

The Police and the Rule of Politics

By G.P.Joshi*

A couple of months ago, the Punjab Police raided the properties of Mr Badal, the former chief minister of Punjab. Mr Badal called the vigilance raid at his premises an act of “political vendetta.” Mr Advani called it “sheer intolerance against the opposition and against the values of democracy.” A few days ago, Mr Amar Singh expressed the same sentiment about the raids at his father’s factory in Gaziabad saying that there was an undeclared emergency under Mayawati’s rule in UP.

The raids and reactions ring a familiar bell. The scenes witnessed on TV by Indians all across the country two years ago when Mr Karunanidhi’s house was raided in the dead of night are still vivid. One public perception at that time was that Jayalalita did to Karunanidhi what was done to her earlier by the latter. Sometime ago, Mayawati had slapped charges against Mulayam Singh too. Numerous cases were registered against him by the police for offences committed when he was the Chief Minister. In the beginning of this year, the UP MLA Raja Bhaiya, who is reported to have a criminal record longer than the arm of law, faced the wrath of Mayawati. Till the other day, Raja Bhaiya considered himself above the law and this was well accepted by others, including the law enforcement machinery. This position changed the day he tried to organise a revolt of MLAs against Mayawati and failed. His residence was raided, two skeletons of murdered people were unearthed from a lake in the complex and large quantities of illegal arms and explosives were reportedly seized. Since then, the Raja of Pratapgarh has been in prison.

Whether it is Jayalalitha or Karunanidhi, Amrinder Singh or Badal, Mayawati or Mulayam Singh, the common man is not much concerned. He has more or less come to accept such events as inevitable. He has nothing but contempt for politicians and he knows that the police in this country act at the behest of the politicians in power. The general perception is that the police would always be ready to do whatever they are asked to do by their political masters. If they are asked to bend, they will be willing to crawl. It is not the rule of law but the rule of politics that prevails. Its too bad if someone becomes a victim. The police credibility is so low that even where action taken against a politician is perfectly legitimate and is as per the law, the public do not always accept it. The politician knows it and therefore always quotes scriptures and poses as a victim of political vendetta and witch hunting.

Why do we have such a police force? The police as an organised institution in this country was established by the Britishers with the Police Act of 1861. It was supposed to function as a regime police, totally subservient to the political executive and considerably distant from the community and it continued to remain so even after Independence. When the country became Independent, we adopted a democratic structure of polity, but the police as an institution and in its basic philosophy, remained unchanged. The police, set up by a colonial piece of legislation, continued to be governed by it. The transition from the colonial regime police to a democratic police has never occurred in this country. That is why it has been so easy for the politicians to manipulate the organisation for their narrow selfish ends. The

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situation has become worse during the last few decades because of increasing criminalisation of politics. The police, instead of becoming an instrument of law and service to the community, slowly but surely, have degenerated into becoming a tool in the hands of politicians to serve their selfish interests. This brings not merely law into disrepute but shakes the very foundations of the democratic system of governance.

If these ideas sound too big to our politicians, why can't they at least realise that it is in their own interests to reform the police? The police right since the Emergency days have been easily and conveniently used as a stick with which to beat one's opponents into submission. What the politicians in power forget is that the same stick can be used against them too when they are out of power. The chief ministers may come and go but the police go on forever. If it is easy for one chief minister to misuse the police for narrow selfish considerations, it is easier for his follower to do the same. What is not realised is that till the police are reformed and insulated from the illegitimate control of the politicians, nobody in this country is safe. The common citizen in this country has not always felt safe in the presence of the policeman. It is for the politicians to realise that they too can be very unsafe once they are out of power.

It is in the interest of the politicians to reform the police for another reason. The combined strength of the central and state police forces in this country is about two millions. It has not been realised that the capacity of the police to do good to society can be as great as, if not greater than, their capacity to do harm. This huge reservoir of trained manpower can do enormous good to society provided they are utilised to serve the community and not merely the elite class and people in positions of power. A professionally efficient and an honest police force can give far better returns in terms of winning public support for the political party in power than a force, which is misused for selfish purposes. A misused police force gets corrupt and brutalised and in turn abuses its powers. In the words of a very eminent and seasoned police officer of the earlier years, late Mr. P.R.Rajgopal: "When the police at different levels are used by the people in authority to break or even to bend the law to subserve doubtful ends, those concerned will have set the police on the high road to many more serious violations of law and in more important areas. Once this happens, there is no stopping the police from helping themselves in diverse devious ways." The victims in such cases are mostly the common poor persons who constitute the vote bank.

It is sad that we have not learnt our lessons from the tragic events that took place in Gujarat last year. Police reforms are simply too important to neglect and too urgent to delay.