

Anticorruption, Bureaucracy and Wartime Law: The Case of the Special Police Establishment

This paper shows how the Government of India prosecuted corruption associated with the movement of goods during World War II through the Special Police Establishment (SPE), created by executive order in 1941. The colonial state had been generally tolerant of corruption; but the emergence of a 'military economy' for the war effort required extraction from the 'civilian economy' without leakages. The state fashioned new laws to prevent these leakages in an environment of increasing numbers of bureaucratic personnel, rampant price inflation, and the breakdown of transportation facilities. By making use of unexamined papers of the SPE, the paper shows how the ever-expanding anti-corruption apparatus, with branches popping up all over the country, was continually thwarted in its ambitions. Hampered by limited staff, a heavy burden of proof required for prosecution, and unreliable informants, the SPE often operated as little more than an empty threat to discourage abuse of office. Cases could take years to try. Special tribunals were set up to accelerate their proceedings, but a lack of qualified judges limited their effectiveness. After the War, the Special Police Establishment was retained and transferred to the Home Ministry. The legislation creating it was reworked into the law that provided the legal basis for the establishment of the Central Bureau of Investigation. While the state's broad powers to gather information was retained, its corresponding promise to deal with corruption was left unfulfilled. This paper suggests the emergence of a new state-consciousness of corruption in the 1940s, which took place only during a time of crisis. It also shows that the racial classification of 'corrupt Indians' vs 'upstanding officials' broke down during this period.