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Notes and Commentaries

Notes on Corruption and Morality

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Abstract

An actor perspective within a moralistic approach to corruption in India and Southeast Asia contrasts to a (Weberian) institutional one. This emphasizes local values which help explain apparent lack of social constraints to everyday corrupt practices as bribery. In Karnataka the approach indicates that status and power within one's own community gained by amassing wealth however acquired overrides morality; overstepping moral taboos can easily be rectified through an appropriate ritual. In post-coup Thailand morality is defined by emulation of King Bhumibul Aduilyadej. At present it is almost the sole criterion for political power, rejection of which is seen as immoral and hence punishable. Like Thailand, Indonesia lacks cultural possibilities of converting wealth to status and power. Those who cannot become a part of the bribe-takers must endure as bribe payers. The remedy to corruption is purely institutional, i.e., an anti-corruption commission with wide ranging powers but with little noticeable effect.

Key words: Corruption, Morality, India, Southeast Asia, Thailand, Indonesia.

I. Introduction

To a great extent 'corruption' is about defining limits to activities otherwise common or even required in everyday life.[1] As almost every group of *homo sapiens* has its own definition of unacceptable behaviour via its moral code, i.e., actions categorized as meritorious, acceptable, unacceptable and forbidden. It is the central division with interests here. Yet these definitions are obviously highly subjective. So why are there not as many sets of morality translated into definitions of corruption as there are social groups on the earth? A partial answer lies in the consistency of modern institutions imported by or imposed by alien (colonial or neo-colonial) powers on Asian societies.

The interface between local elastic morality and in theory monolithic basis of political, administrative and economic institutions now ('Weberian') officially embraced by South and South-east Asian nations makes the study of corruption both more complicated and manageable. It is not just a question of local mind sets *vis-a-vis* the model of Weberian institutions, but that of multiple local mind sets whose interfaces do not necessarily fall into easily identified categories. The manageable part comes from the assumption of a basic unity of the 'Weberian' model.

To make things even more complicated, one can identify an external interface of the type just mentioned and an internal one. On the interpersonal level, the former can have rural (traditional) *vs* urban (Weberian) components, while the latter can take on split personality or multiple-personality aspects. That is, an individual who is a product of local values, recognizes and

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[1] Monetary reward for efforts in bringing two parties together can be seen as bribery, alliances/partnerships for joint profit can develop into collusion, and helping family members with regard to careers fades into nepotism to use Indonesia's definition of activities outside the pale, namely KKN (*korupsi, kolusi, dan nepotism*).

when appropriate even acts, within Weberian norms. Yet when the opportunity arises, he/she can easily slip into a morally unacceptable behaviour usually seen as corruption. Such an individual (a 'marginal man' in that he partakes of both local and modern/western values?) can easily rationalize corrupt behaviour in terms of local values with their inherent tolerance of corruption, more rational dodges as 'everyone else does it,' or even the cop-out of believing that one can indulge in corruption for short term gains and receive absolution later to restore his/her the moral high ground (and *karmic* salvation). In short, different sets of values and drawn upon at different times and places, a sort of value shopping to meet the demands of the moment. In other words, behaviour is contextualized.

II. Corruption: Institutional *vs* moralistic approaches

Scholarly literature on corruption is going through a period of transition. Institutional or 'public-sector centered' definitions are being usurped by a more normative approach. These focus on 'ethics, values, and morality' to quote the title of an address to the 2014 Transparency International Caribbean Conference (Huguette Labelle, 2014). In place of legality and institutions, the approach emphasizes perception of corruption by individuals and groups within the society in question.

However, a change in focus to individual(s) engaged in corruption, the giving and taking of bribes being the most common, results in a different picture. In the public sector-centered or institutional approach the assumption is made that the actors – those paying bribes and those receiving them – are respectively victims without alternatives to paying that demanded by the receivers, who are exploiting of public office to fulfill demands of private greed. Both transgress the norms expected in utilizing the services provided by the state to handle specific sectors of public responsibility as issuing of licenses and permits, providing the framework for transportation and communication, building and maintaining infrastructure, guaranteeing maintenance of law and order, etc. A high degree of corruption in these, and many more, sectors is seen, therefore, as a blow to the Weberian norms upon which provide implicitly or explicitly the basis of the system. The corollary is that the remedy, eradication of corruption, is likewise institutional. Such will be realized through stricter enforcement of those norms via various mechanisms including comprehensive rules and regulations, frequent checks and control of the various parts of the organization, periodic audits and so on.

III. Actor perspective

However, within the framework of actor perspectives, the picture tends to change. Even though the acts are the same, i.e., paying and receiving bribes within a cultural relativism approach such are either not seen as corruption or only so to a mild degree. In an earlier paper it was observed that an honest person operating within a 'culture of corruption' is as out of step with reality as a corrupter in a totally honest institutional context (Hatti, Hoadley & Hienman, 2009, p. 1, n.2). Seen from the actors' perspectives, what alternatives does one at the lowest rungs of society have in practice? If he does not or cannot pay the bribe, i.e., 'administrative fee' or whatever euphemism is used to cover the act, then he will not receive whatever services have been applied for or at best only partially. Thus to reach his ends, i.e., do his business or even survive, he must pay up. That is the system. With considerable justification the rationalization is that bribery is the necessary means to speed up or even make possible the end of getting things done, thereby evading moral thoughts. When there is the need of giving a bribe, whatever religious and moral values one may have been given by the family are set aside. Instead people look for the benefits one gets from the situation in question. Once the work gets done after paying the bribe, one can always ask for forgiveness through proper rituals. There is a perceived disconnect between beliefs and practices.
As one researcher has put it,

> When the act of offering or giving bribes is understood as problem-solving and vaguely referred to as 'getting my work done', it evades the moral condemnations inherent in

> classifications like 'corruption' and 'bribery', enabling the actor to circumvent ethical self-scrutiny. The understanding made relevant in the act of bribe-giving, may well… epitomize the small man's fight against the overgrown, inert and evil bureaucracy, thereby victimizing the bribe-giver and turning his act into a morally legitimate struggle for survival. (Frøystad, 1998: 5)

Such a relative straightforward (and more or less convincing) rationalization does not automatically apply to demanding a bribe for services rendered. Yet seen from the individual's perspective the difference is not great as one might imagine. Offering to sell some part of the government's hegemony to the benefit of another individual contingent upon monetary compensation is less easy to explain away by reference to normative practice as the old saw 'everyone else does it, why shouldn't I' or 'if I don't someone else will,' and the like. As the initiative taker is consciously breaking the organization's modes, moral taint is inevitable. Possibly unique to the case of India, because such activities are seen as minor, whatever moral censorship attached to them can easily be expiated through the proper ritual for which one pays a fee. 'Sin' is thereby deleted from the *karmic* balance ledger not trouble future rebirths. On the more materialistic plane the sin of receiving a bribe is simply finessed by reference to goals more important for the individual and his network. That is, the monetary reward of bribery is not a goal in itself, but an instrument for obtaining power and with status as the esteem of one's fellows. Again, in taking bribes

> …morality is suppressed in the pursuit of a more important goal: earning money, which is converted to respect and honour, two of the essential qualities of an important and influential person (*Ibid.* 7)

With the approach suggested by the scholarly literature, we can turn to specific examples from South and Southeast Asia. It comes as no surprise that in India there exists considerable conformation in the results of field research, interviews with bureaucrats, etc.

IV. India

Corruption has to be seen as "a 'lived reality' embodied in social and cultural practices". (Parvala & Malik, 2012, p. 61) The moral aspects of corruption have to be seen in the context of values such as negotiability, hierarchy, greed, and above all, uncompromising loyalty to one's own caste or community. In the traditional society of rural India the moral economy is multi-faceted and differentiated. Here it is important to distinguish between gift-giving and bribe. Gift-giving is an accepted part of a negotiation because it is a part of 'a broader social system of maintaining relations between people' (Alpa Shah, 2009: 304) and voluntary, while a bribe is often 'a compulsory act tinged with resentment'. Within this moral economy people tend to have a different view of the state as a harbinger of positive change. The state, or the Sarkar, with its westernized Weberian bureaucracy and representation, is not trusted since it brings into local society an amoral, self-interested and indifferent politics which goes counter to local practices.

From our own fieldwork in Karnataka in South India,[2] it is clear that the key issue is the quest for status among one's own community and the society at large to a large extent achievable through acquisition of material wealth. We shall provide a couple of examples here from the Indian Administrative Service (IAS).[3]

[2] This fieldwork was conducted during a period of two months in 2011 and involved a sample of 35 bureaucrats at IAS, KAS and taluka levels.

[3] The colonial Indian Civil Service (ICS) was established in 1858 to curb the corruption among the civil servants of the East India Company. It comprised of about 1200 government officials – administrators, judges, collectors and commissioners – who ran the vast colony that was India. It was a merit-based system; much was expected of ICS officials and standards were extremely high. The system was largely retained after India's independence in 1947 as Indian Administrative Service. In contrast to the reputation of ICS as the 'incorruptibles', the public bureaucracy as represented by IAS is considered one of the most corrupt in the world today. (Das, 2001)

One case is that of a senior IAS officer who was known for his exceptional moral principles. He never took bribe though his position gave him ample opportunities to do so. Because of his steadfast refusal to be 'corrupt', many of his own colleagues, who had a more 'flexible morality' and experienced no problems with taking money for services rendered, did not appreciate his honesty. Furthermore, his own family and community did not think much of him since he refused not only to accept bribes but also to provide jobs (and other services) for his relatives. It was obvious that they did not accord him the respect he deserved because he steadfastly refused to take advantage of his position as a senior IAS officer. Though his honesty was respected, the way the relatives talked about him in the family circle clearly indicated that his moral stand was not appreciated. His actions were not compatible with the notions of loyalty to his caste and community. Besides being 'unpopular' with his relatives, the officer had been subjected to some 'bad postings' because of his honesty and integrity.

Interestingly, the second case is also of an IAS officer, a subordinate of the officer mentioned above. During the course of our interview he was quite open about why he joined IAS despite the fact that he was campus-recruited by Microsoft in the final semester of his studies in computer engineering at a top institute of technology. He stated that Microsoft offered him a large salary and a placement in Seattle (Washington State) but he preferred to sit for the Central Services examination which he passed out with excellent grade. He opted for IAS since, as he said, it afforded him both future monetary rewards as well as respect and status. When asked to elaborate on monetary rewards, he frankly said that as an IAS officer he would have numerous possibilities for 'acquiring material wealth'. Moreover, his status in his village and among his relatives would grow as he acquired more wealth in his career as a bureaucrat. He proudly stated that though he had been in 'service' just for six years he had already built a house for his parents in his native village and had also bought an apartment in Delhi. When asked about moral compunctions, he stated that he did not give much thought to that. He stated that a person in public office should make enough money for himself and his family because it was his duty to take care of the kin. "I have an obligation to take care of my relatives". He spoke of this loyalty to his community as far more important than any other moral/ethical consideration.

Like many of his colleagues who were also on the take, his own goal too was the pursuit of acquiring wealth which leads to a higher status, 'an essential quality of an important and influential person'. Morality did not have much relevance in his pursuit of status, respect and honor. Thus, the goal is status in which money is not necessarily an end. It has more to do with the possibility of transforming money thus acquired into power and, more importantly, status.

Growing materialism and the recognition accorded to wealth and success, even if achieved by dubious methods, is given increasing importance by the society. Issues of morality and ethics are given less importance.

> Corruption has been institutionalized and has undeniably amplified. No scruples. A corrupt man is not ashamed. Twenty to thirty years ago, a corrupt man was marked out. Now he is proud, displays wealth and has recognition. We have given them a high status and regard. (Marquette et al., 2014: 861, see also Ruud, 1998)

It is not unusual for officials to admit how much bribe they get for services rendered. In fact, people who do not accept bribes are often considered as 'sick'. (Pavarala & Malik, 2012)

V. Southeast Asia

Doubts as to the automatic application of the above framework to Southeast Asia comes from the absence of two crucial elements. These are 1) sufficiently developed net-works commanding/repaying the degree of loyalty as that seen in India, and 2) mechanisms for transforming wealth immorally acquired into positive status and approbation. Lacking compelling organizations as caste and sub-caste, village and hamlet organizations, family and extended kin,

religious sects and sub-groups, etc., Southeast Asian grouping tends to precipitate around large heterogeneous conglomerates instead of tight-knit, integrated groups. As a result, they have less potential for helping or hindering the ambitions of its members. Lacking strong intra-cohesion, such net-works easily spill over into the ambivalent field of national politics. This is reinforced by the fact that riches are not convertible to approbation by the society at large or even enduring approval. Despite three decades of power and untold riches, General Suharto is idealized only by those seeking to imitate his methods. The same can be said of the countless military dictators from Thailand, many of whom after surrendering power are vilified rather than praised.

Thailand

A good example of the ambivalence of net-working is found in the varying responses to corruption by major political actors in the kingdom of Thailand during the last decades (cf. Aim Senpeng 2014). Tellingly, the rhetoric of modern politics in the last two decades stems specifically, if superficially, from the issue of corruption. As they are particularly illustrative of the contrast between an institutional and moral approach to corruption, a summary of their course is necessary.

Lack of enforcement of the strongly anti-corruption spirit and contents of the 1998 Constitution opened the on-going political drama. Among others, Taksin was initially barred by the then newly-established anti-corruption committee from taking his seat in Parliament on grounds of corruption. (It was, in fact, the old elite, who overruled the ban). That he could take office at all showed the weakness of relying on an institutional approach for cleaning up governing bodies. Succeeding years of Taksinomics have further discredited the public sector approach. The obvious failure in taming a government characterized by vote buying, mafia-like shoot-outs and massive corruption for personal gain to the detriment of the nation was initially ignored. For a time, reference was made to a higher morality expressed in the form of welfare for the poorest sector of society neglected in the past, but provided for by the Taksin governments in the form of affordable medical care and price supports for agricultural produce.

The advent of successive military coups in 1991 and 2006, plus the nineteenth since 1932 in 2014, opened the way for a movement led by the opposition (Yellow Shirts). Tellingly they turned to reliance on moral authority cast in royal Buddhist terms. Their position was that to become a leader it is only necessary to be a good, i.e., morally superior, person without regard to traditional criteria of political experience, an impressive track record as a politician/legislator/leader, and measureable qualifications (Sinpeng, 2014). To paraphrase the old song ‘Morality is all you need.’ Curiously, the stance is not too different from the current rhetoric of Republican candidates for the presidential nomination in the US. However, in Thailand reliance on moral virtues was given concrete from anticipated by the long-standing deference to King Bhumibol Adulyadej, who is increasingly accepted as embodying the epitome of moral values. This rested upon a combination of his own character, the skillful marketing of the King-of-Thailand brand by the Queen, and the deep-seated belief that the one with the most merit in Buddhist terms deserved to be the king (with the circular reasoning that the king is the one with the most merit). Thus, for the Yellow Shirts and current military *coup’d etat* moral rectitude is the only criteria for leadership.

The stance contains an important corollary. Those who do not actively support this paragon of morality, or for that matter his mortal stand-in, i.e., the Prime Minister (military or civilian) either have been inadvertently duped by the forces of evil or are willfully sinful, treacherous and traitorous, or all three. Even extreme measures taken to protect the moral high ground are not only defensible, but obligatory. Deviation receives the highest penalties, even for what the rest of the world sees as trivial offenses as criticizing royal institutions. This new scale of values outweighs the contents of the umpteen constitutions passed since that of 1932 proclaiming Thailand as a constitutional monarchy with pretentions of being a democratic nation.

Moreover, the ease with which moral virtues are drafted by private interests – even striving against the stated national interests – suggests the possibility of other such hi-jacking. Since morals

are by definition conservative, what would be easier that a (build-in) tendency to laud outmoded social relationships. Calcified gender roles and matrimonial norms frozen in yesteryear are not the only probable victims. Equally ambivalent and hard to disprove is the all-too-common belief that being a better Buddhist, Christian, Moslem, Hindu, or whatever leads to a better, more wholesome society. The belief is logically aimed at morals in general. However, in ways not entirely logical they have crept into the manners of eradiating corruption. The existential leap in thought by linking the two seems dubious in the light of practical experience. If there was actually a link, then the major centres of the various world religions should be less corrupt that the lands at their respective periphery, an obvious fallacy.

The point is that the net-work of rallying around the moral high ground in Southeast Asia results in a highly diverse grouping. Building the moral high ground on concern over the welfare of the small man has seeped into political activities at the highest level. At the bottom end of the governmental contact with the public it is business as usual, i.e., crass bribery. The beneficiaries of the money flowing upward may make them rich or richer, but cannot be transformed into power or status. The transactions tend to be purely materialistic. Hence, there is no moral fig-leaf as is the case in India. Paying a bribe is an existential necessity, receiving one is purely a monetary transaction.

Indonesia

In this context the case of Indonesia provides an interesting counter-point to that of Thailand. None of the latter's multiple coup-makers cum military dictators has attained the longevity or centralization of the Suharto regime. (Neither have they so much blood on their hands and a negative legacy hanging over the nation as a whole in the form of pogroms on so-called communists and their descendants.) Yet Suharto's vast resources of power and wealth have remained solely that: status has eluded him. His surviving family, while not an object of scorn, certainly is not a role model and is more likely to be consciously forgotten than emulated. Thus, one of the possible rationalizations for corruption present in the (Hindu) Indian case does not exist in the Southeast Asian context. Another aspect is the fact that Indonesia's adherence to the Abrahamic religions, with only a small minority of mainly Chinese religious thinking, means that transgressions inherent in corruption, especially in demanding bribes, are permanent. They cannot easily be *shriven* through ritual.

Hence, the logical reaction to the moral taint is to 'stone-wall' it. One cannot deny the existence of corruption. It permeates the entire society and is a constant source of vilification. In the paying of bribes this becomes an existential necessity, but with little rationalization of being victims. Those who cannot raise to become a part of the bribe-taking fraternity must endure it; those who have the chance or even think they have the chance to move up to a position of receiving more bribes than those they must pay are less vocal in their opposition. Thus, there is a descending hierarchy of corruption in the unequal duality of paying-taking which extends from the top to the bottom. Only the household *kerbau* (water buffalo) does not receive bribes!

One of our informants claims that both givers and takers of bribes are condemned as 'corruptors'. Even so this is a light condemnation. Becoming rich also provides a short cut to higher social status, but on the condition that he/she contributes or is seen to contribute to society as a whole. What makes this possible within the Indonesian context is that Indonesians are 'easymen'. That is,

> '…they are easy to be angry with the corruptors but easy to feel sorry, easy to forgive and also easy to forget.'

Another factor of some importance is that much of foreign aid received must be used in a manner expected by the donor nations/organizations. That this is frequently not optimal for local

conditions is a factor of inefficiency and not necessarily corruption. However, by playing on these (foreign) priorities, the clever manipulator can turn this to his/her advantage.

Another, very likely apocryphal, but widely believed example is the clash between an 'honest' person and a corrupt system. The story, which is probably based on personal experience, runs as follows. A newly-appointed administrator in a *daerah* (province, region, or city) office attempts to clean-up after a corrupt predecessor. In the effort there are discovered a number of unfavourable economic commitments to various individuals/companies by the *daerah* administration, which must have been accompanied by bribes. These, as the custom is, were spread unequally between the new administrator's superiors and subordinates. A crisis results over the renewal or extension of the arrangements. The new person refuses on moral grounds to authorize or stand by these arrangements. However, his stance would deprive both superiors and subordinates of the projected and much needed (or thought to be needed) supplementary income from these dubious sources. Thus, the new man finds himself in a moral bind. Solidarity with (corrupt) colleagues and bosses councils 'going along' so as not to rock the gravy train; moral integrity dictates refusal or, more Indonesian, just to forget about the project in the hope that it would go away. After all, they were a product of his predecessor and hence not really his concern. Reaction to those deprived of extra income is easy to imagine. With a fine sense of irony, the new administrator is charged with corruption over the 'arrangement', a modern version of *jamur amet kundang* or 'a toadstool growing on a stone', which means an accused person countering by accusing his accusers[4]. The new administrator becomes an ex-administrator being subsequently forced to resign or face (trumped up?) prosecution. Thus for the system it is business as usual, honesty being the odd man out, so to speak.

Despite much breast-beating on the moral decay of the nation *vis a vis* corruption, enshrined in the slogan KKN, the concrete response is overwhelmingly institutional. One talks of rules and regulations, enforcement, audits, etc. The supreme step is the building of the anti-corruption commissions with their own set of courts, investigations, and prosecution. The commissions are not paper constructs as seen from the fact that Indonesia has put a relatively large number of public servants, provincial governors, cabinet ministers (especially from Religion and Cooperatives), business leaders, etc. behind bars, colloquially known as the 'Executive wing of Ci-pinang prison' in Jakarta. Yet the question remains as to how effective these measures have been. Like the Thai case, this institutional approach has led to a great deal of political rhetoric, especially during the last presidential election. Concrete and positive results are hard to find, much less document. Ultimately, "the supposed 'principled principal(s)' are also corrupt and not acting in the interests of the society but instead pursuing their own narrow self-interests. Anticorruption reforms based on the principal-agent framework will invariably fail". (Persson et. al, 2013:450-51)

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