



# Ethics In Indian Politics

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## ABSTRACT

Ethics ensure outer desired behaviors. It includes the disciplined actions of the doers. There are certain human actions which are accepted as universal human values such as honesty, integrity, forgiveness, gratitude, non-violence etc. The traits of a person guide him to become good or bad. The traits of a person like honesty, integrity, forgiveness, gratitude, non-violence are considering desirable in the society make him good whereas traits like arrogance, greedy and angry are undesirable and make him destructive. Unfortunately, in post-independence period in India the desirable behavior has eroded in every walk of life and in particular in the field of politics. The sole aim of politicians today is to make money without consideration to legal or illegal means. As a result, corruption, nepotism and criminal activities are on rise. This paper tries to understand the meaning of the term ethics, the reason why ethics has eroded from Indian Politics and what are measures taken by the government to strengthen the ethical behavior amongst politicians.

**Key words-** Ethics, Politics, Human values, Corruption, Criminal activities, Nepotism

## INTRODUCTION

The word 'ethics' is taken from the Greek word ethos, signifying good and bad, right and wrong and what should and should not be related concept or philosophical idea. This branch of philosophy deals with values relating to human conduct with respect to the rightness or wrongness of certain actions. According to Uhr, justice is the heart of ethics. The parallel word of justice in the Greek language is dikeia, which means convention, law and good judgment, right and just. Therefore, a just person is s/he whose behaviour reflects all those ethical qualities. The Latin concept of just person means virtuous person with ethical and strong

moral character. Thus, ethics determines an expected mode of behaviour in society and organizations. It is a guidance system to be used in making decisions.<sup>1</sup>

Politics is a public activity, not just in the sense of being open to public scrutiny, but in the much stronger sense that quality of those decisions will affect the lives and fortunes of many. Ethics in politics is therefore public power held in trust from the community. Public power is the recognised authority to make binding decisions that will be enforced by the police and the courts. The matter of great concern. The difficult problem, however, is to say what sort of ethics is applicable in the political arena.<sup>2</sup>

In order to maintain social cohesion and stability, moral principles must apply to both individuals and organized groups, including but not limited to government agencies, business and trade associations, labor unions, political parties, the military and civil services, the judiciary, non-governmental organizations, academic or professional associations, and organizations representing farmers.

## **ETHICS AND VALUES IN INDIAN CONTEXT**

India has a rich heritage of religious influences on ethics and moral values. Being religious, Indian society has placed a high priority on morality. The ancient texts have emphasized the importance of ethics and moral values in governance. The two great epic texts -Ramayana and the Mahabharata continue to be definite sources of ethical and philosophical knowledge today. The Mahabharata and the Ramayana both include specific examples outlining proper behaviour for ministers, or civil servants. For Mahatma Gandhi there is no water tight compartment between personal/ private/ social ethics. For him, Dharma is everything. Gandhiji used the concept of dharma in three senses; as duty, religion and ethics.<sup>3</sup>

Kautilya argues that anything required to gain, maintain, and grow political power is morally acceptable This realist considers a just regime the most effective defence against foreign onslaught because subjects will fight wholeheartedly to keep a just and cherished ruler but give up quickly when defending an unjust prince. The Mogul emperor Akbar in the fifteenth century CE is hailed as the first to delink politics from religion. Advocate of tolerance, himself a Muslim, he is seen as the founding father of secular states. Subsequently, Indian intellectuals living under British domination positioned themselves either in favour of or against the British Raj's governmental institutions and policies, as well as for or against universal (or British) values like equity, impartiality, and the rule of law

For Gandhi, politics, is one method of seeking a part of the whole truth. Political activity helps man to achieve the capacity to rule himself, a capacity wherein he obeys rules of the society without any external force or external imposition. Religion and politics so understood, make, a good case for swaraj. Gandhi exemplifies a cultural synthesis of the East and the West by combining the teachings of the Bible, Tolstoy, and Ruskin with those of Buddhism and the Bhagavadgita. Gandhi never considered political power as an end; it was a means to enable people to better their condition in every walk of life. For him political power was a means to regulate

public life at various levels in tune with the principles elaborated by him. His influence on nationalist thought was great. He influenced politics with a lot of utopianisms. He had a puritan moral code and a compassionate outlook on life. He made a significant contribution to the field of thought by drawing attention to twentieth-century issues and arguing that the values of life should take precedence above those of politics, business, and technology. For thirty years, Mahatma Gandhi controlled Indian politics and served as an inspiration to both the general public and political leaders. Gandhi's commitment to the truth had an impact on Indian politics. In *Hind Swaraj*, Gandhi presented a vivid enquiry in three respects. He began by pointing out that *swaraj* as spiritual freedom and *swaraj* as political freedom have a dynamic relationship. Secondly, he advocated that a moral link exists between the arts and the political life. Critics have long acknowledged the relevance of Ruskin and Tolstoy in comprehending Gandhi's political, economic, and artistic theories. Thirdly, he used the concept of *purushartha* to assess the quality of civilizations. He says, what was wrong with modern civilization was that it had made 'bodily welfare' its 'object of life'. *Purusharthas* may be reached if the pursuit of material and spiritual well-being could be balanced.

Although politics was a part of who we were, it meant nothing when separated from *dharma*. Gandhi, too, shared this scepticism of modern civilisation, but instead of harking back to tradition he tried to look for an alternative. In the pursuit of moral principles like truth and nonviolence, he, like Vivekananda and Aurobindo, had been in favor of destruction of the institutions that had robbed Indian society of its vitality.<sup>4</sup>

But post-independence the scene at once changed. List of political corruptions or scandals after the independence is huge in number. Today it is and presumed that there is only one ethic or morality, i.e. how to make more and more profit whether by legal or illegal means. This world is considered to be made for corrupt and unethical people and success is the puppet of these people. Unethical practice is the mother of corruption. It is an inevitable evil which has increased its scope in politics. To be armed with money power and muscle power they do all things which are not only illegal but also immoral and unethical. By doing this, these individuals gain respect, and other benefits, which encourages criminal activity and corruption.<sup>5</sup>

Things like justice, clean administration, ethical values and social responsibilities remained in existence only for two or three decades after the independence. Then a new class of politicians entered into politics whose sole aim was to earn money and power by hook or crook. These politicians started to interfering in the day-to-day functioning of the civil administration with their influence, money and muscle power. They started to exert pressure on the administration and to exercise the illegal practices e.g. corruption and nepotism for their financial gains. These practices of elite class have been prevailing till this date and the people of India are feeling aggrieved, though their unawareness, less education and less co-ordination are also root causes for the above situation. The report of second commission on administrative reforms noted that "Perhaps the most important determinant of the integrity of a society or the prevalence of corruption is the quality of politics. If politics attracts and rewards men and women of integrity, competence and passion for public good, then the society is safe and integrity is maintained. But if honesty is incompatible with survival in politics, and if public

life attracts undesirable and corrupt elements seeking private gain, then abuse of authority and corruption become the norm". Low morale, favoritism, casteism, nepotism and bribery has become a norm in every office and institution of the government.<sup>6</sup>

## CHALLENGES TO ETHICS IN INDIAN POLITICS

**Corruption**-The assumption of new responsibilities by the government has resulted in highly complicated administrative procedures and red tape. The launching of economic development five-year plans from 1951 onwards increased government spending. The government also got involved in a variety of trading and economic endeavours. Government ownership and control were extended to the banking and insurance industries. Numerous large and medium size PSUs were set up. "License Quota and Permit Raj" came into being in area of economy left open for private sector. All these provide it ample opportunities for making large illegal gains by corruption- prone ministers and public servants at all levels by abusing their offices and powers. The working of certain department of government like customs, central excise, imports and exports, railways, supplies and disposals is complicated cumbersome and dilatory. This has encouraged the growth of speed money and influence peddlers who act as contact men on commission basis. There has thus, come about a collusion of commercial interest and industrial magnates in this business.

India ranked 93 out of 180 countries on the corruption perceptions index (CPI) for 2023, according to the report released by Transparency International. The index, which lists countries by their perceived levels of public sector corruption.<sup>7</sup>

**Criminalisation** - "Criminalisation of politics means direct entry of criminals into the political parties and legislature, including Parliament. It means use of criminal method and tactics to influence political process and procedures". Crooks and criminals and rogues and rascals are increasingly taking over politics. No other vocation yields bigger and quicker returns. Today politics is no longer decent the hooligans are gaining control of public life. The notorious criminals, history-sheeters and smugglers and murderers are swarming in politics. Formally they were on the periphery of Indian political life; now they have moved considerably towards the centre to manipulate the gears and levers of political machines.

An analysis conducted by the Association for Democratic Reforms (ADR) has claimed that an approximate 44 per cent of MLAs in State Assemblies across India have declared criminal cases against themselves.

Of the 4,001 MLAs analysed, the ADR reported that 1,136 or about 28% have declared serious criminal cases against themselves, including charges related to murder, attempt to murder, kidnapping, and crimes against women, among others.

Apart from criminal records, the ADR also examined the assets of the MLAs. The average assets per MLA from State Assemblies were found to be Rs.13.63 crore. However, the average assets of MLAs with declared criminal cases stood higher at Rs.16.36 crore, compared to Rs.11.45 crore for those with no criminal cases.



Karnataka topped the list with an average asset value of Rs.64.39 crore for its 223 MLAs, followed by Andhra Pradesh with Rs.28.24 crore for 174 MLAs, and Maharashtra with Rs.23.51 crore for 284 MLAs. In contrast, Tripura had the lowest average assets with Rs.1.54 crore for its 59 MLAs, followed by West Bengal with Rs.2.80 crore for 293 MLAs, and Kerala with Rs.3.15 crore for 135 MLAs.<sup>8</sup>

ADR stated in a separate analysis on July 11,2024 that electoral bonds accounted for almost half of all political party donations from 2016–17 to 2021–22. According to the study, the BJP collected more funding than all other national parties combined. According to the report, between 2016–17 and 2021–22, the Bharatiya Janata Party (BJP) reported donations of Rs. 10,122.03 crore, followed by the Congress (Rs. 1,547.43 crore) and the Trinamool Congress (Rs. 823.30 crore). It stated that the BJP's overall donations are more than three times the total amounts reported by all other national parties. According to an analysis by the poll rights group Association of Democratic Reforms (ADR), out of the 543 newly elected members of the Lok Sabha, 251 (46%) have criminal cases against them, and 27 of them have been found guilty. This is the highest number of criminally charged candidates elected to the Lower House. A total of 233 MPs (43%) have filed criminal charges against themselves, followed by 185 (34%) in 2014, 162 (30%) in 2009, and 125 (23%), in 2004. The data shows that the number of MPs having criminal offenses reported has increased by 55% since 2009.<sup>9</sup>

**Use of Money power** -Our system of elections is beset with money and muscle power and both are readily available with the underworlds. Although our election laws recognise the danger of illegitimate money entering the political stream and section 77 of the Representation of People Act put a limit on election expenses incurred by candidate. But there is no provision in the legislation to regulate flow of unaccounted funds into the coffers of political parties. As a result, the use of unaccounted money in the election has become a fact of life. In the beginning industrial houses and big businessman had financed political parties. While this practice continued it was supplementary by kickbacks and commissions received from foreign transaction.

## **EFFORTS TO STRENGTHEN ETHICAL FRAMEWORK**

The Representation of the People Act, 1951, has been amended by the Representation of the People (Third Amendment) Act, 2002. A new Section, 75A, has been inserted which makes it mandatory for every elected candidate of the House of Parliament or the Legislature of the State, shall, within ninety days from the date on which he/she takes an oath or affirmation, files the details of his/her assets/liabilities to the Chairman of the Council of State or the Legislative Council, or the Speaker of Lok Sabha or the Legislative Assemblies as the case may be. Accordingly, the Members of the Lok Sabha (Declaration of Assets and Liabilities) Rules, 2004, and the Members of the Rajya Sabha (Declaration of Assets and Liabilities) Rules have been formulated.

The first law dealing with corruption and the attachment of property was enacted in pre-independence period, a war time ordinance called the Criminal Law (Amendment) Ordinance, 1944, It was to prevent the disposal

or concealment of property procured by means of certain scheduled offences, including offences under the Indian Penal Code of 1860 (IPC). In the pre-independence period, the Indian Penal Code (IPC) was the main tool to combat corruption in public life. The Code had a chapter on 'Offences by Public Servants', (Sections 161 to 165) which provided the legal framework to prosecute corrupt public servants. The first law which was enacted in independent India was the Prevention of Corruption Act, 1947, which supplemented the provisions of the IPC. The existing provisions under the IPC had proved inadequate to deal with cases of bribery and corruption of public servants, which had increased greatly during the war years, due to scarcity and controls. Therefore, a new law was required to deal with various post-war scenarios, which provided multiple opportunities for corruption – these included post-war reconstruction schemes, termination of contracts, and disposal of a large number of government surplus stores. However, the scope of the 1947 Act was considered too narrow. So, the Prevention of Corruption Act, 1988 was enacted to replace the 1947 Act. Besides Prevention of Corruption Act, 1988, there are number of other enactments to check corruption: The Benami Transactions (Prohibition) Act, 1988; the Prevention of Money Laundering Act, 2002; the Foreign Exchange Management Act, 1999.

Lok Sabha on July 27, 2016 passed the Benami Transactions (Prohibition) Amendment Bill 2015. This is predominantly an anti-black money measure. A lot of people who have unaccounted money buy immovable property in the name of a fictitious person or a "benami" person, need to be discouraged. The legislation is intended to effectively prohibit benami transactions and provides for confiscation of assets held in the name of another person or under a fictitious name to avoid taxation and to conceal illegally obtained wealth. The bill provides for a fine of up to 25% of the fair value of the asset and imprisonment of up to seven years. and consequently, prevent circumvention of law through unfair practice.

Lokpal and Lokayuktas is another important milestone in strengthening governance. The Lokpal and Lokayuktas Act, 2014 was passed by Parliament in December 2013, and got Presidential assent on January 1, 2014. The Act was a product of people's movement against corruption led by Anna Hazare. It aims to setting up of an independent and empowered body at the central level, called the Lokpal that would receive complaints relating to corruption against most categories of public servants and ensure that these complaints are properly investigated and, effectively prosecuted. All this is in a time-bound manner, with the help of special courts set up for the purpose. The Act also makes it binding for each state to pass, within a year, a law setting up a body of Lokayuktas at the state level, but leaves it to the states to work out its details. The Lokpal would receive complaints of corruption against the Prime Minister, Ministers, Members of Parliament (MPs), officers of the Central Government (all levels), and against functionaries that is wholly or partly financed by the government with an annual income above a specified limit, and also, all entities receiving donations from foreign sources in excess of 10 lakhs per year. The NGOs and Industrialists have also been brought under the ambit of the Act. The Lok Sabha on July 27, 2016 approved an amendment to the Section 44 of the Lokpal and Lokayukta Act 2013, to allow extension of the time given to public servants and trustees and board

members of Non-Governmental Organisations (NGOs) receiving government funds of more than Rs. 1 crore or foreign funding of more than Rs 10 lakh to declare their assets and those of their spouses.

Right to Information Act -Information is the basis of democracy. Openness and full access to the information are two pillars of any democratic state. Access to information promotes openness, transparency and accountability in administration, and it also facilitates active participation of people in the democratic governance process. A democratic government must be sensitive to the public opinion, for which information must be made available to the people. Importance of the right to information has now been well recognized as one of the essential requirements of the good governance. In India, the Right to Information Act (RTI) came into being in 2005; a landmark act which has made the governance processes of the country accessible to its citizens. The RTI Act, 2005 mandates timely response to the requests made by citizens for government information. Until 2005, the Official Secret Act, 1923 generally debarred disclosure of any official information to the public. Under RTI Act, any public authority, which delays or withholds information required by an individual, has been made answerable, accountable and punishable where necessary. Thus, the emphasis has now shifted from secrecy or darkness to openness in government work.

Bureau of Investigation- the Central Bureau of Investigation (CBI), functioning under Department of Personnel, Ministry of Personnel, Pension & Public Grievances, Government of India, is the premier investigating police agency in India. It is playing a major role in preservation of values in public life and in ensuring the health of the national economy. The main areas of CBI operation are anti-corruption, economic crimes and special crimes. The criminal cases handled by the CBI relate to: cases of corruption and fraud committed by public servants of all Central Government Departments, Central Public Sector Undertakings and Central Financial Institutions; economic crimes, including bank frauds, financial frauds, import export and foreign exchange violations, large-scale smuggling of narcotics, antiques, cultural property and smuggling of other contraband items etc.; special crimes, such as cases of terrorism, bomb blasts, sensational homicides, kidnapping for ransom and crimes committed by the mafia/the underworld.<sup>10</sup>

Over two thousand corruption cases were registered against more than three thousand civil servants in the last five years by the Central Bureau of Investigation, in pursuance of the government's commitment to 'zero tolerance' against corruption and bribery practices in governance and administrative services.

In the majority of the cases, the civil servants identified were accused of either directly or indirectly participating in corruption and gratifications.

According to official data presented to the Rajya Sabha by State Minister Dr. Jitendra Singh, the Central Bureau of Investigation (CBI) filed 2,370 bribery and corruption investigations against 3,730 civil and public officers nationwide between 2017 and 2021. 460 cases against 867 civil and public personnel were filed in 2018, 396 charges against 607 in 2019, 425 complaints against 565 civil servants in 2020, and 457 cases

against 549 civil or public services in 2021. In 2017, 632 cases were filed against 1142 civil and public servants.<sup>11</sup>

The Committee on Ethics of the Rajya Sabha and Lok Sabha- Both Houses of Parliament have provided for Codes of Conduct and also norms for disclosure of interest and declaration of assets and liabilities of their members. The Committee on Ethics was first constituted in Rajya Sabha on 4th March, 2016 1997. The Committees on Ethics of both the Lok Sabha and the Rajya Sabha have been mandated to oversee the moral and ethical conduct of members

A few State Legislatures such as Andhra Pradesh, Odisha, etc. have adopted Codes of Conduct for their Legislators.

Media-The role of the press as Fourth Estate and as a forum for public discussion and debate has long been recognized. It is obvious how the media can support effective administration. A robust and independent media landscape in a society supports all facets of good government. Good governance can only be established when journalists have the freedom to observe, research, and critique the policies and acts of the public administration. When there is nothing to conceal and much to be improved, independent media should be embraced like a beacon. The media allow for on-going checks and assessments by the population of the activities of government and assist in bringing public concerns and voices into the open by providing a platform for discussion

Civil Society Organisations- The concepts of Civil Society, Governance and Democracy are intimately linked, as one is part of the structure of the other. Civil society in democracy acts as a 'watchdog' against violation of human rights and governing deficiencies. They are 'advocates' for the interests of weaker sections of the society, 'agitators' on behalf of aggrieved citizens and 'educators' of citizens on their rights, entitlements and responsibilities. They also act as 'service-providers' by providing services to areas and people not reached by official efforts. They act as 'mobilisers' of public opinion for or against a programme or policy. Civil Society Organisations in India has taken an active role in fighting for a vast variety of issues which has resulted in preserving democracy and enhancing transparency, accountability and open governance. Civil Society Organisation in India have focused on issues ranging from social, economic, environmental, law and policy making. Enactment of RTI Act was the result of the movement initiated at grassroots level by civil society of India. The civil society under Anna Hazare mobilized to fight corruption in India with the Lokpal Bill. In India though the civil society movement has a long history and has been strong in certain sectors but it made a significant contribution in governance when civil society organisations led by Aruna Roy campaigned for Right to Information Act and Anna Hazare led the campaign against corruption and setting up the Lokpal and Lokayukta. Medha Patkar another activist has campaigned for a very long time against development and displacement and large dams.<sup>12</sup>



## CONCLUSION

Indian politics in pre-independence period were deeply rooted in religious and philosophical traditions, emphasizing justice, welfare, and moral duty. In contrast, in post-independence period, though the nation is guided by democratic and constitutional ideals, politics is confronted with challenges like corruption, populism, and the prioritization of party interests over public good. Only hope to bring back ethics in the realm of Indian politics is a well-informed public, strong institutional mechanisms and legislative measures.

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