

Police & Democracy: The Worsening Scene

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Freedom and inviolability of the person are extremely important values in liberal democracies. Critique of the culture and practices of policing has therefore been central to civil rights awareness in that tradition. In the different traditions of third world countries it has long been recognised that there is more to human rights than critique of police atrocities. Nevertheless concern with the nature and practice of policing retains its importance. Indeed, the third world police forces being mostly a legacy of colonial/kingly rule, are probably more brutal than home grown police forces of the West.

How much has the situation changed in this area of human rights over the last five decades in our State? Dare we say that the situation has improved? It has and hasn't. There has been considerable improvement in public awareness and the tendency to protest, which has some times gone to the extent of assaulting the guilty policemen. Nobody is so innocent today as to believe that the police have the right to torture and kill in the interests of social order – a belief widely held as recently as two decades ago even by educated people - and when the victim is perceived as 'innocent' the reaction has been quite militant. The growth and spread of the media, especially visual media, has aided this tendency to protest.

Can it be said that the State has become equally responsive? Unfortunately not, unless the rhetoric of human rights that they have learnt to mouth on occasions like 10th December is taken at face value. A certain smoothness no doubt characterises the police force these days, including not only widespread use of computers and effective communication equipment, but also more polite answers to middle class visitors and a greater willingness to part with copies of complaints and such-like documents. But in terms of arbitrary and violent conduct things have probably become worse. How often did we hear two decades ago of suspects being taken to Court rebelling against the policemen on the way and getting killed in self-defence? We have already seen two such incidents this year, in Ranga Reddy and East Godavari districts, and nobody believes there will be no more by year end. Custodial 'encounters', a contradiction in terms, began with the naxalites and has spread rapidly to a whole category of suspects fashioned by the police.

An opinion is assiduously propagated these days that with the educational levels in the police force increasing steadily, the crudeness of their conduct has proportionately decreased. This is plain myth. There has always been a small minority of policemen who have some respect for the law and constitutional rights, but that number has changed little over the years. The training of the police personnel these days includes a certain exposure to matters related to human rights, but that part of the training is treated by the trainees the way school students treat the compulsory

‘moral instruction’ class, as a quaint curricular mannerism reflecting the humour of some cranks in the establishment.

On the other hand, the solid impression communicated to the police by the process of training is that it is the *danda* of the policeman that keeps social order intact, and all talk of sensitivity to social and economic - or even psychological - forces underlying disorder or crime is so much sentimental bull-shit. With greater average level of education the police are more self-confident in asserting this attitude. In that sense the higher levels of education in the force has made matters worse. The barely literate policeman of yore had some respect for the person versed in law, constitutional values and principles of democratic governance, but the educated policeman has none.

Proof of this lies in the large number of well-educated and smart I.P.S officers who vocally believe that in the case of a certain type of crime suspect (and it is they who decide which type) there is nothing wrong if the police kill him instead of taking him to Court. Andhra Pradesh is one of the States where this discretion – whether the suspect is to be taken to the Court or the graveyard - is already a reality.

The freedom of assembly is another right which has dwindled very rapidly in these five decades. It is an extremely important right, especially for such activist groups as have few resources. A public meeting in a busy center of the town is the best way such groups had of communicating to the public at large. Every town including the city of Hyderabad had such well known places, like Kothi park in Sultan bazaar, for instance. Today there are none. Increased traffic and the consequent need to redesign roads and regulate traffic are often given as the reasons but those need not have led to total denial of open spaces to political gatherings if the importance of such events in a democracy had been understood. That such spaces are still available in Kolkata, the biggest and most congested city in the country, is illustrative of the fact. In other places we see the growth of a certain impatience with such expressions of democracy which begins by letting the police decide the contours of such rights. Getting on with the business of life unimpeded by expressions of democracy is perceived as a supervening value even by the Courts these days.

More generally we have over the years seen the growth of an explicitly political police force, by which I do not merely mean a partisan force, but a force that believes it knows what should be allowed and what should not be allowed, and does not think twice before using force to enforce that. The rulers of all parties are happy with this arrangement because it allows them to get on with their main preoccupation: making money. Where does that leave democracy?

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