



Behind bars: one academic's experience of an Indian prison

James Tooley reflects on who helped him, who let him down and what he learned from his time in prison in Hyderabad

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March 16, 2017

In a review of my 2009 book, *The Beautiful Tree: A Personal Journey Into How the World's Poorest People Are Educating Themselves*, I'd been described as "a 21st-century Indiana Jones", who travelled to "the remotest regions on Earth researching something many regard as mythical".

I liked that image of myself: an intrepid, adventurous academic. Indiana Jones had said: "If you want to be a good archaeologist, you gotta get out of the library"; as a professor at Newcastle University I believed this to be true for education policy as well. And so my research for the university had taken me across many countries and continents. The "mythical" thing I was tracking? Private schools serving the poor. I called it "grassroots privatisation" of education, by the people, for the people.

These schools were everywhere in the slums and villages of Africa, South Asia and Latin America. But because they were an initiative of the poor, nothing to do with international agencies or governments, they'd remained entirely unnoticed for decades. My research had changed that. Now, many people were noticing them.

I'd first found these low-cost private schools in the slums of Hyderabad in 2000; in 2014 I was back in this metropolis in south-central India because my friend Andrew Coulson of the Cato Institute was making a documentary for American television about the power of educational entrepreneurship. He wanted to interview me where I'd first uncovered these low-cost private schools, for an episode about school choice among the poor.

Coming back to India after a two-year absence felt like a holiday. It was a respite from the kinds of places I'd been travelling to, a chance to be somewhere safe and welcoming. I'm certainly not complaining – in fact, the opposite – but my research had taken me to some of the world's most difficult places. A study funded by the John Templeton Foundation had me researching the nature and extent of low-cost private schools in the slums of South Sudan, Sierra Leone and Liberia, three conflict-affected states in Africa. Other research forays had taken me to see if the same phenomenon existed in northern Nigeria and in Somaliland, the part of Somalia that has made a unilateral declaration of independence from the rest. While I'd had one or two close shaves with sometimes gun-toting adventurers, nothing made me feel particularly unwelcome. But it was surely a pleasure to be back in India, the world's largest democracy and a Commonwealth stalwart.

It was also a relief being among like-minded people: my work is controversial and politically charged – it highlights how corruption and incompetence prevent governments from providing quality education for the poor. Government officials, not surprisingly, are often unsympathetic, international aid organisations antagonistic. But back in Hyderabad I could relax among old friends.

We finished making the film on the Thursday evening, and so had a farewell dinner with the camera crew and producer. Earlier in the evening, oddly, a police inspector had come to visit me in my hotel, having heard about my work in the slums of the old city. However, she seemed to want to talk to me most about how one of her sons needed to get to a good British university – “one like yours”, she said – and so I didn't think much about the conversation once I was at dinner with friends.

I went to bed, happy and satisfied; it's good being an academic who can work among some of the world's poorest people and feel that he is making, even in some small way, something of a difference.

At 1am, the hotel duty manager woke me, to tell me that the “lady” – the police inspector – was back and wanted words with me. I went downstairs. She was surrounded by colleagues. One stepped forward and arrested me.

After making baseless allegations and keeping me in custody overnight, the next day she took me before a judge who, at her request, threw me in jail.

An Indian prison is not a pretty place. There's no furniture: you sleep on the bare concrete floor, lying side by side with your fellows, like slaves in a galley ship, mosquitoes everywhere. A hole in the ground is the lavatory. There's a communal tap. Twice a day you stand in line, as one prisoner with his bare hand chucks a wodge of rice from a dirty metal basin on to your plate, while his partner slops a cupful of thin gruel on to your rice.

The jailers are brutal. They beat several new arrivals for not properly announcing what we were in prison for, as if we knew. One took pleasure in getting guards to beat other prisoners in front of me: an old man beaten by a triangle of guards taking turns around him; a young man beaten between his legs, for the “crime” of chewing gum. The jailers revelled in their power and our helplessness.

But these incidents were not really what defined the experience for me. The policewoman had told me that I could take nothing with me, but that everything would be provided for me, so there was no need to worry. When I arrived at 6pm, I was taken to my cell, 10 foot square, completely bare apart from three piles of shit. I stood at the barred door and looked across the six-foot-wide corridor to the two larger cells opposite, with a dozen or more people in each. The Indian inmates crowded around their doors to see the foreign arrival. One young man spoke good English. I asked him what time they served food. He told me two hours ago; there was no more food until the next morning.

“Where can I get drinking water?” I asked. The same: I could only get water the next morning.

“What about blankets?” I asked, feeling a bit chilly. Apparently you had to bring your own blankets.

I paced back into my cell. I didn’t feel anything. I had to cope, I had to survive.

After a few minutes, the prisoner who spoke good English called across the corridor from his cell. The prisoners had got together a package of a banana, an orange, some grapes, a half loaf of bread, some jam, a blanket and a big bottle of water. I will never forget that moment. They didn’t have to do anything for me; who was I to them? They could have simply ignored my problems; they themselves had few comforts, nothing much to spare. Instead, they responded with this deep generosity and kindness, helping me in my hour of need.

Something stirred in me that moment, which carried me through the whole experience.

Their kindness overwhelmed me. Now I had a blanket, which I spread out on the floor in my corner, with my jacket for a pillow. I had food and I had water. No one had to do that for me.

Meanwhile, the prison superintendent was ready to offer more lenient treatment if your family could pay a bribe, further marginalising the poor. It was their plight in prison that touched me most deeply.

Take someone like Arjun, a cycle rickshaw puller, his vehicle impounded because he could not afford the bribe to renew his licence. He had been in prison for three years, not charged with anything. He was not alone. Sixty-five per cent of Indian prisoners are “undertrials”, many for several years, awaiting trial or commonly, as in the case of Arjun, awaiting charge, imprisoned while “under investigation”, their families too poor to furnish bail.

The Supreme Court of India appears powerless against this astounding affront to human rights. Exceptionally, it did intervene in the case of someone imprisoned without trial for more than 12 years. Its judgment read: “The laxity with which we throw citizens into prison reflects our lack of appreciation for the tribulation of incarceration; the callousness with which we leave them there reflects our lack of deference for humanity.”

One wonders what Gandhi would have thought of it all. He invoked the principles of Magna Carta – that justice delayed is justice denied and that no one can be held in prison without trial – as he led the struggle against the British, first in South Africa and then in India. He would surely be incensed by the scandalous suspension of these principles in modern-day India.

Eventually, I was released on conditional bail, but continued to be subjected to tortuous interrogations and police harassment. The police had my passport, so re-detained me at their pleasure. It was particularly disturbing that Chapter 8 of my book *The Beautiful Tree* – the chapter entitled “An Inspector Calls”, in which I describe corruption in Hyderabad, among other things – was a focus of my interrogations. It seemed that my research may have drawn attention to myself in the eyes of the authorities, but I was never able to prove that the police’s efforts to break me down – which included isolating me from any human contact and sending armed stooges to my room in a serviced apartment – were being directed from on high. What was clear was that the policewoman was also pursuing her own interests. She was not embarrassed to make clear that she was after a £15,000 bribe – which turned out to be the amount she needed to repay the bribe she herself had paid in order to gain her senior position.

At this point, one might reasonably ask what the British government can do for you. The comforting phrase in our passports that Her Majesty’s secretary of state “requires” others to “afford the bearer such assistance and protection as may be necessary” apparently means nothing when up against another country’s legal system. Once out of prison, I had phoned the High Commission, which made clear that my situation was not uncommon. Drawing a firm distinction between mental and physical abuse, they said I should re-contact them only if I was in physical danger.

When I did, fearful for my life as the police piled on the pressure, the woman I spoke to was a most sympathetic counsellor. The police were only trying to frighten me, she said. I was frightened, I told her. After our call ended, she emailed me, telling me she had informed the Crown Prosecution Service, as “if you pay the bribe, under UK law you may be prosecuted in the UK”. Far from offering “assistance and protection”, she warned me that there would be someone to feel my collar back home, should I cave in to extortion.

My university was wonderfully understanding about the whole experience, even though it was out of its comfort zone too. It had been a struggle to get the university insurers’ permission to go to countries such as South Sudan and Liberia, but India had not presented any problems, apart from the usual filling out of risk assessments (none of which pointed to the possibility of being arrested in the wee hours by a corrupt policewoman). Wisely, the university was pragmatic, saw that the occurrence was unusual and didn’t seem to change its policies. (Since I’ve been back, however, I’ve heard of many cases of Brits stuck in India, victims of corruption and extortion too. In particular, I’ve been deeply moved by the plight of my fellow Northumbrian, Nick Dunn, one of six British ex-servicemen stuck in India for three years, transparently innocent of any crime.)

However, the university did suggest that I didn’t return to India for a while. I was not unhappy complying with this; I was rather shaken by the whole episode. For a year I felt reluctant to travel anywhere, losing my mojo, no longer the Indiana Jones of education policy. I’m back on my feet now, but I took two years’ unpaid leave from the university in order to reboot things. I’m currently in Honduras, apparently the world’s most dangerous country, exploring low-cost private schools here. Sure, I heard rapid gunfire followed by police sirens on my way to the school this morning, but somehow I feel safer here than in India. And, yes, I have returned to India too. The first time I took a plane from Dubai to Hyderabad I had to drink several stiff

whiskies before I could board. Now that my book *Imprisoned in India* is published, I might be a bit more cautious, at least for a while.

James Tooley is a professor of education policy at Newcastle University. There he is the director of the E. G. West Centre, which is dedicated to choice, competition, and entrepreneurship in education. He has done extensive work in demonstrating the benefits of private education for low-income families. Much of his work has focused on identifying ways to make private education more accessible and to facilitate its growth in the developing world, especially among the poor.