

# Alternatives

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## Policing the Public: More Continuity than Change

From the *Alternatives* Desk

**G**OVERNMENTAL machineries' distrust of the public as well as the public distrust of the government legacy while haunting us like a specter is partly responsible for such a state of affairs. In fact, in policing the public while the (colonial) public kept defending itself from the unlawful power of the government. Many expected that things would change with independence, first from the British and then (for Bangladesh) from Pakistan. But unfortunately for the public and (I guess) somewhat pathetically for the government, the policing of the public and with it the mistrust between the government and the public continued as before. Critics now contend that in the wake of public's struggle against the colonial government, the state of relationship between the public and the government itself became distrustful and contentious.

Overcoming this relationship is no easy task. Unless new and fresh structures come into being, and that again those that are **depolicing** and **degovernmentalizing** in nature, nothing substantive will take place in redressing the mistrust and conflict between the government and the public. But then, should that be a matter of concern? For two reasons, yes! Firstly, the more the government feels threatened and disempowered the more it is likely to seek refuge in coercive laws and regulations, mainly to police the government and the public over and over again. Secondly, since the public itself suffers from mistrust and conflict, there is little that the anti-governmental or opposition forces can do in overcoming this state of relationship. In this context, one can readily say that there is hardly any difference between the position and the opposition, for when the latter is put in the place of the former it simply goes on to police the public in the like of its predecessor. SPA (1974), STAA (1992), PSA (2000) all bear testimony to this. Only a civil response, devoid of political aspirations and full of creative interventions, could possibly make a difference. Are we ready to usher in a **civil** or **anti-political politics** to overcome the "curse" wrought by politics?



There is no denying the fact that force is necessary to control force but again there should remain another force of vigilance to oversee whether this force is being used to root out the evils or it is used merely to surge the evils. In the context of Bangladesh Police, the socialisation of policemen with rules of corruption and other types of evils continues throughout his/her whole career from the training ground to the age of retirement.

## The Police-Gangster Nexus: Who is to be Blamed?

by Sheikh Abu Faisal Md. Murad

An independent and powerful judicial commission should be formed to investigate these crimes in the police and then considerable reforms should be immediately introduced in accordance with the recommendations the commission makes. The rule of check-and-balance on the powers provided with the police should be established. Various problems in the police department should also be taken into account. As a country's development depends on the healthy law and order situation, the police must be made time befitting. If the crimes in the police go unpunished and the inherent problems with them go unheeded, then there is little hope at the end of the tunnel.

**T**HE police department, to speak the truth, has come to be known as the emblem of all wrong doings. Based on the newspaper reports as well as the views springing from different seminars and symposiums on the law and order situation in the country, it has become an open secret that there is a linkage between the gangsters who are involved in various anti-social and anti-peoples activities and those who are entrusted with the duty of maintaining law and order as well as curbing those anti-social and illegal activities. Though this linkage should be negative, ironically in the context of Bangladesh is positive. There is also a greater chance for a person to earn a lot of left hand money in the police. But there are some causes that should come to light if the 'whys' of this nexus and corruption are to be understood.

Lord Acton said in 1887: "Power tends to corrupt, and absolute power corrupts absolutely." There is no denying the fact that force is necessary to control force but again there should remain another force of vigilance to oversee whether this force is being used to root out the evils or it is used merely to surge the evils. In the context of Bangladesh Police, the socialisation of policemen with rules of corruption and other types of evils continues throughout his/her whole career from the training ground to the age of retirement. The administration system of the police is to a large extent to blame for floating the corruption practice. At the same time, it is wrong to blame all the police officers for corruption. In this write-up I would like to focus mainly on two areas which I think are responsible for the present corruption and malpractice. These are the flawed training mechanism and the rampant corruption in the police officers who are in charge of administration.

Allegations of wholesale corruption in some police officers are often reported in our national dailies. Corruption involves behaviour on the part of officials in the public sector, whether politicians or civil servants, in which they improperly and unlawfully enrich themselves, or those close to them, by misuse of public power entrusted to them. A recent Transparency International Bangladesh Chapter survey established police department as the most corrupt department in the country. At the same time the U.S. State Department as well as the World Bank Reports confirmed that the police are the most corrupt in Bangladesh.

In Queensland, Australia, a Criminal Justice Commission (CJC) had to be established through Criminal Justice Act of 1989 to restore confidence among the people against police illegal activities and misconduct. A very interesting statement was made in the report of CJC, which is painfully true for Bangladesh: "There is virtually unanimous agreement among experts and commentators that police cannot be relied upon to investigate complaints against themselves effectively and impartially." We have to find out why the police, which is an essential force for the maintenance of law and order situation, becomes corrupt despite some existing laws on paper in order to punish the corrupt officers. There is no denying the fact that if the law and order situation of a country becomes vulnerable, it plunges into a chaotic and shaky situation, which proves really injurious to a developing country like Bangladesh as it needs foreign investment, which can be ham-

pered in absence of conducive law and order situation.

The police force was introduced in the Indian subcontinent in 1861 with the promulgation of Act V by the British Raj in order to bolster their colonial interests, not to serve the interests of the indigenous people of the region. The laws on the basis of which our police officers perform their duties were made by the British and are still operational with a very little amendment but the fact is that the scenario has changed a lot and in sync with the changed scenario it is essential to introduce changes in our legal system.

### The Training Mechanism and the Inception of the Seeds of Corruption and Bribery in the Police:

**a. Bribe:** The Police Academy, Sardah acts as the training ground for molding the recruits into "Police", not into police that is expected. It is an established unwritten law in the academy that those below the BCS cadre must give what has come to be known as the "field charge" and "law charge" to the field as well as to law instructors when undergoing training in the academy and if any trainee refuses to pay as demanded he has to undergo severe extra-legal physical hardship in the field and he cannot expect to pass the law exams. One ever visits the police academy, one always finds some common words like "Sardah ghora o ghush khaye" (The training horses of Sardah also take bribe"). Actually, the horsemen who impart training on horse-riding also take bribe from the trainees. It bears the testimony to the omnipresence of bribery and corruption in the academy. So the people who get into the police service are trained to take bribe from the people right in the beginning by their instructors.

**b. Outmoded Training:** In the academy there are still some rules that need to be changed for the sake of making those more relevant to the present reality. For example, horse-training is compulsory for the officers from the sergeants and sub-inspectors to the upper level but motor vehicle training is not imparted there though it is the motor bike or other motor vehicle that the field-level officers like sergeants or sub-inspectors have to use while on duty. On the other hand, the authority has to spend lakhs of taka to maintain horses. The necessity of horse-training raises some questions in the context of Bangladesh where horses are not usually bred, and the terrain being mostly plain and accessible by motor vehicles or water vessels does not demand horses as a means of travel and transport. Actually, horse-training is continued only with the view that the VIPs can be given a guard of honour, an emblem of colonial mentality.

In the police the propensity of rape is on increase but there are some factors behind this. The police constables, within whom the tendency to rape is reported, are not permitted to keep their families with them. It is often seen that most of the constables who are not allowed to keep their spouses with them are not given even the lawful leave to meet their spouses. So most of the police constables are mentally abnormal and prone to commit such crimes.

**c. Ill Behaviour:** It is often alleged that constables do not

know how to behave properly with people, but the flaws of behaviour may be attributed to the training methods of Police Academy. Constables are the pillars of the police department but they are always treated humanely by their senior officers. What is most important is that only illogical, irrational and rigorous physical training is imparted to constables while the training that can sharpen their civic sense, courtesy and etiquette is totally absent. To speak the truth, they are instilled such inputs as can enrich them with lots of slang and indecency. A constable often has to be on duty for 20 hours a day and cannot enjoy holidays as granted to other government employees. On various occasions and festivals they cannot leave. As a result, they cannot have a family together. How can they be expected to work for maintaining and fostering human rights when they have been denied those rights?

It is an irony that the only police academy of Bangladesh has been manned mainly by those who have been accused of bribery, misconduct and other types of corruption in their service life. It is often observed that those officers who are found guilty of extra-legal activities and corruption are transferred to the academy as a punishment posting. It has been found from the experience of 50 years that, let alone the best officers, those who have had their service records much below the mark, cannot be posted in any other place, who are about to be dismissed or retired, or who cannot be discharged or suspended on technical

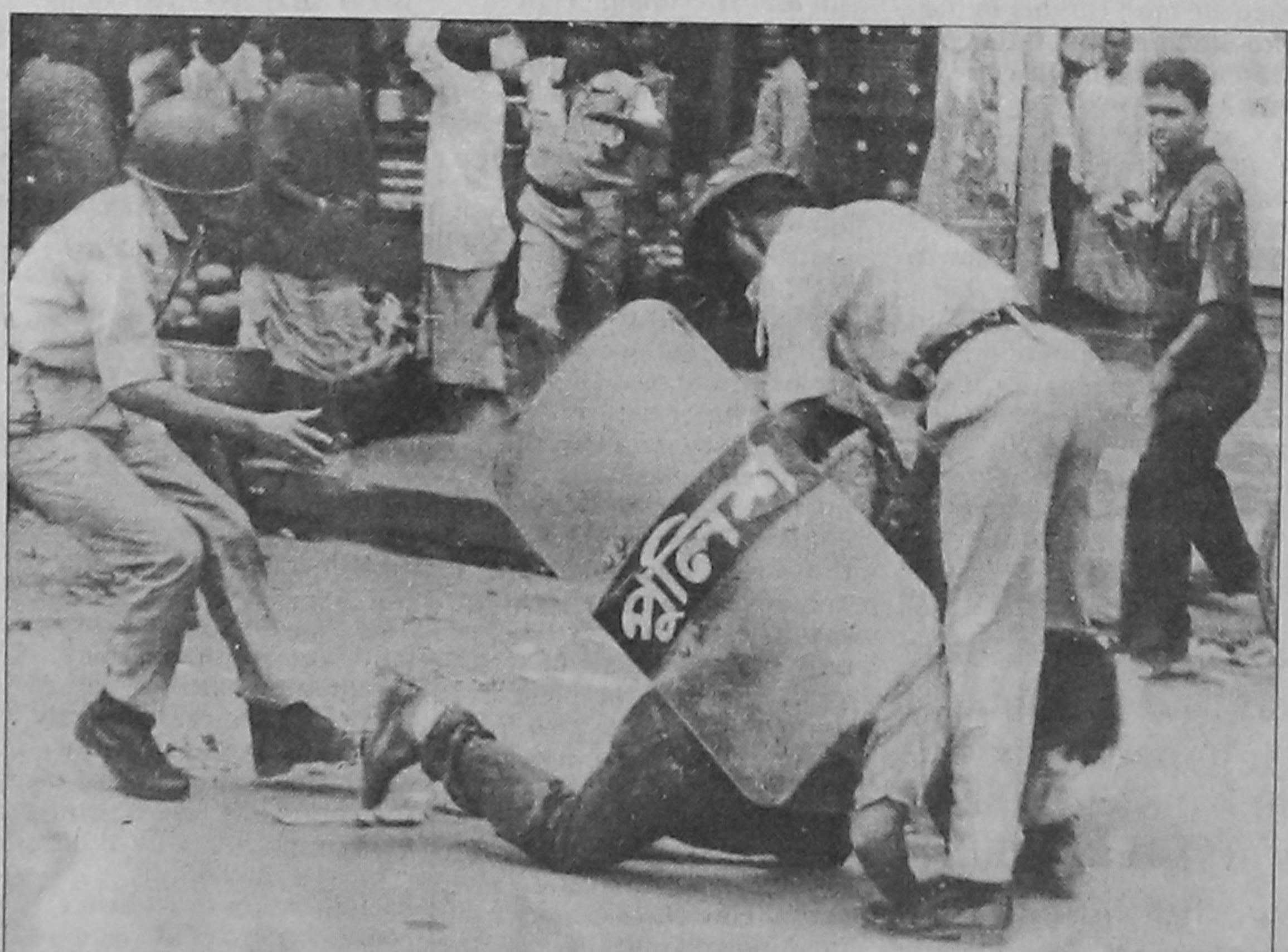
grounds, are often posted in the police academy. It is another flaw of our administrative system that when an officer is implicated in cases of corruption, his highest punishment is at best being transferred to another place. Most of the instructors, imparting lessons in law are promoted officers whose academic backgrounds are of very low standards. As most of them were recruited during the early phase of Bangladesh or during the Pakistan reign, their educational background was at best the intermediate level, given that persons, having secondary school certificates, were then recruited in the sub-inspector level. They impart training to the newly recruits as well as to the officers who have come to the police by passing the B.C.S.

In the modern states of Europe, where the police system was innovated, the training process has been made adaptive and attractive for the trainees in line with the reality that an amicable and relaxing environment is the best means for trainees to easily catch up with the training that is imparted for. But in the context of the Sardah police academy, various impractical and irrational training systems are still operative. For example, the probationary officers who have come through the B.C.S. have to remain for the most part preoccupied with physical training and parade. As a result, they do not have enough time for studying relevant laws and other disciplines of social science, which are of utmost relevance for the modernisation of the police. Salauddin Ahmed, a former

Secretary of Government of Bangladesh, recollects that during his 4-month training on advanced police system in Canada in 1956 only less than 5% of 72 items was about how to accelerate physical fitness. The major part of the training was on a. sociology, anthropology, especially history and culture of indigenous people; b. criminal psychology; c. crime propensities among juveniles; d. aetiology of crime; e. development of leadership among police persons and police officers; e. instant public speaking to convince unruly mobs; f. lie detection etc. For this reason he contends that utmost emphasis on physical training is a great impediment to the development of a civilised police service.

In the academy, there is a library, but not enough reading materials are available. Furthermore, sub-inspectors and sergeants, let alone constables, have no access to this library. So the police persons below the A.S.P. level have been compelled to remain ignorant of developments in the police activities in other parts of the world.

In the present police training system, a trainee's mental soundness has been grossly neglected. Most of these officers cross 30 years during their appointment, so many of them are married. But they cannot keep contacts with their spouses even during holidays. Nor can they speak to their spouses over telephone as a number of restrictions are off and on imposed on them. As a result, most of the time, these trainees remain depressed and always feel bored with the environment prevailing in the academy. An unpleasant training atmo-



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### Flaws with the Police Administration System

**Police and Crime:** The responsibility of curbing corruption in the police lies with those officers who are authorised to oversee how policemen do their duty with an eye to the public goods. Whenever a policeman is found to be accused of malpractice and corruption, he should be punished. But the fact is that evidence of corruption gives rise to the chance for the officers in charge of administration to get a handsome amount of money as a way to purge the accused of the evils he has committed. The simple practice is: pour a lot of money and get relieved of the punishment.

Thus the senior officers are imbued with corruption and extra-legal activities, which actually have encouraged the omnipresent malpractice, corruption and abuse of power by knotting with criminals and gangsters. The police collect illegal tolls in association with gangsters and other types of criminals. The lion's share of the illegal tolls and other types of 'chaubabaz' that are visibly done by the hooligans and gangsters go to the pockets of the police. Therefore, it is the police that work as the boosters and instigators of crimes in our

physically fit if he wants to perform his duty properly. But the salary and other facilities they draw from the government are not good enough to meet their bare necessities. Actually, a junior police officer like sergeant or sub-inspector's salary can hardly provide him with a small room in a ghetto. A policeman has to be engaged in duty for extra hours but they are never paid for this extra duty. So they try to make up their supposed loss by taking bribe from the people.

**b. Overhauling the Training and Administrative System:** To get a police force that will really provide services to people desire from them, a great reshuffle needs to be introduced in the whole training mechanism and administration. Md. Ismail Hussain, former IGP, observes that unlike in Britain and Sweden and other European countries where police are considered to be the best friends, in our country, rather police are regarded as an adversary, an oppressor, a necessary evil. He continues that even the policy makers of the department either forget or do not follow up what they say or learn from seminars on how police can be service-oriented. If police do want to bring any qualitative change in the organisation in keeping with service mentality, they have to inculcate the culture from the grass-root level and from training institutes. In other words, training schedule of police of all ranks must be moulded in such a way as to groom a policeman with service mentality from the very beginning of his career.

In a report compiled by security intelligence agencies, it has been mentioned that as police get a handsome share of the toll collected by the gangsters and mafias, they debar from taking action against them so crimes are on rise in the country. This report has blamed the police for 40% of the crimes committed. The report also confirms that the police are involved in such anti-social crimes as rape, toll collection, dacoity, murder, smuggling, snatching, pick-pocketing, illegal drug trade etc. It also says that top-level officers are also imbued with corruption and bribery. In a report published in the Bhoror Kagoj (26th April 2000) on corruption and bribery in the police, field level officers have been compelled to remain ignorant of developments in the police activities in other parts of the world.

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sphere appears a hell to trainees. Training actually becomes a monotony because of the outmoded and outdated training mechanisms.

**d. Gender Discrimination and Violence:** It is a regrettable that the female police officers have not been well received by the male-dominated police department. Complaints are often aired informally from female probationary officers that they are teased and insulted by instructors with harsh words like that women are better suited for household work, not for police jobs. If these female officers go to make a complaint with the concerned authority, they are rebuked and warned not to come again with such complaints. As a result, they have to remain silent to the injustices or misbehaviours of the instructors. They are also teased by their male colleagues.

In the police, women have been recruited at three levels: (1) Constable, (2) Sub-inspector and (3) ASP. It is alleged that the female TRCs (Trainee Recruit Constables) have often been victims of sexual torture by some officials in the academy but they did not make any formal complaints for fear of losing their jobs. On the other hand, female police officers who have entered the police service by passing the B.C.S. are not in a position to enjoy the privileges in the same way as their male colleagues do in the academy. For example, these female officers have to stay in a dilapidated, about-to-collapse, one-storey building which is often visited by rain water, snakes and other harmful insects. This building was constructed during the British period and is an annex of the main hospital building. Before it is allocated for the probationary officers, female sub-inspectors used to stay there. These officers cannot maintain communication with their relatives by telephone as there is no telephone facility in the nearby areas. On the other hand, the main officers' building where male police officers stay has modern facilities to some extent. Furthermore, the residents of this building have easier access to telephone facility.

**e. Poor Diet:** The authority allegedly makes high charge for low-grade diets. Various illegal fees are charged on officers in various ways but no receipts are given. This can be equated with toll-collection of hooligans and goons. Due to these illegal fees and charges, the officers cannot manage with their salaries, rather they have to bring money from their guardians and relatives. If any protest is raised against this illegal toll-collection, the trainees are threatened with punitive action. Instructors often tell the trainees that they need not get worried over these fees as they will earn a lot of money once they have entered their career. In this way, the police officers are trained to be the police.

**f. Independent Judicial Commission:** An independent and powerful judicial commission should be formed to investigate these crimes in the police and then considerable reforms should be introduced in accordance with the recommendations the commission makes. The rule of check-and-balance on the powers provided with the police should be established. Various problems in the police department should also be taken into account.

As a country's development depends on the healthy law and order situation, the police must be made time befitting. If the crimes in the police go unpunished and the inherent problems with them go unheeded, then there is little hope at the end of the tunnel.

### How to Get Out of this Cycle

#### a. Fixing the Salary System:

Blaming the administration system solely for the bribery and corruption in the police department is not right. The pay scale of the policemen should be made in congruence with the rising prices of the daily necessities. A policeman should be

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