim or a Christian friend; more so, he secretly detests them.

Being afflicted by this moral and ethical schizophrenia, he hides behind the rhetoric of the eternal Hindu civilisation, the dream of making India, which for him means Hindu India, an economic and military superpower, being the number one side in cricket and tracing the origins of all things good and noble to India. If confronted with questions of violence, cruelty and hypocrisy in India, he blames it on

Western education, Christian missionaries, the Taliban, Pakistan, America, the rise in population, democracy, the Left and the intellectuals.

Hazare is the leader of 'banal Hindutva'.

He has no moral centre and his scruples are his misunderstandings. He typically is the kind of person described so eloquently by Hannah Arendt in her account of Eichmann's trial: the pathetic, self-serving individual, who attains to a position of power and influence by accident.

### **Fallout**

He is not demonic but just spectacularly mediocre. And he attracts a sizable number of those who are either his kind, or, if they are not necessarily mediocre, are just plainly opportunists, who find a state of political and moral anarchy convenient for their own ends. He is attractive because he does not challenge anyone intellectually or morally. All he asks anyone is to bask in his moral superiority.

Like Krishna asking Arjuna to suspend everything and come unto him, Hazare too wants us to suspend judgement and follow him.

Will 'banal Hindutva' replace the more formal versions of the Hindu nationalist ideology? The answer is that it is unlikely.

What Hazare is knowingly or unknowingly doing is to become the informal recruitment centre for the harder versions of Hindutva. By making 'banal Hindutva' honourable, Hazare has begun the process of making the harder versions of Hindutva more acceptable and legitimate.

The collateral damage, as stated earlier, will be Indian democracy. But does he care?

*Courtesy : India Today*

## The Communal Character of Anna Hazare's Movement

*Bhanwar Megwanshi*

It has now been confirmed that the Anna Hazare-led so-called 'second freedom struggle'—as some sections of the media have mistakenly chosen to call it—has close links with the RSS. From conceptualizing this media-propelled movement to successfully organizing it, the RSS, it appears, played a key role in it. This being the case, it is imperative to analyse the specific communal character of this self-styled Gandhian movement against corruption.

No movement can be properly understood without taking into account the forces behind it and their underlying objectives. Anna Hazare's movement has been analysed from several perspectives by both its critics as well as supporters. Thus, it has been asked if the movement was truly a Gandhian one. Was it really politically impartial? Was it democratic? Was it orchestrated by the media? Was it funded by the corporate world? Was it an NGO stunt? Was it all-India in its scope? On all these points there has been heated debate. Yet,

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\* Bhanwar Megwanshi is a noted social activist from Bhilwara, Rajasthan; he edits the Hindi monthly 'Diamond India', a journal that deals with grassroots' social issues

lamentably little has been said about whether or not this movement was truly based on the Constitutional principle of secularism and what, in particular, its position has been on the issue of Hindutva.

The men behind Anna Hazare's movement bluntly deny that their movement has any direct link with Hindutva forces. Some people have accepted this claim at face-value. Yet, the reality seems quite the opposite. It would be amply clear to a perceptive analyst that the movement was heavily based on the support and assistance of the RSS. Members of the so-called 'Team Anna' may or may not concede this but the RSS has itself officially acknowledged this fact. After all, 'India Against Corruption' has no cadre of its own—all it has are leaders. The massive crowds that poured out onto the streets to participate in the movement could not have been mobilized simply by 'Team Anna' and a handful of NGOs. Rather, this was, to very a large extent, the handiwork of Hindutva organizations.

It is now evident that not only did the RSS mobilize crowds in support of Anna Hazare's movement but that it even prepared the movement's very roadmap. The decision to launch a campaign against corruption was taken by the RSS at its All-India leaders meeting in Karnataka in March 2011, and it was only after that, in April and then in August, that Anna Hazare sat on a fast against corruption.

It has recently come to light that both the father and uncle of one of the key men in 'Team Anna', the Marwari Arvind Kejriwal, have been office-bearers of the RSS and allied groups in Haryana. Kejriwal is not known to have openly condemned the Hindutva forces. On the contrary, he has consistently been soft on them. His close relations with top BJP leader LK Advani are well-known. And the manner in which he maintained close links with top BJP leaders in the course of the recent agitation, including Arun Jaitley, Sushma Swaraj and Nitin Gadkari, raise several questions about the actual nature of the relationship between Kejriwal and the

RSS. Is it that Kejriwal, the RSS and the BJP were seeking to work together to bring the present government down?

Whatever be the case, it is obvious from all this that there is no truth at all in the assertion of key members of 'Team Anna' that their movement has no direct link with Hindutva forces. The fact of the matter is that Anna Hazare has for long been a favourite of the RSS. Interestingly, a top RSS leader, the late HV Seshadri, even wrote a book on Anna Hazare's so-called 'model village of Ralegan Shiddi, which he hailed as supposedly heralding the arrival of Ram Rajya! This was possibly the first book of its sort on Anna Hazare's activism. Another leading RSS activist, BM Datte, organized a number of programmes in and around Pune in support of Hazare. According to top RSS ideologue Govindacharya, a number of RSS activists have toured Hazare's village.

For his part, Anna Hazare has never spoken against the Hindutva ideology. He is said to have had very close relations with the RSS till 1995, when he targeted two ministers of the then BJP-Shiv Sena ministry in Maharashtra, Mahadev Shivankar of the BJP and Shashikant Suthar of the Shiv Sena—for corruption, after which his relations with the RSS were somewhat shaken. But, despite this, the RSS consistently supported him for spending his life based in a temple and for seeking to revive India's 'ancient' culture through village self-government. He has been praised as a great Indian leader in the RSS's Hindi periodical *Panchjanya*, even featuring on its cover page.

When the BJP recently failed in its attempt to topple the government, it suddenly remembered its favourite hero Anna Hazare, and, accordingly, so it seems, Hindutva forces decided to achieve their objective by creating this movement ostensibly against corruption. For this purpose, activists of the RSS's students' wing, the Akhil Bharatiya Vidyarthi Parishad, floated an outfit called 'Youth Against Corruption'. At the same time, Arvind Kejriwal, who was running an organization called Parivartan, got together with flag-bearers of 'soft Hindutva', men like Baba Ramdev, Shri Shri Ravi

Shankar and other such religious leaders, and established a group that called itself 'India Against Corruption'. It seems that both these organizations, with very similar-sounding names, were established in accordance with the RSS's plan of unleashing a countrywide agitation ostensibly against corruption.

Accordingly, the RSS instructed its volunteers, a huge number of people spread all across India, to wholeheartedly participate in this movement. This explains why the overall ethos of Anna Hazare's agitation at Jantar Mantar was no different from that of the RSS shakhas—the same image of Akhand Bharat being displayed in the form of 'Bharat Mata'! The only difference was that she held the Indian tricolor in her hand instead of the Hindutva bhagwa-dhwaj. RSS supremo Mohan Bhagwat's call to the youth of India to join the people's movement against corruption and the presence of top RSS leader Ram Madhav at Anna's dais at Jantar Mantar raise the very real possibility that the entire movement was engineered and directed in accordance with the agenda of the RSS. When some people raised questions about this, the men behind the movement became alert and felt it imperative to be a little less indiscreet. And so, at Hazare's dais at the Ram Leela Grounds instead of well-known Hindutva leaders Ram Madhav and Uma Bharti, another RSS activist, Kumar Vishwas, was present throughout the thirteen-day fast, and even handled the task of managing the dais.

Can 'Team Anna' deny that the RSS had sent the same Kumar Vishwas to manage the dais in the very same Ram Leela Grounds during the recent agitation led by Baba Ramdev? The Hindutva hand behind the movement does not stop here, though. Top VHP leader Ashok Singhal is on record as having thanked the volunteers of the RSS for making Anna's movement a success. He revealed that members of the Dharamyatra Mahasangh, a unit of the VHP, ran food stalls at the Ram Leela Grounds, where some 20,000 people were fed every day.

In accordance with the RSS's plans, vast numbers of people were mobilized to come out on the streets to support Anna Hazare. Top RSS leader Bhaiyyaji Joshi declared that RSS volunteers were fully active in Anna Hazare's movement. The BJP youth leader Tejinder Pal took up the task of gheraoing the residences of Congress MPs, while BJP MPs Anant Kumar, Gopinath Munde and Varun Gandhi made their appearance at the Ram Leela Grounds. One day before Anna went on his fast, MG Vaid, top RSS leader, issued a statement indicating that the RSS had given its full support to his movement. And that explains why and how RSS activists present at the Ram Leela Grounds as well as in other parts of India where Hazare supporters had gathered kept raising their favourite slogans of 'Bharat Mata ki Jai' and 'Vande Mataram', and in that same style and with the same sort of fervor as they are wont to in their shakhas. This is clear indication of the massive presence of RSS activists in the movement.

That Hindutva forces strongly backed Anna's movement and participated in it in a big way across the country, even in remote parts, is clearly evident. To cite just one instance, a social activist called Gopal Rathi, a member of the Samajwadi Jan Parishad, wrote to Prashant Bhushan, a key member of the so-called 'Team Anna', from a small town called Pipariya in Madhya Pradesh, saying that in his town BJP activists had donned Anna-caps and launched a motor-cycle rally to protest against Hazare's arrest. On the occasion of Janamashtami, VHP activists, he wrote, organized a recitation of the Sundar Kand, a section of the Ramayana, in support of Hazare. Volunteers of other Hindutva outfits, he write, such as the Akhil Bharatiya Vidyarthi Parishad, the Bajrang Dal, the Durga Vahini, and the Bharatiya Kisan Sangh, also organized a number of programmes to express their solidarity with Anna Hazare.

But this sort of overwhelming support for Anna Hazare from Hindutva forces was not limited just to this little-known town of Pipariya. The fact is that the same story was repeated

across the country, in virtually every village, locality and city, where activists of the RSS and its associated outfits proved to be the backbone of the agitation.

For me the important question is not why the RSS participated in Anna Hazare's movement. This was, after all, its own decision. As far as I am concerned, the key question is this: How did folks raising Gandhian slogans and who never tire hailing secularism become a part of an RSS-backed scheme? This is a very important question that must be asked and must also be answered. How did people like Medha Patkar, Swami Agnivesh, Prashant Bhushan and Sandeep Pandey, and many other such activists, who have all along opposed communalism and have themselves been targeted by communal forces, fall prey to this RSS conspiracy and get involved in an RSS-backed movement? Their stance has greatly troubled millions of Dalits, Adivasis and religious minorities of this country, who have not hesitated to express their distaste for Anna Hazare's movement, not least because of its being so closely linked to Hindutva forces. Is it that these activists simply failed to understand the draconian nature of the Jan Lokpal that Anna Hazare and his Hindutva backers are demanding? Is it that they have failed to understand the nature of the forces at work behind the mob demonstrations that we recently witnessed? Is it that the secularism that they kept talking about earlier was a pretence? These are questions that they have to answer.

It goes to the credit of a number of leaders, activists, and intellectuals from the Dalit and OBC communities to have pointed out not only how the Anna Hazare-led movement and many of its demands militate heavily against the oppressed castes but also how it is heavily communal, being closely allied to the Hindutva agenda. The noted writer Mudra Rakshas, for one, plainly declared, 'The Jan Lokpal represents the agenda of the Indian Savarna middle-class, which, while claiming to be modern, continues to cling to the communalism of the RSS'. SK Panjam, editor of 'Dalit Today', believes that Hazare's Jan Lokpal is a new tool of

Savarna Hindu revivalism. For his part, Rajvir Yadav of the Arjak Sangh insists that it is an assault on the Indian Constitution by the forces of Savarna Hindu chauvinism. Many other ideologues from the oppressed castes opine that Anna Hazare's movement has been propped up as part of a conspiracy on the part of Hindutva forces to stop the caste-based census and stall the passing of the proposed bill against communal violence.

True to form, the dominant Indian media has deliberately ignored such voices, thus revealing, as Anna Hazare's movement also does, its Savarna casteist and Hindu communal character.

## Anna Hazare's RSS

*Akash Bisht*

As **Baba Ramdev** approached the dais at Jantar Mantar on the fourth day of Anna Hazare's fast against corruption in April 2011, the crowds jostled for space to get a view of the television celebrity. Loud applause greeted Ramdev. The entire Anna camp had smiles on their faces. Pumping himself, Ramdev started his speech with '*Anna tum aage badho, hum tumhare saath hai*' and '*Vande Mataram*' before declaring that all the corrupt should be hanged. He also sang a "typical RSS song", as a Hindi TV journalist informed. His supporters had literally taken over the show; it appeared as if the Anna campaign had skidded and Ramdev had successfully hijacked it. "Yes, he tried it. Had he come just to support us, he wouldn't have engaged in such a drama. When someone tries to hijack something, it shows," Swami Agnivesh later told *Hardnews* in April.

A slow tension simmered in the Anna camp. They were seduced by Ramdev's 'television support base' and did not really have the courage to say no. RSS had also passed a resolution asking its cadres across the country to actively participate in Anna's camp. RSS General Secretary Suresh

Joshi had reportedly written a letter to Anna extending support; this letter was handed over to Anna by RSS spokesman Ram Madhav who also shared the stage. This came under severe criticism from secular forces, including the Congress.

The Anna camp tried, at least, to make it appear as if it was distancing itself from Ramdev. However, the ghost of 'Sangh backing' keeps returning to haunt them. *Hardnews* spoke to several members of the Sangh Parivar: So what exactly transpired?

"Even if he is our *mukhota* (mask), what is wrong with that? If someone else does it, we will be with them too. The Sangh Parivar is a hardcore nationalist organisation and we will participate in all such movements. However, we are not the policy makers, we just supported it," said Prakash Sharma, spokesperson, Vishwa Hindu Parishad (VHP).

Anna reportedly had close relations with some RSS members before he rose to national prominence. His work has also been restricted around Maharashtra, and he is not known to have been an active participant in various social and people's movements all over India, or in the "campaign against globalisation and communal fascism", a pet theme of activists like Medha Patkar. DM Date, an RSS pracharak, was particularly close and accompanied him to various Sangh functions in and around Pune, remember old-timers. Incidentally, one of the first books on Anna was penned by former RSS general secretary HV Seshadri. His book, *The Village that Reminds Us of Ramarajya*, is one of the first chronicles of Anna's experiments in Ralegan Siddhi. "Several *swayamsevaks* (RSS cadre) have visited Ralegan Siddhi to see the work done by Anna," said KN Govindacharya, former BJP organisational secretary and

## RSS ideologue

Indeed, Anna had once even showered praise on Maharashtra Navnirman Sena leader Raj Thackeray, known for his chauvinist and fundamentalist politics, and for unleashing

his goons on migrants from North India. He had then said, "Outsiders trying to prove their dominance in the state is not at all acceptable." DR Goyal, a former RSS member who has written *Rashtriya Swayamsevak Sangh*, one of the most authoritative accounts of the secret cult of RSS, said, "Ramdev at Ramlila Maidan still had some of his yoga followers, but Anna's crowd was bursting with RSS cadres. The kind of pamphlets and slogans that reverberated at Jantar Mantar could only have been the handiwork of RSS." (He is right. Praises of *gau mutra* (cow urine) and *gau raksha* (cow protection), apart from personal attacks on Sonia Gandhi's 'foreign origin', were being openly floated at Jantar Mantar during Anna's fast.)

"RSS is in crisis and in decline. Youngsters and educated people are not joining it, or visiting their *shakhas*. So they tried to ride the Anna bandwagon," said Goyal. Goyal is categorical that Ramdev is an RSS man, and this was reflected when Sadhvi Ritambara and 'other Rightwing personalities' shared the dais with him at Ramlila Maidan. "When Ramdev was taken to Haridwar, what were Ashok Singhal and Uma Bharti doing there? But the real question is, what was the Anna camp doing with Ramdev?" said Goyal.

There is a view in the UPA government, and within secular NGOs, that the police action in Ramlila Ground had become necessary, not only because Ramdev had violated his signed agreement, or his promise that this would only be a yoga *shivir*. It was also crystal clear that RSS and its front organisations formed the vanguard of Ramdev's show, with ex-IB chief Ajit Doval, Govindacharya and Sangh ideologue Gurusurthy as backroom strategists. According to sources, there was a genuine fear of communal tension, or even motivated violence to inflame riots, in this sensitive area near old Delhi.

Also, it is alleged that there was (and continues to be) a sinister conspiracy to use the Anna and Ramdev campaign and create a putsch kind of situation, organise mass anarchy and civil society unrest, and destabilise the elected

government in New Delhi. "RSS also wants to divert national attention from the Hindutva terror groups' role in various blasts, with direct RSS linkages," said a social activist.

According to Goyal, both the movements are basically a handiwork of the RSS, which wants to destabilise the government, but knows that BJP has lost the political credibility to lead any such movement. "That's why they need Ramdev and Anna, so that they can ride piggyback. RSS wants to alter the Constitution and they have tried doing it in the past. Their idea of *Dharam Sansad* was shot down during the BJP-led NDA regime because of coalition compulsions."

Govindacharya played a crucial role in mobilising the Sangh cadre to join Ramdev. But the yoga guru "betrayed" the movement by reaching a secret agreement with the government. "By raising the RSS issue, the government succeeded in weakening the agitation," he said. "Erroneously, Team Anna thought they would get stronger in isolation; instead, they were weakened. Anna's untouchability approach will not help the movement against corruption," he said. The Anna camp should have spoken about "alternate politics" instead of their "apolitical stance".

However, RSS spokesman Ram Madhav denies any RSS role in Anna's campaign: "We would only say that these are very old tactics of the government to divert attention. We are behind nobody and not even ahead of anybody. We are with everyone who is fighting for the interest of this country."

Senior BJP leader and former Bajrang Dal chief Vinay Katiyar told *Hardnews*, "Five people cannot dictate terms to the government. They are not above Parliament and should fight elections. They think they are the only repositories of truth, while the rest are *chors* (thieves); this will not take them far. Why should we take their draft? MPs should discuss the bill, or else, there will be total anarchy. Tomorrow, anyone can come up with such demands and sit on a fast. This is not the right precedent."

However, the Sangh Parivar maintains that all possible

support will be extended to such agitations. Govindacharya felt this is a public interest issue and they will keep talking. He added that Sangh members are everywhere and their presence shouldn't be seen as a hindrance. "I want to tell both Anna and Ramdev that they shouldn't be apologetic and should not bother about the colour of the cat till it catches the mice. We are ready to provide both tacit and active support," he said. And Goyal predicts, "If Anna sits on a fast, RSS will again support him."

*Courtesy : Hardnewsmedia*

## Why the Sangh Loves Anna

*Hartosh Singh Bal*

It is no coincidence that the Jan Lokpal Bill imagines an ombudsman who would be to the republic what Anna is to Ralegan Siddhi, someone who will whip us all into shape

It is ironic that a movement which has made so much noise about holding a referendum on the Jan Lokpal Bill, a referendum that has no sanction or validity under the Constitution, has so much trouble with a referendum in Kashmir. Surely, whatever an individual's stand on the issue, it is reasonable to expect that we live in a republic where such issues can be voiced and debated openly. In this context, the Bhagat Singh Kranti Sena (the very name is an insult to Bhagat Singh) is contemptible but unimportant. What is far more shocking is the amplification of the same view by Anna and his sidekick Arvind Kejriwal, who more and more reflect the same fascist bent of mind that drives the RSS.

Prashant Bhushan's statement on Kashmir was made weeks before he was assaulted. In fact, his stand on Kashmir was clear well before the Anna movement was conceived. Why did it take an attack on Bhushan, by people who were

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\* Hartosh Singh Bal, Political Editor of Open Magazine, turned from the difficulty of doing mathematics to the ease of writing on politics

certainly once directly allied with the Sangh and are today part of it in spirit, for Anna to suddenly attack such views in public? How has this man given to so much vagueness while replying to every pointed question suddenly found such clarity? It is only because the viewpoint that Anna and by extension Kejriwal represent is the same simplistic and ill-thought-out rightwing nationalism of the Sangh which has no space for the Constitution or the liberal values it embodies. In that sense, when Anna's team stands and shouts "Bharat Mata Ki Jai", it is not hailing the Indian Republic but a mythic nation that exists only in the mind. It was no coincidence that the very stage on which Anna first fasted at Jantar Mantar had a map of India shaped in the image of Bharat Mata as the backdrop. It is no coincidence that Anna is a teetotaler given to flogging young men who do not obey him. It is no coincidence that Kejriwal has often shared the stage with an anti-reservation organisation called Youth for Equality. It is no coincidence that the electioneering they are doing is not directed against corruption but the Congress (even if the distinction is sometimes hard to make, it exists). It is no coincidence that Constitutional issues are so readily dismissed by Anna and Kejriwal, who has even anointed Anna above Parliament. It is no coincidence that through the Jan Lokpal Bill, they imagine an ombudsman who would be to the republic what Anna is to Ralegan Siddhi, someone who will whip us all into shape.

Through the twentieth century, this combination—a claim to efficient governance, a mythic father or motherland, a contempt for a certain section of people—has been the mark of fascism. Surprisingly, many of the Left, such as Bhushan himself, have been slow to recognise this. The news that two members of the core committee of Anna's team, Rajendra Singh and PV Rajagopal, have resigned is no surprise; what is a surprise is that they were part of the committee to begin with, perhaps they were taken in by the rhetoric that is always so seductive to the Left, 'we must be with the people'. The support extended by the RSS, the overt expressions of

sympathy, the covert mobilisation of numbers, the desire to make common cause with Anna, is not some public play at deception and politics, it is the manifestation of a genuine desire to make common cause with a man who has managed to fulfill their aims. Mobilise the people, corner the Congress, and fight to the death for Kashmir (only rhetorically, of course, for in reality the soldiers who die in the fighting are motivated by a far more prosaic professionalism). This only leaves the question of how long people like Medha Patkar and Prashant Bhushan will survive as part of Anna's team. Patkar is calling for a repeal of the Armed Forces Special Powers Act (AFSPA). Everyone knows where Anna will stand on that one, but perhaps his views will become public only once some other organisation sympathetic to the Sangh attacks Patkar. But this is now only a matter of detail. The personal compromises that a Bhushan or a Patkar have had to make with their own views is up to them, what counts is that the attack on Bhushan has opened up the faultlines within the movement and exposed the delusions of those who joined it in the name of 'liberal' values.

This does not mean the movement is petering out. The Winter Session of Parliament will see a Lokpal Bill being adopted, but it is unlikely that in its details it will contain all that Anna and Kejriwal have demanded. There will be another fast, there will be more tamasha and television, but what should have been a means of channelling an anger directed against a corrupt government is now turning into a force that the RSS is only bound to welcome.

*Courtesy : Open Magazine*

ANNEXURES

**TEAM ANNA'S VERSION**

## **‘We stand where we had Started on the Lokpal Bill’: Interview**

*Arvind Kejriwal*

*Arvind Kejriwal, a member of the joint drafting committee for the Lokpal Bill, is disappointed at the way the government has treated the suggestions made by the civil society for the new Lokpal Bill. In an interview with Thufail PT, he talks about the future of the campaign, the charges of the right-wing bias in the campaign and why it is okay to take funds from corporates for such campaigns. Edited excerpts:*

**The civil society members have submitted their draft of the Lokpal Bill to the government. But, the debate has not ended. Anna Hazare has said that he will start another hunger strike in August. On the other hand, Digvijaya Singh of the Congress has said that Hazare will be given the same treatment as Baba Ramdev was given. Are you prepared for this?**

It is unfortunate that Digvijaya Singh has said this, because, we live in a democracy. Under Article 19 of the constitution, every citizen in this country has the right to protest peacefully. This is not right for a senior Congress leader like him to make such statements. If the government does that and if there is a police action against us, we are prepared for that.

**The civil society members and the ministers in the joint Lokpal drafting committee have submitted two separate bills. This means that you still stand where you had begun.**

**How do you evaluate the whole process of the drafting committee?**

Yes, we stand where we began. That is right. In fact, we get a feeling that the joint drafting committee process was to some extent just a mere showpiece, because the government appears to have already made up its mind on many of the points. Many issues which have been included in the government's draft were never discussed in the joint committee meetings. So, it appears that the government had already made up its mind on many of these issues. You are right that we stand where we had started on 16 April. **Related** 'Some of the controversies are planted by the government' Tempers flare up in Lokpal joint panel Draft panel splits on PM's inclusion in Lokpal's purview

**You want everyone to come under the purview of the Lokpal. But, who will the Lokpal be accountable to? That has been one criticism against your Lokpal?**

The Lokpal will be accountable to the people of this country according to the draft submitted by us, and it will be accountable to the government according to the draft submitted by the government. According to the draft submitted by us, any citizen can make a complaint to the Supreme Court and have the Lokpal removed. But, according to the draft submitted by the government, only government can make an application to the Supreme Court to have the Lokpal removed.

**Your campaign for an effective Lokpal was very peculiar, given the support and the media coverage it has drawn. Could you, please, tell us the special methods you adopted to reach out to people?**

Before Anna's fast on 5 April, there was not any media support. At that time, many things took place. We contacted people through both personal and impersonal means. We visited many places across the countries. We met people. We met other NGOs. We met other activists. We explained the Jan Lokpal Bill to them. Also, we used the internet, Facebook, SMS and other methods.

**The new media and the internet had a great role to play in the success of this campaign. But, can it resonate in the rural India?**

Yes. This is a misconception that this was only an urban movement. This is because the media reached only Jantar Mantar [in Delhi] or some places in urban India. Even in urban India, for instance at Jantar Mantar, there were a lot of people who came from slums. But, somehow the media concentrated only on pretty faces. But, there were also a lot of people from slums who no one talked to. I went to several villages around Varanasi, Lucknow and Sultanpur. I was pleasantly surprised that in every village when Anna sat on fast, people also sat on fast. This movement touched the chord with almost every citizen in this country.

**There has been criticism that your campaign is allied with the RSS. Did you feel the need to make efforts to stay away from communal elements?**

We would have felt the need if we were working with them. We are working neither with the RSS nor the BJP. Anna wrote a strong letter to Mrs Gandhi, saying that there was no evidence for it. It is very unfortunate that such senior people, responsible people [in the Congress] are making such false accusations. The country should be worried about it. How will the country be run if such senior people start making false accusations? Anna said, 'Give me evidence. Show me how I am related to the RSS.'

**One criticism against the campaign was that it only sought to punish the corrupt, not bothering to stop corruption or change the system which allows the corruption to flourish. How do you respond?**

We started this movement only for the Jan Lokpal, and we have confined ourselves to that. We do not want to make it broad. We do not want to include so many issues in this movement. Annaji has already said that if we get the Jan Lokpal, in the next step we will also fight for electoral and judicial reforms. One by one we wish to take up these issues. If you take up all the reforms simultaneously, then nothing

can be achieved. There are so many other groups which are doing wonderful jobs in other areas. We will join hands with them. All need to work together. It is not that only five or 10 of us need to take up all the issues. We have taken up the issue of the Lokpal Bill, and everyone has joined us. Others who have taken up others issues, we will join them.

**The traditional elements of the civil society, including the National Advisory Council (NAC) team, has largely kept away from your campaign. What was the disconnecting factor?**

I really do not know. You have to ask NAC members. Whenever they invite us, we go to all their meetings. We have also said that the process of drafting the Lokpal Bill should take place at both the places: the NAC as well as the joint drafting committee. Then it would have had the support of both the [Congress] party as well as the government. So, you have to ask them.

**Throughout the campaign, you have kept the funding transparent. We can see that a large sum of the fund has come from the corporate world. Isn't there a mismatch in this when you fight against corruption?**

When you seek funds you can not go into the background of the donor. All that you can do is to ensure that no one influences your decisions. It is not about corporate or non-corporate funding. It is also possible that if an individual is giving money, then that individual has had a bad background. We cannot take a position that all corporates are bad and all individuals are good. Or, all business is bad and all non-business is bad. There is good corporate and bad corporate. There is good business and bad business. There is good individual and bad individual. When you receive funds, especially for such a large movement, then it is impossible for you to give a character certificate to all your donors. All that you can do is to take all the donations through cheques and put it on the website and make the whole process transparent. You should not take any donation in such a manner and of such amount that a person can influence the

movement, which has not happened [in our case]. The kind of money that is coming in is so broad based and no one can influence our movement.

**Political parties, including the BJP, have said that they would comment on the bill only when it comes to Parliament. How do you see their approach?**

Firstly we appreciate that they are saying that they will make their views known only in Parliament. But, we, the people of this country, also want to know the views of all the political parties. We are quite anxious to know their views. Therefore, we urge them to also tell the people of this country what their views are. I am sure that in Parliament they will disclose their views. But, there is nothing to keep secret about it.

**It is the first time in the history of India that the civil society was part of the drafting committee of a bill. Your critics say that the civil society is crossing its limits to play down the role of the elected members of Parliament?**

No, that is wrong. I can give you the copies of the notifications earlier. Many bills have been drafted by the civil society. The government is projecting it like this. I was told by a minister that on 25 March there was another joint drafting committee formed by the government. So, there are so many joint drafting committees which have been formed earlier. This is the only committee which has been formed after an *andolan*. Otherwise, the government has been forming committees left, right and centre. There are so many laws which are straight away drafted by international agencies and given to the government and the government passes them. There is so much of backroom influence from international agencies, like the World Bank, on the government. If the people of this country want to draft a bill, then what is wrong in it?

**So that is your answer to the criticism that the civil society is crossing its limits to play down the elected members of Parliament?**

There the reaction would be a little different. Civil society

is not crossing its borders. Democracy is by the people, of the people and for the people. The people are central. They elect representative and send them to Parliament. It is the duty of all the elected representatives to hear the voice of the people. The elected representatives are supposed to echo the voice of the people in Parliament. The voice of the people is definitely against corruption. [It is] a very strong voice. They want a very strong anti-corruption law. Firstly, what is civil society? Hundred and twenty crore people of this country are the civil society. The civil society also includes politicians. Politicians are not un-civil society. Everyone is civil society. I really do not understand the word 'civil society'. All that I am trying to say is that parliamentarians have a duty to hear the voice of people. I am sure they will do that. They have already seen the kind of anger people have. *Thufail PT is a Correspondent with Tehelka.com.thufail@tehelka.com*

# What Matters is the Cause: Interview

*Medha Patkar*

*Medha Patkar talks about corruption and Lokpal Bill*

*The demand for a strong Lokpal Bill made by the India Against Corruption campaign has been supported by Medha Patkar and the National Alliance of People's Movements (NAPM) despite certain differences over the process of consultation, the presence of communal elements in the campaign and Anna Hazare's praise for Narendra Modi.*

*In an interview to Civil Society, Medha Patkar explained that there was an urgent need to sink differences at this point and focus on tackling corruption. A strong bill was needed though passing it would take time and its implementation would not be easy.*

*She also said that corruption had assumed many forms and a much wider effort was required to cleanse governance. There was legalized corruption in the transfer of assets such as land from the poor to the rich in the name of development. The Lokpal was not an answer to such corruption, she said.*

**Is the NAPM fully backing the India Against Corruption campaign?**

Yes, because we have been dealing with corruption at different levels. We have seen corruption in the public distribution system, disbursal of rural employment wages and even in getting a copy of the electoral rolls. There has also been corruption in real estate, examples being the Adarsh case and Lavasa.

In development planning there is corruption of a different kind. The loot of natural resources involves misuse and misappropriation of an important indispensable capital of

the people and the nation. Invaluable resources are being pocketed or transferred against the constitutional framework of equity and justice by the agencies of the state and its allies, the large companies. So, obviously the campaign against corruption is our campaign also and we are supporting it.

**Are you saying that corruption impacts the poor the most?**

Yes. There is a new category of corruption which is legitimized corruption, when the law itself legitimizes misappropriation. We have to fight such corruption at ground level and not only through the Lokpal or Lokayukta. Take the Special Economic Zones (SEZ) Act. That cannot be detected as corruption or punished by any agency. This is political corruption. It is a form of legalized corruption which the Lokpal may not be able to uncover since by law it is permitted.

**The campaign against corruption has been accused of having the participation of communal elements. What is NAPM's stand on this?**

We have made it very clear that communal elements, either in the framework of issues or strategies or action, will be opposed by us. If anybody takes up communal issues we will oppose it. We feel that the campaign should also make its position on other issues, apart from corruption, very clear.

**Have you asked the campaign to make its position clear?**

Now that the campaign has become national we will discuss what is the next step. But I don't think anybody can call Anna Hazare, Arvind Kejriwal or Prashant Bhushan communal. In the Gujarat riots case, Swami Agnivesh has intervened.

Even people close to the campaign have raised questions but then every campaign does face this. The Narmada movement also faced such questions. People across party lines have supported the movement. Even in villages people have different political affiliations. But they would say they leave their chappals outside and then come in.

Now should we say a person who supports us but is the member of a party which is not with us on any of our issues should not be in the movement? It is not so easy.

This is a dilemma which all movements face and it is challenging. But that also helps the movement to grow and widen its base. It can make people leave. But one should not be afraid of that if one's agenda is a wider transformation.

Many people asked us, why is the Narmada movement going the NAPM way? I said if you are talking about water, food, land etc, you have to talk about disparities and discrimination and natural resources, you cannot talk only of rehabilitation. If you talk about social and environment issues, you cannot ignore justice and financial issues.

**Has the Lokpal bill been discussed by NAPM and its partners?**

Actually clause by clause we have not discussed the bill. Anna's fast came up suddenly. A strong bill with a minimum of the highlights was acceptable. It is time for everyone to give suggestions. Everyone would like to have the best law. Follow-up is also important for which unity, integrity and solidarity are important. There need not be consensus on the first draft. But they are using technology to get in as many opinions as they can.

**You are saying consultation is important. The experience of mass movements is important. The law needs to reach the last man, it should go to the grassroots. So should the Lokpal bill just be a middle-class domain?**

The bill has been widely circulated, in the media also. It needs to be in regional languages. The right to information bill went on for a long time. It was well done. Aruna and Nikhil were very concerned it should follow democratic processes. Such processes need to be followed as much as possible.

In the case of corruption there was also a tempo which needed to be caught with these scams and scandals. I think that is what has happened. In case there is no sufficient ground for consensus among the committee members or the committee members and others outside the committee who are supportive, the deadline can always be extended.

**What if there is a consensus between the government and the committee but not between the committee and other activists? What happens then?**

The campaign will have to take care of that and that is why all of us must be cautious in going through the bill. Many people have not read the bill. They did not know that the Lokpal consists of a committee of 10 members or the importance of the Whistleblowers Bill. Every law requires wide public debate. So I would urge the government/ drafting committee to circulate the bill in regional languages as much as possible. There is not enough national debate. Rethinking the processes of law-making is very important.

**The Lokpal bill was already being discussed in the National Advisory Council (NAC) and the National Campaign for People's Right to Information (NCPRI). Should that process have been allowed to reach its logical conclusion? Was there a need for such a campaign?**

I think everyone should sit together. We cannot afford divisions. The country is facing a challenging situation. Most important is the content of the legislation and that should not be sidetracked. If there is firing the whole focus shifts to human rights violations and the main cause of the movement gets neglected. We have to sometimes take hard decisions.

**Should the Lokpal bill be placed before the NAC?**

The drafting committee has its own role to play – limited but crucial. But the NAC can go much beyond all that and we expect that because we know the composition of the NAC is very rich, richer than the earlier NAC. I think NAC can bring in the civil society perspective. It is not as though its members aren't independent. They all have their integrity and backgrounds. We have full faith in them. Aruna resigned over the issue of Narmada from the NAC last time and we are grateful for that. Jean Dreze resigned over the right to food bill.

Representative democracy must be more of direct democracy – gram sabhas etc. But even in movements decisions have to be made by a core. The drafting committee can have a forum which can hold larger consultations. Ultimately what matters is the cause.

## **Anna Personality Cult should be Avoided**

*Prashant Bhushan*

For thousands of people thronging the Ramlila Ground, many hopes rest on one man: Anna Hazare. But Team Anna member Prashant Bhushan feels 'personification' of the anti-corruption movement is best avoided. He also says civil society activists are willing to iron out the creases in their Jan Lokpal Bill.

'I am not in favour of focussing too much on personality. Personality cult of the movement in the name of Anna should be avoided,' Bhushan told IANS in an exclusive interview.'

People are focussing on Anna because the political leadership has failed to come up to their needs. The political class has lost its role. There is a total trust deficit,' said the lawyer, involved with the drafting of the anti-corruption Jan Lokpal bill, which civil society activists want to push through instead of the government version.

At the same time, he said: 'We did not expect this much support. We knew it would be considerable, but not this much. People feel Anna is the legitimate torchbearer of the movement.'

The scenes at the Ramlila Ground bear him out.

From school students to senior citizens, they all wave flags and banners with Anna's pictures. The ground reverberates with slogans of 'Main bhi Anna, tu bhi Anna, ab to saara desh hai Anna.' (I am Anna, you are Anna, now the entire nation is Anna).

Thousands of supporters courted arrest at Chhatrasal Stadium when Delhi Police detained the 74-year-old

activist ahead of his fast at JP Park Aug 16.

Referring to the massive crowd following Hazare from the Tihar Jail to the Ramlila Ground after his release, Bhushan said the 'Anna wave' has caught the pulse of youth, who are 'fed up of politicians'.

Defending charges of Anna's fast being a 'blackmail', Bhushan said: 'It is wrong to say that we are resorting to 'my way or the highway'.'

'We are aware of the criticism we are drawing from some corners, but then it depends how you look at fasting. The cause for which we are fasting is legitimate. We are not putting a gun to the forehead of the government and asking it to meet our demands,' said Bhushan, son of veteran lawyer and former minister Shanti Bhushan, who too is a part of the civil society movement.

Hazare began his fast Aug 16 when he was taken to the Tihar Jail. Massive protests across the country forced the government to release him the same day — but he refused to move out until all restrictions on his fast were removed. Hazare finally came out of jail Friday and continued his fast at the Ramlila Ground.

Bhushan says civil society is not going to settle for anything less than the Jan Lokpal bill in parliament, but added that Team Anna is 'open for talks with the government'.

'We are not rigid on not having a discussion with the government, but it seems like the government is not willing to talk. We are willing to have discussions on the issues the government has with our version of the bill,' Bhushan said when he resumed the interview after a long meeting with Hazare.

'If there are creases to be ironed out in our version of the bill, we will do that. The standing committee should introduce the Jan Lokpal bill.'

Simply inviting Anna to the standing committee is not a viable option now,' Bhushan said as he rushed for another meeting.

'I may not be here 24X7, but I have to see the developments related to the Jan Lokpal bill,' he quipped.

## APPENDICES

# **SUMMARY OF DRAFT BILLS**

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# Government's Draft Bill

## Lokpal bill – Summary – Document Transcript

1. What are Lokpal and Lokayukta? Why are Lokpal and Lokayukta needed? How will Lokpal and Lokayukta be different from the prevalent system of fighting corruption? We propose that there should be established a 'Lokpal' at the central level and 'Lokayukta' at the state level, both of which will address the inadequacies of the current anti-corruption systems and have the power and independence to investigate and prosecute cases of corruption. To be established through the enactment of central and state-level laws, Lokpal and Lokayukta will work on behalf of the citizens of India to protect their interests from abuse of public office at the level of the central and state governments, respectively. These 'people's commissions' will be independent of the government in a manner that politicians and bureaucrats are not able to interfere in their functioning. They will be accountable to the citizens through transparency in their selection and functioning. Lokpal and Lokayukta will also be made accountable to the citizens by giving the latter the right to file complaints against the former at the Supreme Court and the High Court, respectively. Lokpal and Lokayukta will protect citizens who show the courage to bring to the notice of the authorities any

instance of abuse of public office. The people's commissions will also deal with certain kinds of grievances reported by the citizens in respect of any service or office of the central and state governments and provide them redress. The establishment of Lokpal and Lokayukta will do away with multiplicity of anti-corruption agencies; each of these people's commissions will have 10 members and one chairperson.

2. **CURRENT SYSTEM PROPOSED LOKPAL – LOKAYUKTA SYSTEM** Ordinary citizens complaining against Any ordinary citizen can approach Lokpal and corruption have little trust in the Lokayukta with any complaint of corruption. prevailing anti-corruption systems Lokpal or Lokayukta will have to complete its because they believe they will not be enquiries or investigations within one year. After listened to or nothing will come out of investigation, if there is evidence of corruption the registration of their complaints. found against a politician or any official, Lokpal or In the prevailing systems, there is no Lokayukta will have to file a case in appropriate time limit within which a complaint trial court. The trial court will have to complete against corruption is to be investigated. the trial and announce punishment within a year. **FUNCTIONING OF LOKPAL** Often, the anti-corruption agencies just Lokpal and Lokayukta will have the powers to get a close a case without informing the guilty official dismissed or suspended. They will complainant. The investigation into also have the powers to get an increment of a corruption may also turn corrupt, such guilty official withheld or get a guilty official as when the anti-corruption agencies reduced in rank. accept bribes to close a case. The Lokpal or Lokayukta will make an annual estimate of the number of special courts required to ensure that the trial in each case is completed within a year. The government will have to set up such number of courts within three

months of the Lokpal and Lokayukta making the request. Every complaint shall have to be compulsorily disposed by Lokpal or Lokayukta. No complaint could be disposed of without giving a hearing to the complainant. If any case is closed, all records related thereto shall be made public. No FIR can be registered against any Under Jan Lokpal Bill, the full bench of Lokpal will JUDGES – SC & HC Supreme Court or High Court judge give permission to file a case against any judge. No without the permission of Chief Justice permission will be required from Chief Justice of of India. It has been seen in the past India. that the Chief Justice of India tries to protect his own brother judges and rarely gives such a permission. In the current anti-corruption systems, Lokpal or Lokayukta will have the powers to notify PROPERTY ATTACHMENT there is no provision for attaching the the list of moveable and immoveable assets of the properties of the persons being accused to be attached if, during investigations, investigated. the people's commissions come to believe that prosecution is likely to be initiated. These assets cannot be transferred after such notification. Loss to exchequer quantified at the time of conviction could be recovered from the sale of these assets.

3. RECOVERY OF LOSSES Currently, there is no provision in our At the time of conviction, the court will make an law to recover the public funds that assessment of the loss caused by the accused, have been misappropriated or make up which shall be recovered from them. for the loss to the exchequer on If the beneficiary of the corrupt practices is a account of corrupt practices. business entity, five times the loss caused to the government will be recovered. The recovery may be done from the assets of that business entity or the personal assets of its directors. The quantum of punishment for people The punishment will range from one year to life PUNISHMENT convicted of corrupt practices range

imprisonment and will be commensurate with the from six months to seven years of status or rank of the accused. The quantum of imprisonment, which is inadequate. punishment will be higher for a convict who had a higher rank than for a convict with the lower rank. In the current system, ministers If the allegations against a minister are continue in their positions despite substantiated through an enquiry or investigation, MINISTERS substantial evidence against them. the Lokpal or Lokayukta will be able to recommend removal of that minister (other than the Prime Minister). In the current system, it is difficult to If a person obtains any benefit from the gather evidence of illegal obtainment of government in violation of a law or rules and EVIDENCE a public benefit on payment of bribe. regulations, that person along with concerned public servants shall be deemed to have indulged in corrupt practices. Currently, people who report corrupt Lokpal and Lokayukta will be responsible for WHISTLEBLOWER practices or raise their voice against providing the whistleblowers, inside or outside the PROTECTION corruption are being threatened, government, with protection from a threat or victimized and even murdered. There is victimization of a professional or physical kind. no protection for them. Currently, it is easy for a corrupt public Every department shall prepare a citizens charter official to compel a citizen to pay a listing all the routine and easily definable works bribe by simply refusing to do the work along with the official responsible for a particular without a bribe. The citizen's choice is work and the time frame in which the work will be limited to paying a bribe to get the work done. Each department will also designate its head done or not paying a bribe and not or a sufficiently senior officer as public grievance CITIZEN'S CHARTER getting the work done. officer (PGO). A complaint of non-adherence to the citizen's

charter will be dealt by the PGO, who will be required to get the work done in 30 days. If the PGO fails to provide redress, the grievance will go to the vigilance officer (who will be a part of the Lokpal) and the grievance will be deemed to have a vigilance officer. The vigilance officer will get the work done in the next 30 days, impose penalties on the erring officials which will be paid as compensation to the citizen and proceed with enquiries of misconduct against the erring officials.

Currently, there are multiple anti-corruption agencies that are ineffective merged into Lokpal. The anti-corruption wing of MULTIPLICITY OF A.C. AGENCIES on their own and together. These CBI, the CVC and the vigilance wings of all multiple agencies often waste their departments will be merged into Lokpal. effort on the same case or work at cross purposes. The net result is a very weak check on corruption and the corrupt. Other features

1. Upon non-compliance with its orders, the Lokpal or Lokayukta will have the powers to impose financial penalties and also initiate contempt proceedings against the guilty officials.
2. Each bureaucrat, politician and judge would be required to submit his/her statement of moveable and immoveable assets on an annual basis, which will be put on the official website. If an asset of substantial value is subsequently found to be owned by a public servant, it would be deemed to have been obtained through corrupt means.
3. After each election, the Lokpal will verify the assets declared by each candidate from his/her declared sources of income in his/her tax returns. If undeclared assets are found, they will become the subject of investigation.
4. All records of Lokpal will be open barring the following:
  - a. Such portions of any records which, if released during any ongoing investigation, could impede the process of investigation. However, after completion of investigation, they would

be disclosed. b. Such records which could affect national security or c. Such records which would disclose the identity of a whistleblower and could compromise his/her security. 5. Lokpal will publish every month on its website the status of cases received, disposed, closed, reasons for closure and the list of cases pending. 6. So that the government may not be influence their functioning or they may not get aligned to any political party, the Chairperson and members will not be eligible for appointment to any position in the government or for contesting elections after they leave office. 7. Selection of members and Chairperson of Lokpal and Lokayukta: a) The ten members and the chairperson of Lokpal are appointed by a Selection Committee that comprises of the Prime Minister, Leader of the opposition in Lok Sabha, two youngest judges of Supreme Court (SC), two youngest Chief Justices of High Courts, Comptroller and Auditor General (CAG), Chief Election Commissioner (CEC) and the immediately outgoing members of Lokpal. b) The Selection Committee makes the above appointment from a pool of shortlisted candidates that has been identified by a "Search Committee". c) The "Search Committee" is a 10- member committee formed as follows. First, the Selection Committee selects five members from ex-CECs and ex-CAGs who have unimpeachable integrity, no connection with government or political parties. These five members then select another five members from the civil society. This completes the 10-member SearchCommittee. d) The Search Committee will choose from the people of India, three times the number of vacancies to be filled for the position of Lokpal member and chairperson. Such selection will

5. be based on strict criteria to filter out people with any doubtful integrity or connections with any government body or political party. This list is then forwarded to the Selection Committee which then makes the selection

from this pool. e) After the selection, the names are forwarded to the President of India, who will then immediately appoint the recommended Lokpal members. f) The entire process of selection of Lokpal is publicly transparent via website. All the meetings of the Search Committee and Selection Committee shall be video recorded that will be made public. 8. Removal of members and Chairperson of Lokpal and Lokayukta: Lokpal members and/or chairperson may be removed on misconduct or corruption charges only by a ruling of a bench of the Supreme Court (SC) comprising of the 5 senior-most judges. Any person may move a petition before the SC seeking such removal. After hearing the matter, SC may order the formation of a Special Investigation Team that will conduct an inquiry and submit a report within 3 months, and/or order the withdrawal of partial or complete work from that Lokpal member. Some people believe that: 1. Prime Minister should not be covered under Lokpal. 2. Judiciary should not be covered under Lokpal. 3. People's Grievances should not be covered under Lokpal, else Lokpal will get burdened 4. Lokpal should not be given the responsibility of providing protection to whistleblowers. 5. Lokpal should only investigate a few high profile cases of corruption. 6. CBI, CVC and departmental vigilance should not be merged into Lokpal. Let Lokpal be a small body and let the existing anti-corruption bodies keep functioning in the manner that they have been functioning. Please offer your suggestions and express your views on Lokpal and Lokayukta on [www.lokpalbillconsultation.org](http://www.lokpalbillconsultation.org) Or email us your suggestions at [lokpalbillcomments@gmail.com](mailto:lokpalbillcomments@gmail.com)

# Jan LokPal Bill – Summary and Guide to India’s Civil Society Anti-Corruption Bill Deserves Our Support

*Anna Hazare*

*The Jan Lok Pal Bill is supposed to be the answer to India’s massive endemic corruption which strikes daily in the form of a new scam or scandal. The government has proven to be woefully inadequate in taking on the corrupt politicians, bureaucrats and businessmen. This corrupt nexus has been repeatedly exposed and its structure exposed through the Nira Radia Tapes. The Indian administration has shamefully failed to take action only promising to do something without doing anything worthwhile. The Indian Judiciary has also castigated the government numerous times for its abject failure in the 2G Telecom Scam, Black Money Scandal etc. However the government instead of strengthening anti-corruption measures has only put obstacles in the way. Its no wonder when the committee meant to look after the Bill comprises of ministers tainted with a number of scams themselves. Anna Hazare has held a fast unto death to put pressure on the government to pass the draft bill but the Minister appear unconcerned. Here is a short summary and guide to the main points of the Jan LokPal Bill which IMHO deserves the support of the whole Indian civil society.*

**What is the Jan Lok Pal Bill**— The bill has been drafted by eminent members of the civil society like Prashant Bhusan, Kiran Bedi, Lyngdoh and other. The bill proposes institution of the office of Lokpal at the federal level and Lok Akyukta at the state level. Jan Lokpal Bill is designed to create an effective anti-corruption and grievance redressal systems at centre and to assure that effective deterrent is created

against corruption and to provide effective protection to whistleblowers. This has been done after the government of India has failed to pass the Lokpal Bill for 42 years reflecting the systemic corruption as the members of the legislature don't want their powers to be curbed and their actions made accountable.

## Main Points

**1) There shall be an institution known as Lokpal** which shall consist of one Chairperson and ten members along with its officers and employees. The Lokpal shall be headed by its Chairperson. The Government will appoint the members of the Lokpal though Chairperson and members of Lokpal shall not be serving or former member of either the Parliament or the Legislature of any State and shall not hold any office or trust of profit

**2) Funding**— There shall be a separate fund by the name of "Lokpal fund" in which penalties/fines imposed by the Lokpal shall be deposited and in which 10% of the loss of Public Money detected/prevented on account of investigations by Lokpal shall also be deposited by the Government.

The administrative expenses of the office of the Lokpal including all salaries, allowances and pensions payable to or in respect of persons serving in that office, shall be charged on the Consolidated Fund of India.

**3) Appointment of the Lokpal**— A selection committee consisting of the following shall be set up which will have representatives from the government, judiciary and civil society. The members shall have unimpeachable integrity with 4 members from the legal background.

### 4) Powers of Lokpal—

- a) Initiate prosecution against public servants as well as those private entities
- b) Order cancellation or modification of a license or lease or permission or contract
- c) Blacklist the concerned firm or company or contractor

- d) Take necessary action to provide protection to a whistleblower
- e) Suo moto initiate appropriate action under this Act
- f) Power to Issue Search Warrants
- g) For the purpose of any such investigation (including the preliminary inquiry) the Lokpal shall have all the powers of a civil court
- h) Lokpal to be a deemed police officer
- i) Lokpal may decide to impose a fine on the officials responsible for the non-compliance of its orders.
- j) Assess Number of Special Judges for Corruption in an Area
- k) Power to issue Letter of Rogatory

**5) Functioning of Lokpal**—Lokpal shall function in benches of three or more members. Chairperson shall be responsible for overall administration and supervision of the institution of Lokpal.

**6) Punishments for offences**—For offences mentioned in Chapter III of Prevention of Corruption Act, punishment shall not be less than five years which may extend upto life imprisonment.

Provided that if the accused is any officer of the rank of Joint Secretary in the state or above or a Minister, the punishment shall not be less than ten years

## **Summary**

The Jan LokPal is a stringent law against corruption and will to strict and hard punishment for corruption doers while protecting whistle-blowers. This Law will be opposed tooth and nail by the executive and the legislature as it meant to punish wrong doers amongst them mainly. Note these 2 arms of the government are endangering Indian democracy with their flagrant violations of the law and massive corruption which has undermined the confidence of the Indian state amongst its citizens. I don't see much hope that this Law will get passed but it deserves the support of every responsible citizen.

# Lokpal Bill: Aruna Roy and NCPRI's Suggestions

*Aruna Roy*

*Aruna Roy and National Campaign for Peoples' Right to Information (NCPRI) suggestions for a series of anti-corruption and grievance redress measures.*

## **Collective and Concurrent Lokpal Anti-corruption And Grievance Redress Measures**

The purpose of this exercise is to present to the government a well thought out and widely discussed set of measures that could be simultaneously and collectively adopted to prevent corruption at all levels, especially in high places, and to effectively redress grievances. Such measures could include the enactment of one or more laws in order to create the required institutions and authorities, the amendment of existing laws and practices, and the strengthening of existing institutions.

The concerns and issues that need to be kept in mind while formulating the anti-corruption and grievance redress measures include:

1. Anti-corruption institutions must be financially, administratively and legally independent of those whom they are called upon to investigate and prosecute.
2. It is essential to have a multiplicity of decentralized institutions, geographically and across levels, with appropriate accountability mechanisms, to avoid the concentration of too much power, especially

- unaccountable power, in any one institution or authority.
3. Irrational constraints, like the need to obtain prior sanction, to investigate or prosecute should not be allowed.
  4. However, institutions and processes must be fair and impartial to both the complainant and the accused, and ensure that honest persons are not harassed in the process of investigation and prosecution.
  5. Each anti-corruption institution must itself be accountable in the same manner that it seeks to make other institutions accountable.
  6. Appointments to these institutions must be done transparently and in a participatory manner, so as to minimize the chances of the wrong sorts of people getting in.
  7. The functioning of each of these institutions and authorities must also be transparent, while protecting whistle blowers and respecting legitimate privacy and other concerns, as laid out in the RTI Act. Efforts must be made to proactively disclose as much information as possible, complying with and moving beyond section 4 of the RTI Act.
  8. Institutions must each be of a manageable size, with no one institution becoming so large that its effective management and control becomes a problem.
  9. Similarly, institutions and authorities should not be allowed to be overwhelmed but should be so designed that they can deliver results within a reasonable time frame.
  10. If democratic institutions falter or weaken, there is no alternative to repairing and strengthening them. Setting up a parallel regulatory or decision making

process is unlikely to help and such a parallel system is likely to itself get corrupted.

11. Consequently, at the very least, initial complaints must lie with each public authority, and they must be given an opportunity of setting their own house in order. Only appeals against what are seen as unsatisfactory responses should come to the proposed independent bodies.
12. The basic framework of the Constitution need not be challenged and solutions could be found that are within the framework of the Constitution.
13. In order to ensure that the proposed institutions and authorities are themselves credible and not prone to mutual back-scratching, circular powers of oversight must be avoided where institutions and authorities oversee each other's functioning and integrity.
14. In order to ensure efficacy and independence of an institution, it must be given adequate powers and resources to both investigate complaints and to ensure the effective prosecution of cases.
15. The development, in a bottom up manner, of appropriate citizen's charters, as also the codification of a comprehensive set of entitlements for citizens, both in service delivery as well as for democratic rights, should be a pre-requisite to the setting up of a grievance redress mechanism.
16. Lessons need to be learnt from the experience with social audits, especially in relation to the MGNREGA. These lessons should influence the design and practice of social audits for large government expenditures and contracts. Social audits should also be conducted for assessing policies and their impacts.
17. The window of opportunity currently available, because of the widespread public sentiment against

corruption, must be respected and fully utilized to bring in these measures as soon as possible.

Following from these principles, some of the measures that need to be concurrently and collectively implemented include:

1. Enacting a legislation for the setting up of Lokpal/ Lokayukta Anti-Corruption Lokpals (Rashtriya/ Rajya Bhrashtachar Nivaran Lokpal) at the Centre and in each of the states, that would receive, investigate and ensure effective prosecution of complaints about corruption relating to all elected representatives, including the Prime minister, Chief Ministers, Central and state Ministers, MPs, MLAs, MLCs, elected councilors, etc, and all class A officers, and to prosecute those against whom sufficient evidence is found. They would also have the power to investigate and prosecute any other person who is a co-accused in any of the cases being investigated or prosecuted by the Lokpal.
2. Amending the Judicial Accountability and Standards Bill, that is currently before the Parliament, to ensure that the judiciary is also made effectively and appropriately accountable, without compromising its independence from the executive or the integrity of its functions.
3. Drafting an act that provides for the setting up and functioning of Public Grievances Lokpal (Shikayat Nivaran Lokpal) at the centre and in each of the states. These commissions would have powers to ensure that detailed citizen's charters and norms of functioning are prepared for each public authority. They would also ensure that other entitlements and rights are codified, and that the obligations of each public authority are fulfilled. The grievance redress commissions would have decentralized institutional mechanisms going right down to each ward/block level, and would ensure

a bottoms up people centric approach so that complaints and grievances could be dealt with speedily and in a decentralized, participatory and transparent manner. The functioning of the grievance redress processes could be linked to the RTI Act and also to recent, time-bound, service delivery laws providing for the imposition of penalty on officials who do not meet the prescribed time frames for providing services to the public. The experience of the Delhi Grievance Redress Commission could also be instructive.

4. Strengthening the institution of the CVC and bringing in under its purview all officers not covered under the Lokpal bill. Towards that end, providing the institution of the CVC with adequate investigative and prosecution powers and resources. Creating similar, independent, State Vigilance Commissions for each of the states, and also strengthening departmental enquiry procedures.
5. An effective legislation to protect whistleblowers will be enacted. In addition, each of these institutions would also have provisions for protecting whistleblowers and their identity.

Each of these institutions and authorities will function transparently and will have to be accountable to the public for their actions (and inactions) through strong and effective accountability measures. An option that can be considered is that only one law be enacted that would contain all these proposed institutions and measures. However, the institutions must be separate and independent of each other.