

The police identity

Muhammad Nurul Huda

In the views of an erudite columnist of The Daily Star (Policing the Police, July 17), the occupational status of Bangladesh police stands somewhere between private security guards and the minions of powerful quarters. The writer also comments that the police have not been able to overcome their identity crisis. Such views, though brutally disparaging and morale-shattering, are not far from actual conditions on ground.

What, however, should engage serious attention are the factors attributed to the malfunctioning or under-functioning of a vital organ of the state, thus impinging seriously on good governance. In the absence of a meaningful look into the deficits and attendant corrective actions, all our condemnations and pontifications serve no purpose. It is, therefore, time once again to venture to do the needful with a view to moving from the deviations to the desirable.

The role of our police has to be viewed in the perspective of the historical process, the changes in the social situation, the values and aspirations of a developing society. There is no denying that we have inherited the historical disadvantages common to all countries subjected to colonial rule. The question, therefore, is if there has been a meaningful enunciation of police role that, of necessity, has to be divorced from past traditions?

One has to admit that the Bangladesh state was the product of a freedom struggle and, while it adopted a written, liberal democratic constitution, it retained the colonial administrative, police and judicial structures without recasting them to meet the changed situation.

Did not the "colonial-repressive" character of our state emerge when the governing elite of a de-colonised society decided to retain the inherited police organisation, ignoring justified demands for change?

Though repetitive, it needs saying once again that our police system has not been able to come out of the structural and organisational features that establish a relationship of control, coercion and surveillance over a subject population. Such structures are useful to a regime of surplus extraction. In fact, the colonial Irish constabulary was the model for the Indian Police system, which we have inherited and continue to sustain.

By mid-1930s, police coercion became a vital instrument of state policy. The emergence of a militant strain in national politics and the development of the coercive and surveillance strength of the police led to sharper public criticism of the police. A massive expansion of police arms and surveillance took place during the 1940s.

One needs to ask if our police's value lies in periodic exhibitions of force and the equation of force with authority. Do we witness situations which would make one believe that the defiance of state authority is considered a serious crime and political resistance a likely occasion for crime? One needs to understand the political purposes behind the origin of our police and the concomitant allocation of resources towards that end.

One needs to know that Police Act of 1861 prioritises collection and communication of intelligence affecting the public peace. The Criminal Procedure Code begins with the "arrest of persons" and the "maintenance of public order and tranquility" before getting to grips with procedure relating to investigation and trial.

The question is, have we succeeded in introducing changes in tune with the provisions of our republican constitution? Do we intend to keep our police at a distance from the people and let them continue as a despised lot?

An important aspect that has a bearing on police conduct and its occupational identity relates to the blanket power of superintendence vested in the government by the Police Act, 1861, which is not appropriate in a democracy.

There has not been a review of the authoritarian powers that are clearly antithetical to the democratic spirit. Does it serve narrow political interests in not undertaking the required review, one may ask?

The unpleasant reality is that we have expanded and strengthened the inherited colonial system and, as such, the police continues to perform its repressive role and political surveillance functions at the cost of its proper role.

Internal incentives do not exist to professionalise the service and to insulate it from group conflicts in society with a view to enabling it to act in a



Braced for deterrence.

non-partisan manner. Are politicians hesitant to professionalise police because control over it is central to political conflict in a polarised society?

Don't we have the problem of right use of authority by parties that occupy positions of power? Are there instances of use of the police machinery for political ends? Have we been able to develop the democratic norms that should govern the relationship between the party in power, the individual politician and the police? These queries should engage the observers while admonishing the police and commenting on their performance.

As of now, the core issue is not so much what police does but why it does what it does. The question is, what kind of law enforcement are we insisting on? Can we afford to allow sacrificing the quality of law enforcement at the altar of infighting between vested interests?

Do we witness a temperament that is continually pressing a partisan advantage to its bitter end without respecting and understanding the other view? If that be so, is it not unrealistic to expect our police to act in a phlegmatic and professional manner?

For the deficits in police performance the prevalent wisdom tends to put all the blame on the political class, ignoring the negative role of police leadership. A pragmatic inference would be that the police leadership has remained a prisoner of the political party in power at all levels and has failed to contribute to organisational renewal and revitalisation, research and training and the nurturing of professional skills.

The flowering of police professionalism and the tiding over of the identity problem will be possible in large measure when, inter-alia, the following deviations lessen:

- * Instances of selective enforcement of law in favour of the dominant group;
- * An absence of effective mechanism of public accountability;
- * Relatively unrestrained use of force;
- * Political partisanship in upholding and enforcing the distribution of political power and direct police involvement in the political process;
- * Harmful diffusion of policing functions by the ruling political group with so-called volunteer groups and other compatible agencies being drawn into a policing role.

The police, in our situation, appear as disconcerting spectacles of hapless meat in the sandwich, squeezed by the intransigence of two opposing groups and compelled to use force to implement whatever decisions they take.

Muhammad Nurul Huda is a columnist of The Daily Star.

© thedailystar.net, 1991-2008. All Rights Reserved