

The corruption of a republic

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Eminent Indian psychoanalyst and social commentator Dr Ashis Nandy found himself in the middle of a controversy recently after he made a few remarks on corruption at a session entitled ‘The Republic of Ideas’ at the Jaipur literary festival, 24– 28 January 2013. Author and publisher of *Tehelka* magazine Tarun Tejpal spoke of corruption as an equalising force, to which Dr Nandy said:

Just a response to this part, very briefly. He’s not saying the most important part of the story, which will shock you and it will be a very undignified and, how should I put it, almost vulgar statement on my part. It is a fact that most of the corrupt come from the OBCs (Other Backward Classes) and the Scheduled Castes and now increasingly Scheduled Tribes and as long as this is the case, the Indian republic will survive.

A journalist present at the panel took up this statement, which was later endlessly replayed on a 24-hour television news channel. Dalit organisations and activists protested against Dr Nandy. Not surprisingly, considering the upcoming elections in some key states, some politicians jumped into the fray and called for Dr Nandy’s arrest. In India anti-Dalit speech is punishable under the *Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act 1989*, and is a non-bailable offence. There were demonstrations and police complaints were filed against him in three different locations. Fearing physical harm and the possibility of imprisonment, Dr Nandy and his family went to the Supreme Court. The Supreme Court of India did grant a stay order on the arrest warrants against him, but at

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the same time the Chief Justice of India told Dr Nandy's lawyer 'Whatever your intent, you can't go on making statements. Tell your client he has no license to make such comments.'²

The Indian social media and blogosphere exploded, with various arguments emerging on behalf of and against Dr Nandy. The most common complaint against Dr Nandy is that he was casteist, and that he had stereotyped Dalits. Such complaints came even from those defending him.³ A passionate critique by Anoop Kumar outlined Dalit oppression in India and accused specific media personalities of defending Dr Nandy instead of interrogating 'upper caste anxieties'.⁴ There are blogs that, while disagreeing with Dr Nandy, argue for his right to express his opinion and to 'be wrong'.⁵ There are those who argue that his remarks were made in humour, and lament the dearth of an understanding of wit, satire or irony.⁶ While the case seems to be closed after the Supreme Court judgment, there is still debate about whether this was a victory for freedom of speech or another instance of the way in which the upper castes in India can get away with any derogatory statement against the lower castes.⁷

The freedom of speech argument is unsatisfying. The difference between 'provocative speech that forces you to think' and 'provocative speech that is intended to hurt, denigrate or provoke' is very context dependent. The intention of any speaker is not only difficult to prove, but also difficult to know. I would like to base my defence of Dr Nandy neither on his right to say what was on his mind, nor on his intention. Instead, I would suggest that

2 J. Venkatesan, 'SC stays arrest but Nandy should not "disturb" others', *The Hindu*, 1 February 2013, <http://www.thehindu.com/news/national/supreme-court-stays-arrest-of-ashis-nandy/article4368462.ece?homepage=true>

3 Siddhabrata Sengupta, 'Ashis Nandy's predicament and ours', *Kafila*, 30 January 2013, <http://kafila.org/2013/01/30/ashis-nandys-predicament-and-ours/>

4 Anoop Kumar, 'The Ashis Nandy controversy: inside the mind of one "intolerant" Dalit', *Round Table India*, 9 February 2013, http://roundtableindia.co.in/index.php?option=com_content&view=article&id=6220%3Athe-ashis-nandy-controversy-inside-the-mind-of-one-intolerant-dalit&catid=119%3Afeature&Itemid=132

5 Venky Vembu, 'Caste and corruption: Ashis Nandy has the right to be wrong', *Firstpost India*, 1 February 2013, <http://www.firstpost.com/india/caste-and-corruption-ashis-nandy-has-the-right-to-be-wrong-603236.html>

6 Salil Tripathi, 'Scissors and scared scholars', *Livemint*, 30 January 2013, <http://www.livemint.com/Opinion/9ZA5N41xIWheDVDHMIMmbL/Scissors-and-scared-scholars.html>

7 Firstpost staff, 'Why we needn't stand in defence of Ashis Nandy', *Firstpost India*, 4 February 2013, <http://www.firstpost.com/india/why-we-neednt-stand-in-defence-of-ashis-nandy-612660.html>

his remarks should be understood through a discussion of corruption, and the way in which Dr Nandy uses the term.

What does the signifier ‘corruption’ stand for? It refers to bribe taking, circumventing legal, administrative or social rules for personal profit. It is often tied to moral decay and decline, as in ‘the corruption of a society’. Developing countries are said to suffer more from this malaise, and it is seen as an obstacle to ‘progress’, which is understood not only as shiny buildings and the invisibility of the poor but also as the absence of corruption. The idea of corruption as entirely negative, without any beneficial aspects, has become firmly entrenched in current public debate in India, partly due to the popular anti-corruption movement led by Anna Hazare.⁸ One example of this is the newspaper article written by a civil service aspirant who condemned corruption as entirely evil in hectoring terms.⁹

In such an environment, to suggest that corruption is not necessarily a bad thing is to risk derision, contempt and incomprehension. Even at the Jaipur literary fest, at the discussion in question, corruption emerged as the obstacle to the utopia India could become. What Tejpal and Nandy argued for was a rethinking of our notion of corruption. In India, corruption frequently allows a way in for those outside power hierarchies. A poor woman can pay 50 Rs to a policeman and sell flowers on the roadside, whereas lack of corruption would mean that only those who could afford the rent of a shop would sell flowers. Successful corruption becomes enterprise, and the successfully corrupt person an entrepreneur. It is interesting that when he talked about corruption as an equalising force Tarun Tejpal used the example of Dhirubhai Ambani, who became one of the richest businessmen in India from humble origins by often circumventing the restrictive trade laws of pre-liberalisation India. In corporate circles, paeans are sung to the Indian ‘rule breaking/free thinking’ spirit, and Ambani has been mythologised as the pre-eminent rule breaker. If Dr Nandy had responded to Tejpal’s comment by praising the spirit of *jugaad* in

8 Anna Hazare is a social activist who led a series of demonstrations, protests, rallies, marches and fasts in 2011 against political corruption.

9 Anjali Rajoria, ‘The illusory “pro Dalit” stance of Ashis Nandy’, *The Hindu*, 6 February 2013, <http://www.thehindu.com/opinion/op-ed/the-illusory-pro-dalit-stance-of-ashis-nandy/article4385620.ece>

the Indian psyche, he would have been lauded as an astute observer.¹⁰ That he used a more controversial example to suggest corruption as a form of social mobility, and prefaced it by calling it a ‘vulgar and undignified statement’, does not take away from the fact that he was reorienting the idea of corruption.

To liberal and neo-liberal attitudes, such a reorientation of corruption is frivolous at best and disgusting at worst. In the neo-liberal framework, it is not corruption but education that is a social leveller, education and opportunity that will raise people out of inhuman conditions. One Dalit response to the controversy, Anoop Kumar’s post, lays bare the illusory nature of the educational panacea: ‘It took us several videos on suicides of Dalit students from premier educational institutions to even get some acknowledgement that these institutions, completely monopolized by “upper” castes since inception, might carry some casteist prejudices and discriminate against Dalit students.’¹¹ Education is a part of society, subject to its privileges and prejudices, and is not constitutive of it. Most parents earning above a certain income send their children to coaching classes, which poorer and socially backward families are not able to do. Coached children do well in school, university entrance and public examinations. Such ‘merit’ is constructed and is a result of the resources available, yet very few people would think of the ability to send one’s children to coaching classes as corruption. In a nation where one can pay money to cut the queue and get *darshan* of the gods faster and closer, what is outside of corruption?¹²

Dr Nandy suggests, as scholars do, a proposition that is counterintuitive, appears outrageous, but bears thinking about. In the absence of education, in the absence of social and political justice, in the absence of freedom from prejudice, perhaps corruption is not a bad thing after all. It offers the socially marginalised an option previously unavailable to them. Money makes it possible for them to send their children to better schools; money makes it possible for them to live a certain kind of lifestyle; money makes it possible for them to make more money.

10 *Jugaad* can be translated as ‘getting things done’ and is often loosely translated as being creative or innovative in finding solutions for problems.

11 Anoop Kumar, ‘The Ashis Nandy controversy’.

12 *Darshan* is ‘sight of’, and refers to the Hindu devotee coming face to face with the idol of God in order to carry out worship.



This is why Dr Nandy's argument falls into the category of 'provocative speech that forces you to think'. Intellectuals challenge our comfortable ideas, and force us to examine the world we live in critically, by turning regular, glib assurances upside down. I can understand people disagreeing with Dr Nandy's proposition and arguing against it. What leaves me shocked, however, is that very few people have actually taken his idea on board and reacted to it, reasoning for it or against. Instead, they have reacted unthinkingly, remaining steadfast to a one-dimensional idea of corruption and then calling Dr Nandy 'reductive'.¹³ Even among those who seemingly defend him, those who actually discuss his notion of corruption as an alternative to the bureaucratic and legal framework are few and far between.¹⁴ Meanwhile, the liberal narrative remains unchallenged – corruption is bad, it is only the government and administrative bureaucracy that is corrupt, not the people themselves, and once we remove this corruption we shall have attained Nirvana. Or at least be Singapore.

The Indian Supreme Court was equally unthinking and uncritical. In matters of provocative speech, where the lines separating different kinds of ideas are thin, it is crucial for law makers to understand context, and engage with the argument as a whole. The court disappointingly ratified the popular opinion that Dr Nandy would not be arrested after all, because that would be taking things too far, but he really should not be formulating arguments for public consumption. Dr Nandy was only doing what scholars do – presenting arguments for people to work with or argue against. The Supreme Court's verdict may seem to uphold freedom of speech on paper, but what it actually does is stifle provocative ideas without attempting to understand the argument. The saddest part about the controversy is what Dr Nandy said after the Supreme Court's decision: that he will now voice his ideas 'in some other country or within the four walls of my home'.¹⁵ The Indian 'republic of ideas' is the poorer for that.

13 S. Anand, 'The Nandy bully', *Outlook India*, 11 February 2013, <http://www.outlookindia.com/article.aspx?283765>

14 Shiv Visvanathan is the foremost of those actually discussing Dr Nandy's argument, as opposed to his example. See Shiv Visvanathan, 'Pillorying of Ashis Nandy: his critics need hearing aids', *Firstpost*, 1 February 2013, <http://www.firstpost.com/living/pillorying-of-ashis-nandy-his-critics-need-hearing-aids-603932.html>; Shiv Visvanathan, 'Ashis Nandy deserves better', *India Today*, 3 February 2013, <http://indiatoday.intoday.in/story/ashish-nandy-jaipur-literature-fest-controvesry/1/248686.html>

15 Ashok Bagriya, 'Will be careful in future, says a relieved Ashis Nandy', *IBN Live*, 1 February 2013, <http://ibnlive.in.com/news/will-be-careful-in-future-says-a-relieved-ashis-nandy/370144-3-244.html>