

CORRUPTION: CAUSES, CONSEQUENCES AND CURES

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ABSTRACT

Corruption is a reality in Indian public life. It is an extremely dangerous cancer that spreads quickly across all social strata and is capable of paralyzing every organ, if not every social cell. Unless we destroy corruption in high places, root out every trace of nepotism, love of power, profiteering and black marketing, which have spoiled the good name of the country in the recent times, we will not be able to raise the standard of efficiency in administration, as well as production and distribution of necessary goods of life. The existing anti-corruption laws and their enforcement have had positive impacts on many honest civil servants and among general public of the higher class. But among the middle class or the deprived class, these laws have hardly made any impact and they are on the verge of losing hope. So it's high time the educated, knowledgeable and privileged class pulls up their socks and act to restore the mass's faith in our legal system.

Keywords: *Corruption; embezzlement; misappropriation; favoritism; illicit trade; nepotism*

INTRODUCTION

India is a developing country with a low salary in which both the rich and the poor have to fight hard for scarce resources in a world where people's demands are growing. It is an active process and the government. India has never been free of corruption, not in the past¹, not during the time right before colonization, not during British rule, and not in the decades after freedom. Gandhi was worried about graft in the Congress provincial ministries that were set up after the 1935 Act.²

During the important time after freedom when Nehru was Prime Minister, there were a number of cases of corruption in the states. There were also cases of corruption at the Centre. In response to concerns raised in Parliament about "the growing menace of corruption in public administration," the Government of India put together a committee of MPs and officials, led by Shri K. Santhanam, at the end of the Nehru era to look into the problem in depth.

So, neither the problem of corruption in India nor the worry about it is new. But the current level of graft in the country is not just a direct continuation of what happened from the 1950s to the 1980s. Since the 1980s, the amount, trend, nature, and spread of corruption have changed in ways that suggest it has reached a critical point. In other words, it might not be an exaggeration to say that corruption is a crisis or a cancer that is hurting India's culture, government, and economy.

In general, investigations into and prosecutions of graft have been slow at best and fake at worst by both central and state governments. Commissions of Inquiry have been set up over the years to investigate corruption, but they have never been able to show or punish it. Corruption has been politicized, just like politics has been messed up, in the sense that cases of corruption have been used for partisan political reasons instead of to solve the problem in an honest way.

As expected, corruption problems have been stirred up by opposition parties, but most of their efforts have not been successful. Normal anti-corruption laws slow down the judicial process, but in recent years, the Supreme Court has stepped in to enforce the law in answer to public interest litigations.³

Investigative news has helped bring corruption to light, but because of how it works, it hasn't gotten consistent coverage in the media. Activist groups in the area have taken on problems of corruption. But their efforts have been very different in different parts of the country and haven't reached the number needed to start a popular movement against corruption.

The first step is to get people to believe that India doesn't have to live with corruption forever and that, like in many other countries, it is possible to get people to push for changes that will stop and roll back corruption. As corruption gets worse and spreads, it tends to keep going around and around.⁴

So, there should be no time wasted in trying everything possible to stop the process. At the same time, it's important to be honest about the fact that cheating can't be stopped completely. Corruption can't be stopped all at once. Instead, it takes a lot of small steps that add up over time. It also comes with its own costs. All that can be done is try to make cheating less common over time.⁵

Corruption exists in some form in every culture, at every stage of growth and development, and at every age. This is because everyone wants to be corrupt, and everyone has situations that make it easy to be corrupt. Only the amount, style, and kind of deception can be different.⁶

Infractions of social and economic norms are not only harmful to people but also to the environment aimed and directed at them as a target. Both the economy and the cultural legacy are harmed because of this. If it is not stopped in its tracks as soon as possible, there is a good chance that it will generate turbulence and shake the socio-economic political system in a society that is, overall, healthy, prosperous, efficient, and pulsating. These offenses cannot be given a mild sentence, and the punishment in this setting cannot be too lenient in comparison to the gravity of the crime.

Rather, it must be proportionate to the risk and damage that is caused by the offenses themselves. If white-collar criminals are able to obtain acquittals that are not merited or deserved, it would not only cause tremendous agony to the people, but it will also destroy their faith in the judicial system.

The industrialization of society gave rise to a new type of criminality, which has now reached extremely dangerous dimensions. This contemporary sort of criminality, in contrast to the more traditional crimes, relates to persons from upper- and middle-class backgrounds, and it is perpetrated

by these individuals in the course of their work. This is having a negative impact on the overall health and material well-being of the community, and it is also posing a threat to the economic fabric of the entire nation.

The crime in these classes has such deep roots and manifests itself in such a wide variety of ways that it is challenging to define each one of them. These range from smuggling to adulteration, evading taxes to fraud and theft, and misappropriating funds to embezzlement. The characteristics that are shared by all these forms of wrongdoing are that they are motivated by avarice, greed, and rapacity, and that they are committed during trade, industry, commerce, business, and professions that are associated with the upper and middle classes.

These crimes have had a negative impact not only on the social and economic fabric of the state but also on the community, and they have made it a very tough task to plan progress for the future. These offenses have been referred to as "White Collar Crimes" by Sutherland, whereas "Public Welfare Offences" have been used to describe them by Sayre. There are some people who refer to these offenses as "regulatory offences" while others term them "Crimes of strict liability."

The size and variety of socioeconomic offenses that are rampant today can be found in virtually all countries around the globe, and we would discover that these offenses are generally the same and almost identical no matter where we go. Even though the types of these crimes and the ways in which they present themselves are always evolving, it is possible to make broad generalizations about them, and the crimes that fall under this category include various forms.

KINDS OF CORRUPTION

They are the evasion and avoidance of taxes that have been properly imposed; the addition of harmful substances to food, medicine, or cosmetics; the practice of hoarding, racketeering, profiteering, and black selling; illicit trade in narcotics and disobedience of laws designed to prevent anarchy; infractions of legislation governing foreign exchange such as smuggling, under-invoicing, over-invoicing, and other practices and deviations from established parameters for weights and measures.

Other form of corrupt includes infractions of the rationing and guest restriction orders that have been issued; Selling or buying licenses, permits, or quotas illegally; embezzlement, misappropriation of funds, fraud, and other types of financial crimes monopolistic controls in the administration of corporations and other organizations, as well as unethical business practices such as share pushing; publicly practiced forms of bribery, corruption, favoritism, and nepotism services and by those holding positions of significant power; infractions of the terms and conditions of governmental contracts, as well as theft, thefts and cons committed against public entities that involve public property and conduct unbecoming to a professional.

Even though it had been argued for a considerable amount of time on the basis of the old maxim *nellum crimes sine leg* that these activities of people in trade, industry, business, profession, and high places are not crimes at all, the argument was not valid when it was advanced, much less now when states have one after another declared these activities are crimes and have enacted laws to punish such activities.

It is to our good fortune that in the context of our nation, our general penal code, the Indian penal code 1860, was a step ahead in this behalf and had made them punishable. As a result, in India such activities have always been treated as crimes, and it is possible that perhaps this was also perhaps one of the reasons that these crimes did not emerge in India until a very late stage.

On the one hand, the goal of criminal law is to protect the citizens' people and property, while on the other, it functions as a tool for maintaining social order and order within society. It is also meant to promote public peace, harmony, tranquility, and security in the community; it serves a dual function, which is to protect the person and property of individual members of society and to penalize those who violate the law. The purpose of criminal law is to protect individuals, which, in turn, helps to protect communities as a whole and helps to establish the legitimacy of the state as an authoritative force.

Deterrence, prevention, reformation, and retribution are the four goals that can be accomplished through any form of punishment; nonetheless, deterrence has always been and will continue to be the primary and most important goal. The purpose of the criminal's punishment is to drive home the point that the crime he committed went against the interests of the society, which he was a part of at the time, and as a result, went against his own interests as well. This is something that the state cannot and will not permit, and the criminal needs to understand this.

Corruption is growing like a monster that has risen above everything in capitalist, socialist, and developing countries. Different parts of our society have been shaped and changed by it in different ways. Some people like this practice because it makes them rich and happy. Some people liked its bite a lot but didn't talk about it much.

A lot of people are really hurt by this huge problem, and they are stuck in a useless situation where they can't do anything about it. Corruption has not been lessened in developing countries, but it has gotten worse and spread more quickly as development forces and processes have taken hold.

Such a threat to society can't be missed by the average person. Everyone who can think knows that it is eating away at the very heart of our society. Few people are brave enough to talk about it in public, let alone try to stop it. Up until recently, even the smartest people chose to keep quiet about it. If this subject came up at any time, it would be laughed off as a world phenomenon. Thankfully, that situation no longer exists. People haven't even started to talk about it in public and think about how to stop it.

To solve this kind of social problem, it's important to look at it from three different angles: the causes, the effects, and the solutions. For, a presume, can help the society come up with good plans for getting rid of it. The country is trying very hard to find a solution that will help it get rid of the problem. Because it has already eaten away at the system's most important parts. God is the only one who knows where evil will lead us in the end. Not too long ago, hundreds of our young men went to the gallows to save their country. They had a strong sense of patriotism and loyalty to their country. This spirit lasted even after the country got its independence, as shown

by the wonderful stories of people taking part in nation-building activities and giving a lot of money and time to the National Community Development Programme.

Unfortunately, we couldn't keep up that spirit. This may have been because the large amounts of money made for growth and the ease with which they were available to bureaucrats at all levels made everyone want to keep some of those funds for themselves. That disease spread like wildfire and quickly affected everyone.⁷

Changes to the social and political order of the country should be part of the long-term plan, along with improvements to the school system. When it comes to the school system, we'll have to think a little more traditionally. One thing that is clear is that our education system does not meet the day-to-day needs of society, nor does it try to make people better people. Even though we have made a lot of changes to it since we got our freedom, we couldn't get it back to where it was before.

It keeps training our boys and girls in the old ways of the professional world and doesn't pay much attention to giving them the modern tools and skills that could help them deal with problems in society and make a living. Instead, they learn things that aren't very useful, so they add to the number of people who are out of work. Those who have money and other means get jobs more through shady means than because they are good at what they do. So, this method makes corruption more likely to happen.

We should look at the problem of fighting crime from different points of view. In general, there are four different ways to do things. One is to make major changes to the constitution that, like a presidential system, would separate legislative power from executive power and put in place checks and balances to keep people from abusing their political power.⁸

The second would focus on reducing the role of the government as much as possible through deregulation and privatization of government activities, as well as changes to make government work better.

The third would argue for a lot of decentralization of government so that accountability and openness can be improved at the local level and corruption can be stopped. The fourth would depend on more people in general, starting with young people and focusing on lawmakers and officials, becoming more moral.

According to the records kept by law enforcement agencies, the number of socio-economic crimes that are committed in India is steadily and alarmingly rising. Because of the negative impact that this issue has on society, its elimination must be pursued at all costs. When there is widespread corruption in a society, it is impossible for that society to thrive. Changes to the administrative structure do not in any way rule out the possibility or desirability of reforming the political system as a whole or dealing with the bigger, more basic problems that actually cause corruption. Both processes can happen at the same time. It should be pointed out that the bigger problems involve too many powerful vested interests to be solved quickly. Because of this, this type of change is

hard to start. On the other hand, smaller reforms at lower levels of government are easier to implement.⁹

The attempt to change the administrative structures would not be an unusual effort on our side, as opposed to that, it will be a part of the ongoing administrative reforms that have been going on since Independence. In reality, it would represent a substantial advancement in the direction of the objective of giving the country an effective and responsive administration.¹⁰

The causes listed below seem to be the main culprits.

First off, the administrative experienced a level of horizontal and vertical expansion never before seen with the creation of the welfare state at the dawn of Independence. This expansion happened so quickly that upholding norms of efficiency and integrity was practically impossible. Although some administrative reforms were made, they were not very successful.¹¹

Second, the bureaucracy became even more powerful as a result of the introduction of the inept politicians into the key decision-making organisations. Little familiar with the complex procedures involved in formulating policies, these politicians started to rely more and more on the bureaucracy, which led to the development of a nexus between the two. In order to defend and advance one another's interests, big business and the wealthy farmer who support and fund the politician leapt into the conflict and joined this caucus. This toxic union gave the bureaucracy the power to deceive the populace and propagate corruption.

Third, because of their sheer numbers and high level of political consciousness, the rank and file of the officials organized themselves into unions. These unions have since grown so strong that they can now essentially force the government to comply with their demands. The sharply inverted ratio of their work output can be used to gauge their strength and standing. Despite the fact that our nation is plagued by poverty, our bureaucracy, especially its lower rungs, is highly well paid.

Another reason for the bureaucracy's more pampered nature is that it has grown to be a very potent pressure group thanks to its enormous population and widespread distribution across the nation. It gives the politicians its support because of shared interests. The officials, who are stationed all around the nation, provide various forms of assistance to the candidates running for office. They are protected from all forms of bad weather thanks to the political umbrella they thereby secure for themselves. If someone were ever to find them in a bind, his union would step up to the plate and help him.

NEED TO ERADICATE CORRUPTION.

The efficient operation of government depends on maintaining public confidence in the integrity of public service and effective performance. In comparison to what is typically required of the private sector, it is preferable that public service demonstrate a more appropriate dedication to the public good.¹² Because integrity is the soundness of moral beliefs, uprightness,

honesty, sincerity, and uncorrupted virtue, it is very significant and its growing impact on people's lives calls for high ethical standards on the path of civil officials.

INFLUENCE OF CORRUPTION

The corruption's influence is subtle. In addition to causing wrongs that are challenging to right, it also jeopardizes the administrative framework and public trust in government. Therefore, there needs to be an ongoing struggle against all forms of corruption in government.¹³

There is no guarantee that it will be completely eradicated or that all of the diseased regions will be reached, even after treatment. As long as the machinery necessary to eradicate it is similarly corrupt, the chances of completely removing it are slim. The absence of corruption in the public sector is not only essential to the health and vitality of a parliamentary system like ours, but also to daily life.¹⁴

Corruption is a reality in Indian public life. It is an extremely dangerous cancer that spreads quickly across all social strata and is capable of paralyzing every organ, if not every social cell¹⁵. Therefore, we shouldn't be reluctant to state that corruption in the public sector has turned into a widespread issue in all emerging nations. In fact, the bureaucracies in poor nations are notorious for their laziness and inefficiency due to pervasive corruption.¹⁶ However, it is undeniable that political corruption and public services cannot be analyzed separately since they are strongly related and, at a certain point, cause and effect relationships.¹⁷

Unless we destroy corruption in high places, root out every trace of nepotism, love of power, profiteering and black marketing, which have spoiled the good name of the country in the recent times, we will not be able to raise the standard of efficiency in administration, as well as production and distribution of necessary goods of life.

-Dr. Sarvapalli Radhakrishnan on the eve of Independence.¹⁸

Corruption is an age-old phenomenon. The word corruption means destruction, ruining or spoiling – a society or nation. Selfishness and greed are at the root of it; it also implies lack of integrity and honesty. A corrupt society is characterized by immorality and lack of fear or respect for the law.

When it stops valuing integrity, virtue or moral principles it starts decaying. Corruption is the abuse of public power for private gain. Corruption comes under many different guises: bribery, misappropriations of public goods, nepotism¹⁹ and influencing the formulation of laws or regulations for private gain.

The state of economy also plays an important role in corruption. Inequality of wealth distribution, exploitation by employers, and low wages and salaries provide ideal breeding ground for corruption. A license-permit regime or scarcity of basic commodities adds fuel to the fire. India is a textbook example of how license-permit Raj can vitiate political as well as economic atmosphere of the nation.

CONCLUSION

The existing anti-corruption laws and their enforcement have had positive impacts on many honest civil servants and among general public of the higher class. But among the middle class or the deprived class, these laws have hardly made any impact and they are on the verge of losing hope. So it's high time the educated, knowledgeable and privileged class pulls up their socks and act to restore the mass's faith in our legal system.

A socioeconomic crimes court should be established as its own entity so that it can hear cases independently from other courts. The 47th Law Commission Report²⁰ proposed for special enactments to create special courts to try all of the offenses that fall under those special enactments. The punishments that can be given out for violating laws that deal with socioeconomic offenses are not very severe.

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