

Facets of Corruption

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My recent first hand experience of transactional corruption, when I registered the birth of my son, was an eye-opener as to how an entire service enterprise – that of the birth and registration of persons – thrives on the willing suspension of opprobrium of corrupt practices by parents keen to register their newborns with the least hassle possible. Born thus into corruption, I found it an interesting lens into the very nature of corruption – that news, public awareness, perception and resulting opprobrium of corruption is often limited to the billions of rupees wasted through public enterprise as recently revealed by COPE, and not in the social, political and economic transactions that citizens engage with on a daily basis. Smaller acts of corruption, often not even consciously regarded as malpractices by those who engage in it, may not only cumulatively dwarf the findings of COPE but highlights the significant cultural and attitudinal shift in polity and society to fight corruption and establish accountable and transparent governance.

As noted in the survey on corruption in Sri Lanka conducted by Transparency International Sri Lanka (TISL) and Social Indicator (SI), 67.9% of those polled believe that bribery is a normal way of doing things in Sri Lanka¹. Clearly, for corruption to be so ingrained in our way of life requires a long term, holistic and far-reaching approach to raise public awareness of the hidden trappings of corruption.

This approach is rendered difficult in Sri Lanka by the deep politicisation of the very institutions that need to support such reforms. We note from the TISL and SI report that the Sri Lankan Police are overwhelmingly recognised as the most corrupt sector, next to Health and Education, by those polled. If we those responsible for policing corrupt practices and upholding the rule of law are themselves corrupt, or perceived to be corrupt, it doesn't bode well for the success of reform initiatives aimed at securing and strengthening accountable and transparent governance and better service delivery by the government. The fact also remains that while on the one hand the public recognises the important of quashing corruption, they will also invariably begrudgingly resort to corrupt practices to secure and prioritise their needs and rights as citizens – such as access to information and services of the government. The fear of tortuous delays, bureaucratic red-tape and the fear of marginal treatment severely vitiate attempts to combat corruption. Accordingly, the root and branch transformation of our corrupt political and social spheres needs innovative approaches using media, new technology, constitutional governance, the Rule of Law and the public naming and shaming of corrupt practices along with those who promulgate them.

Professional media, as watchdogs of democracy, have a role to play in exposing corruption. However, without Right to Information legislation in Sri Lanka – that allow citizens to ask for information on decisions and transactions made on their behalf by public bodies – Sri Lanka remains in the dark ages of cronyism, nepotism, parochialism and downright political favouritism. Recent statements by the President, for instance, on how electoral considerations prompted his largesse to hand over

broadcast licenses to the JVP are sharply indicative of just how high, and far, corruption has spread in Sri Lankaⁱⁱ. Regrettably, the near total absence of Public Service Media in Sri Lanka – media that acts in the public interest and free of partisan bias – is itself a severe impediment to the progressive role media can play in combating corruption.

By facilitating responsiveness, strengthening service delivery, disseminating vital information, raising awareness and taking out the middle-man in transactions between citizens and public bodies, technology will play an increasingly important role against corruption. In this regard, it is fairly clear that the assumption that the mere provision of information on websites of various Government Ministries, with no common interface and huge variance on content available and in what languages, empowers citizens is grossly simplistic. Technology could have helped me in the registration of my son had such a process been made possible through the web or Internet. And shouldn't be just for urbane citizens fluent in English – we note with great regret that the ICT Agency, the apex body of the government for ICT in Sri Lanka, hasn't utilised to full effect the possibilities of hundreds of cyber-cafes dotted across Sri Lanka to facilitate access to government services to citizens that really matter to them, in the *swabhasha*. E-government as a conversation between government and citizens is a paradigm yet to take seed in Sri Lanka. What this columnist envisages is the more creative & innovative use of technology to both facilitate effective service delivery as well as to identify and expose corruption. Mobile phones for instance with camera and video recorders can capture sleeping public officials in State institutions, or surreptitiously record transactional corruption. Public blogsⁱⁱⁱ – websites that are easy to set up and very easy to enter information into in English, Sinhala and Tamil, some of which have already been set up - can be used by citizens to alert others of malpractices. Coupled with the Right to Information legislation, as noted by many commentators of India's experience with RTI and its fight against corruption, technology can be a powerful force that prises open the cliques and argot of corruption and strengthen voices of citizens who stand up against all forms of corruption.

With regard to constitutional governance and the Rule of Law, the deliberate undermining of the independence of the National Public Service Commission and the National Police Commission by the decision of President Rajapaksa to unilaterally appoint members to both needs to be seen as corruption at the highest levels of public office, with damning trickle-down effects. The two Commissions, set up after the 17th Amendment to the Constitution in September 2001, were established in the de-politicisation of key public institutions with a view to promoting good governance. As noted in a statement by the Centre for Policy Alternatives in April 2006, “both the Police and the Public Service were institutions urgently in need of de-politicisation, especially after the increased malpractices and perception of partisanship during elections since the early 1980s.”^{iv} That the President through a misguided sense of propriety exacerbated the festering corruption of public institutions and the police is a stark reminder that the battle against corruption is also about combating the hypocrisy of government, ostensibly committed to democracy and constitutional governance on the one hand, and on the other, eroding the very foundations of accountability and transparency. This critique extends to the Sri Lankan judiciary as well, notwithstanding the public lament on the extent of corruption in the Police by the Chief Justice, Sarath N. Silva, saying that they would die after prolonged agony"

(*Sunday Times*, April 23, 2006). However, this almost karmic indictment of the Police extends into the operation of the institutional framework Mr. Silva himself heads – a damning 100% of reported in a scorecard survey conducted in 2002 Transparency International^v that interactions with the judiciary in Sri Lanka involved some form of corruption.

The millions of dollars of aid that poured into Sri Lanka pursuant to the Boxing Day tsunami in December 2004 gave rise to concerns of corruption in civil society, often pointedly referred to under the blanket term NGOs and INGOs. Internationally, such concerns led to the creation of the NGO Accountability Charter, which 11 of the world's leading human rights, environmental and social development international organisations, including ActionAid, OXFAM, Save the Children and Transparency International, publicly endorsed in 2006. As noted in the Amnesty International press release on the Charter, “In addition to an internal desire to be transparent and accountable, the Accountability Charter also seeks to demonstrate that NGOs deeply value public trust, do not take it for granted and are committed to sustaining and deepening that trust.”^{vi} Locally, growing calls for greater openness by those who receive monies they spend on public initiatives and in support of democracy and peace are resulting in measures that NGOs and INGOs are considering that seek to engage the public in conversations on their work and funding. Disturbingly however, constructive criticism of the work of I/NGOs is increasingly overwhelmed by vicious partisan rhetoric that seek to target organisations and individuals in civil society under the guise that they are threats to national security and are aiding and abetting terrorism. This growth of hate, even from Government MP's and close advisors to the President^{vii} in recent times have the effect of creating a garrison mentality for those in I/NGOs – that the information they release in good faith will be willingly misinterpreted or malevolently used in smear campaigns against them. Clearly supportive of championing the battle against corruption, I/NGOs need to be encouraged to continue to set the standards for government and the State, trapped by a growing democratic deficit, to emulate although this process hindered by incumbents in power who wish to hide their own degeneracy by pointing fingers at others.

Often bordering on criminality, exacerbating extreme poverty, stifling economic growth, and ultimately frustrating democracy and good governance, corruption –from bribery and extortion to fraud and nepotism - is an endemic cancer that progressively wastes Sri Lanka's social, economic and political fibre. It is a vicious cycle – corruption breeds more corruption. To break it requires greater awareness raising of the many manifestations of corruption, the strengthening of public will to stand up against it, those in high public office as well as those in civil society setting by example practices that secure and strengthen constitutional governance, accountability, transparency and vitally, the Rule of Law. Defeating the growth of corruption also requires a holistic approach that looks at the interdependence of the Executive, Parliament, Judiciary, public institutions, private interests and civil society initiatives. The familiar litany of problems we are faced with today – from violence to an elusive peace process – can directly or indirectly be traced back to the existence and growth of corruption.

It is clearly in our enlightened self-interest to eradicate it, and soon.

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- ⁱ *Corruption in Sri Lanka: Executive Summary*, <http://www.cpalanka.org/polling.html>
- ⁱⁱ On President's Remarks on Media, http://freemediasrilanka.org/index.php?action=con_news_full&id=466§ion=news
- ⁱⁱⁱ Groundviews, www.groundviews.org
- ^{iv} President Violates 17th Amendment to the Constitution, <http://www.ahrchk.net/statements/mainfile.php/2006statements/485/>
- ^v Corruption in South Asia, Transparency International, December 2002, http://www1.transparency.org/pressreleases_archive/2002/2002.12.17.south_asia_survey.html
- ^{vi} *NGOs lead by example: World's international NGOs endorse accountability charter*, <http://news.amnesty.org/index/ENGPOL306062006>
- ^{vii} *The politics of hate and harm*, <http://www.groundviews.org/2007/03/01/the-politics-of-hate-and-harm/>