NEGOTIATING MORALITY AND PUBLIC ETHICS:
A CASE STUDY OF CORRUPTION IN BBMP

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ABSTRACT

The corruption--abuse of public for private gain—is falling short of capturing the complex nature of the BBMP. Analysis of various reports, field notes and interviews of stakeholders have given ample proof to arrive at a view that the BBMP has turned out to be a good platform for politicians, both big and small, and bureaucracy to join hands together. The separation of roles between public and private, as distinguished in a Weberian ideal, does not exist in hard-and-bound rules of the BBMP. The division between public and private is blurred and the border is porous. Therefore, the definition is inadequate for urban local bodies such as BBMP.

Keywords: *Public for Private Gain, BBMP, Weberian Ideal, Urban Local Bodies.*

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Introduction

During the discussion on western ethics, the researcher mentioned Pitirim Sorokin's theory of double morality or dichotomy in their moral approach towards public issues. What he argued in the early twentieth century was that human beings, particularly those in power, may adopt a double morality and by doing so, they gain on many counts. The rulers' ethical judgements on public issues were different from those moral decisions taken in their personal domain. Almost a century later, this could be traced in the Indian urban milieu when this researcher found similar traits among employees of the BBMP. The Karnataka Civil Service (Conduct) Rules-2021 has not distinguished private or public overtly and on the contrary, it suggested several ethical guidelines that cover personal life of the government employees. Two evidence could be found among employees of BBMP adopting Double Morality or what we now call, Double Standard: Employees coming from certain social blocks still accept dowry as gifts and employ child labourers at their residences. During the interaction with employees, the researcher found many employees, whom their colleagues categorised as most corrupt, openly speak about the collapse of the system and rampant unethical practices. This clearly showed that Sorokin's theory, which was meant for big rulers, is true in the case of ordinary employees of the BBMP who got powers by virtue of the posts they held.

As established in the subsection-4 of Chapter-4, the complexity of culture is so enormous that the Karnataka Civil Service (Conduct) Rules-2021 which covers majority of the moral and ethical guidelines of United Nations and OECD, falls short of becoming a robust moral and ethical code. As observed by experts of applied ethics in the I and II sub-sections, KCSR has not suggested any specific guidelines for bureaucratic processes. Two, there is no mechanism to detect whether bureaucrats adhered to these guidelines or not. For instance, the KCSR bars government employees from taking dowry or employing child labourers or filing asset details at the end of every calendar year. If over 6 lakh people employees of the Karnataka government file these details, who will cross check? The KCSR has

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shown good intent but lacks a pragmatic roadmap. In a civic organisation like BBMP, suggesting a code of ethics only for employees while leaving out elected representatives would not be effective. This is a clear indication that KCS (Conduct) Rules-2021 does not allow employees to take a positive path to be ethical nor does it create any fear of penal clauses. Therefore, the KCS (Conduct) Rules-2021 remained inadequate and incomplete. Therefore, in this form, the KCSR can't be a good deterrent for those who indulge in unethical practices.

During the discussion, one of the cases mentioned in sub-section 9 was about how employees came together and threatened an administrator to repeal the suspension order of an official who was suspended on dereliction of duty. Following pressure from the employees, the administrator withdrew the order, and the unethical system resumed its work. Added to this was information shared by many employees who do their work honestly and go home, without disturbing the unethical eco-systems. They know that the moment they rebel or question, they will be transferred. Moreover, a subtle campaign may be launched in the media to malign the track record of honest people. Stakeholders and employees themselves confided to the researcher that the power structure of the BBMP of day-to-day administration is not with those who want to be ethical. Those indulging in unethical practices have swung the pendulum in their favour and the revoking of suspension of a corrupt official is a case in point. They have created an impression to the external world that the system is running smoothly because of them. Of late, even the public has started acknowledging the new power structure. Under the new environment, there is nothing like 'illegal' or 'unethical' unless the court intervenes. So many commoners are comfortable with the new environment. Bureaucrats who indulge in unethical practices have properly networked with political leaders. A large section of bureaucrats and majority of politicians are united because they have 'common interest'. This development in the BBMP may reflect a similar trend in other organs of the society and in other government departments. In the backdrop of this development, the researcher concluded that due to networks of unethical practitioners outwitting honest officials, any reform initiated in the BBMP failed. The three reasons that Harry Jones enlisted (mentioned in the Western Ethics section of the Discussion chapter) for the failure of international political system in the context of World War-I and II, could be applied to study the war on corruption in a civic agency like BBMP in the 21st century. The three features-failure of courageous actions, failure of energy (to take new initiatives) and failure of detachment-are appropriate and relevant to suggest that the system in the BBMP has been swung in favour of those who indulge unethical practices.

The western methods adopted by academics to study corruption take any organisation or a country as a unit of study. This study shows that this method may give erroneous results. In BBMP, every wing has different cultures. For instance, the work wing's culture is succinctly put in the adage of *Hale Kallu Hosa Billu*. This means contractors keep preparing a fresh bill for the work done in the past for which payment had already been made. A few employees will collude with contractors to make payments promptly. This will cause a loss to the city corporation. Whereas the revenue department has a different culture of undervaluing the commercial properties so that the owners of these properties pay less property tax. The result may be same, that is to cause losses to the BBMP. But the processes and cultures are different. Different wings of the BBMP have different work cultures. Even on the parameter of arbitrariness and the pervasive nature of unethical practices, different wings have different outcomes. Any attempt to extrapolate the unethical practices of one wing of the BBMP to the entire civic agency may give erroneous results. Such an attempt may not give a real picture of the unethical practices in the BBMP. When diagnosis goes wrong, the prescription of corrective measures may not be effective. If public authorities move to propose anti- corruption measures based on such information, those measures too may fall by the wayside. Therefore, taking an organisation as a unit of study is erroneous when it comes to urban civic bodies like the BBMP.

During the review of literature, the researcher found that scholars of corruption studies highlighted the scope of media vis-à-vis corruption studies. Almost all have taken the media as an agent of change and taken the media as a tool to fight corruption. No doubt, the media has a major role in fighting corruption, its role is not limited to that alone. It has four roles to play with respect to corruption studies. First, highlighting lacunae in the system. Two, educate the public about issues with background details etc. Three, write or telecast content about those individuals who, being within the system, are honest and putting in efforts to bring about positive change. Four, covering convictions in corruption cases. The case studies, field notes and interviews of experts have clearly suggested that Bengaluru media has not been fulfilling its four roles. Some of them have been found complicit with the unethical ecosystem. Inaccuracy and inconsistency in reportage, hand in glove with the unethical system are the two major trends witnessed by the researcher. The case of the media being taken for a ride in the

campaign against stray dog menace is a case in point. Considering all these factors together, the researcher is convinced to say that the media appears to have failed in discharging its responsibility.

The perception-based corruption studies were critiqued in the discussion chapter. The perception is developed among the public through quality information fed by the media, social media and official channels. The perception is built based on public thought among citizens. In this context, western theories pertaining to public thought were critiqued by the researcher even though these theories were originally developed for building robust democracies in the West. When theories of 'public thought' were critiqued in the context of unethical practices in the BBMP, the researcher found three big challenges for developing a public thought to fight corruption: One, since the Indian society is not so homogeneous as some of the Western societies are, development of a universal public thought in India may be challenging. Two, if one has to develop a well-informed and universal public thought (opinion) on corruption issues, it is all the more challenging because of the ineptness of the media which was discussed in the discussion chapter. Three, the tension between public thought and public legal thought may further complicate the process of developing a perception among citizens on corruption issues. Therefore, the researcher concluded that perception-based corruption studies may not give robust data in Bengaluru.

The citizen deaths due to potholes raised a pertinent question: If unethical practices of road construction and maintenance ending up in deaths of innocent citizens, can a branch of academics such as anthropology or sociology study corruption by taking a very neutral stand? Visvanathan had argued that corruption was a gateway to knowledge. No doubt, what he said was right even today. But the knowledge was used for the wrong purpose. The gravity of situation in the BBMP might not have arisen in such proportion when sociologists and anthropologists studied corruption in the past. The researcher, therefore, concluded that researchers from the two branches of social science should take a relook into the research framework of corruption studies in future.

Details pertaining to citizens' corruption highlighted in the Samuel Paul study in the Nineties and I-Paid-Bribe Campaign in 2011 and the B.S. Patil committee report showed that even ordinary citizens are fast becoming the agents of unethical practices in public places. Coupled with the previous studies, the present research work established this point once again. The citizens of Bengaluru city seem to have not taken pothole deaths seriously. There was no strong reaction to pothole deaths recorded in the media so far. If such deaths failed to stir the conscience of the citizenry, the question that came up before us is: whether citizens have lost moral and ethical sensibilities? The researcher concluded that citizens too are also equally responsible for the fast deterioration of the ethical climate in the civic agency, BBMP.

For many politicians associated with the BBMP, their identity is determined through territories. As per the field notes of the researcher, politicians and their supporters prefer to control land overtly or covertly within BBMP limits. To survive and build their political career, they have to have deep pockets, yet they cannot keep everything in liquid cash. Therefore, a *benami* system of taking possession of land is built purely on trust between leaders and their emasculated supporters. For bureaucrats, clearing or dealing with files connected with land will fetch ill-gotten wealth. And for thousands of supporters of political workers, land helps to build their career. Therefore, the researcher has concluded that 'land is a currency of corruption' in Bengaluru as everyone would like to park ill-gotten wealth in the form of land, not in the form of Indian legal tender Rupee.

Based on the feedback during field works, interaction with stakeholders, the researcher identified some of the characteristics of unethical practices in the BBMP.

In BBMP and urban local bodies, booty moves from lower officials to the higher ups and not vice versa. The lower rung officer taking bribes is open-secret whereas a senior officer taking money is considered as 'adjustment'.

The lower rung corruption is considered coercion while the top-level adjustment is dubbed as doing a favour. Coercive action means the citizen was unwilling to pay a bribe, but the lower rung officer forced the citizen to pay the amount to obtain the services whereas the higher ups create an impression that they are doing favours.

Barring petty corruption in which amounts collected by desk clerks or D group employees, bribes paid for plan sanction, or any other services are shared by a group of officials working in that particular wing. They do not share the same with employees in other wings.

Even though one can identify different colours in a rainbow, it is difficult to mark the end of a particular colour and the beginning of the other. The overlapped or merged area is where an onlooker is lost. Similarly, the role of political representatives and bureaucracy is merged, and it is very difficult, at times, to distinguish the border. This shows the absence of Weberian concept of bureaucracy in the BBMP.

Discretionary power has been hotly debated. Different stakeholders expressed various viewpoints. While officials and elected representatives defended discretion, the civil society members abhorred discretion. The researcher found the Code of Ethics in the KCS (Conduct) Rules-2021 has been found inadequate to guide the BBMP employees on ethically using discretionary powers.

In view of the feedback from stakeholders and based on the field notes, the researcher concluded that presence of the 'State' could not be felt in the BBMP. The participation of citizens or the presence of civic governance in spirit is missing. Therefore, it is difficult to categorise the BBMP as a civic agency.

As pointed out by representatives of stakeholders like Ravichander and Alavalli and based on field studies, the researcher concluded that caste, community and languages do matter in the civic government. Caste may not be that important in becoming a loyal follower of a leader. But to move up the ladder, caste does matter. Caste is one of the factors to bond between employees and political masters and this could be visible in transfers. At the same time, people from other castes, communities and languages have been considered as outsiders. While people from identical social groups may get the benefit of discount in the burden of bribes, the others (people speaking different languages from other castes, communities) have been constantly facing the wrath of corruption.

Many economists like Rose-Ackerman acknowledged that many Asian countries have witnessed high degree of development and a high degree corruption. The BBMP is no exception. The fact that more engineers want to work on new projects rather than in wings such as Solid Waste Management Cell is a clear indication of this trend. Therefore, development-linked corruption theory has been proved in the case of BBMP.

On both the counts of pervasiveness and arbitrariness, the BBMP ranks high. Various reports, stakeholders and field notes have given ample proof to suggest that arbitrariness and pervasiveness of unethical practices are rampant in the BBMP. From the selection of beneficiaries for various welfare schemes to selecting roads for repair work or taking up new projects, the arbitrariness was proven beyond doubt. And various reports of CAG to Lokayukta and stakeholders interviews too backed the conclusion that corruption is pervasive in procurement, implementation of infrastructure projects and in the implementation of welfare schemes.

With these findings the researcher would conclude the research questions mentioned in the introduction.

Do morality and ethics have any role to play in shaping the conduct of stakeholders of BBMP, political leaders and elected representatives, bureaucrats and citizens?

Even though a code of conduct, a mix of morals and ethics has been in force, it is difficult to say that the code of ethics shaping the conduct of all the stake holders. Therefore, the researcher concluded the KCSR-21 appears to have failed impress or guide employees of the BBMP.

Is morality and ethics linked to fighting corruption?

The code of ethics followed by various agencies like CAG, Lokayukta might have demonstrated to fight corruption, but the failure of KCSR in BBMP demonstrated that morality and ethics got diminishing dividends in fighting corruption.

Whether morality and ethics have been effective in containing corruption?

Since the whole system appeared to have broken down, the code of ethics has lost its deterrent power. So, it is neither pragmatic nor effective in reality.

What are the characteristics and forms of corruption in BBMP?

The researcher has listed six characteristics above which shape the narrative of corruption in the BBMP.

Recommendations for Future Research Works

This research suggests that future research can be taken up in two areas with respect to morality and public ethics.

How can the Indian thoughts particularly some of the concepts like *Dharma* and *Bhakti* could be hemmed into building a robust ethical model which is pragmatic in nature and can be doable in the real-time environment of the government set up. Future studies can be taken up in this direction.

Social scientists can take up research on behaviour of children growing up or grown up in unethical environments and how they behave or conduct themselves when they move into professional environments.

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