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Policing for Social Change:
Tracing the Historical Evolution of Policing and the Role of Police in Society

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ABSTRACT

Law as an instrument of change must constantly evolve and cater to the changing social, cultural and political ideologies of the society. Policing as the enforcement agency of law, too needs to change at the same pace as that of the society. Since ancient times, modern policing has evolved and police today are looked upon as mediators in settlement of disputes and are responsible for the moral stability of the society. Sir Robert Peel's modern democratic principles of the Metropolitan Policing System introduced in the year 1829 are being followed throughout the world. However, India was never regulated by these principles during the colonial rule. The Irish colonial model of armed policing was used by the British to assert their supremacy and hold over India. It was nowhere close to the democratic model of policing of Sir Robert Peel and it violated the principle of rule of law. This colonial policing culture is still deep-rooted in Indian policing and has failed to emerge from the repressive colonial rule. The most important facet of modern policing is public trust and faith. Policing is no longer just about maintenance of law and order, but has evolved to moral guardianship and protection of human rights. Policing in India needs to reform from the colonial rule and adapt itself to improve the quality of policing. Research has proven that women in police improve the quality of policing and help reporting of sexual assaults and domestic violence as victims feel comfortable reporting to female police. This paper is a study of the historical evolution of policing and an attempt to understand the role of police in meeting the expectations of the society.

I. INTRODUCTION

As is evident, the only thing that is constant is change. Over the past centuries, history has proven that the social, cultural and political ideologies of the societies across the world are continuously evolving and are always in a process of change. Law as an instrument of social change must to cater to the changing needs of the society. Accordingly, the law enforcement

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agencies too need to function according to the changing needs and values of the society. The police as the implementers of law and the protectors of the society too need to ameliorate at the same pace as the society.

Over the past, policing too has evolved and is looked upon as an attractive and respectable profession. Recruitment, functioning and accountability of policing today is democratic in nature and Police are considered very much to be a part of the public. Unlike the ancient days, policing today involves mediation for settlement of disputes and are responsible for the moral stability of the society. The ancient European and American methods have evolved from policing being private to a public affair. Sir Robert Peeler's modern principles of policing, which were established in the nineteenth century, are now being widely followed as the Metropolitan Police System.

In India, the ancient policing system was synonymous to the military, but was restructured by the Mughals who ruled over India. During the colonial era however, the British did not follow the Metropolitan Police System in India. Instead, they followed the Irish colonial model of armed policing model by Sir Charles Napier, which was based on trade and commercial interests. The British used this model to assert their supremacy and hold over India. It was nowhere close to the democratic model of policing of Sir Robert Peel and it violated the principle of rule of law. This colonial policing culture is still deep-rooted in Indian policing and has failed to emerge from the repressive colonial rule.

The most important facet of modern policing is public trust and faith. Policing is no longer just about maintenance of law and order, but has evolved to moral guardianship protection of human rights. Policing in India needs to reform from the colonial rule and adapt itself to improve the quality of policing. Research has proven that women in police improve the quality of policing and has helped reporting of sexual assaults and domestic violence as victims feel comfortable reporting to female police.

This paper is a study of the historical evolution of police and an attempt to understand whether police reforms have met the expectations of the society.

II. POLICING AND SOCIAL CHANGE

The original model of policing which was introduced in the first half of the nineteenth century in the United Kingdom, has influenced policing throughout the world. This model has undergone many reforms till date due to the rapid and continuing social changes. The ideologies and structure of policing however, have not kept up with the pace of these social changes. Thus the police have to face the pressure to adapt to the social changes and at the

same time manage the contradictory and conflicting demands expected from them. The conflicting demands suggest that the dynamic process of policing cannot be clearly understood without a thorough analysis of the history of policing, because originally, police were selected from amongst the members of the public. Today, it cannot be said that the police are part of the public[3]. According to a survey conducted across England and Wales, police may not be mainly responsible for crime and safety. Instead, they are looked upon as 'moral guardians' of social stability and order. They are responsible for upholding community values and informal social controls.[4]

The Definition of Police

To understand the interconnection between Policing and Social Change, it is important to understand the meaning of the word "policing" in its true sense. The word is derived from the base word "police".

The Oxford dictionary defines 'Police' as an official organization whose job is to make people obey the law and to prevent and solve crime; the people who work for this organization.[5]

The Cambridge dictionary defines 'Police' as the official organization that is responsible for protecting people and property, making people obey the law, finding out about and solving crime, and catching people who have committed a crime.[6]

The Merriam Webster defines 'Police' as the department of government concerned primarily with maintenance of public order, safety, and health and enforcement of laws and possessing executive, judicial, and legislative powers; it is the department of government charged with prevention, detection, and prosecution of public nuisances and crimes.[7]

According to Schedule A, Glossary of Expressions of "The Police Pensions Regulations 1987" of the United Kingdom, "regular policeman" means—

(a) a member of a home police force who is not an auxiliary policeman;

(b) an overseas policeman who is a reversionary member of a home police force;

(c) an inspector or assistant inspector of constabulary appointed on or after 1st August 1964;

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[3] CORNS, C., 1988. Policing and Social Change. *The Australian and New Zealand Journal of Sociology*, 24(1), pp.32-46.
[4] JACKSON, J. and BRADFORD, B., 2009. Crime, policing and social order: on the expressive nature of public confidence in policing. *The British Journal of Sociology*, 60(3), pp.493-521.
[5] Oxfordlearnersdictionaries.com. 2021. *Oxford Learner's Dictionaries | Find definitions, translations, and grammar explanations at Oxford Learner's Dictionaries*. [online] Available at: https://www.oxfordlearnersdic tionaries.com/definition/english/police_1?q=Police
[6] https://dictionary.cambridge.org/dictionary/english/police
[7] https://www.merriam-webster.com/dictionary/police

and

(d) a central police officer;[8]

Section 2(11) of The Maharashtra Police Act, 1951 defines "Police Officer" as any member of the Police Force appointed or deemed to be appointed under this Act and includes a special or an additional Police Officer appointed under section 21 or section 22.[9]

- **Origin of Policing:**

One of the earliest known methods of policing was 'kin policing', wherein members of a family, tribe or clan enforced their set rules and customs in an informal manner. Every such member had the authority to set the rules for the respective tribe or clan. Anyone who deviated from these rules or customs was dealt with very harshly. This method of policing changed during the rise of the Greek city-states and the Roman Empire, and law enforcement evolved from a private affair to a public one.[10] The word police, which is derived from the Greek word "polis", meaning "city," reflects the fact that protopolice were essentially creatures of the city, to the limited extent that they existed as a distinct body.[11]

However, ancient policing did not always involve coercion, but involved interpersonal mediation to settle disputes. The people who carried out the functions of policing were different from the ones who were given the legal responsibility of policing. The higher authorities belonged to the socially elite class. They hired people from the lower class belonging to diverse backgrounds for policing, as policing was considered to be a lowly occupation in ancient times. In those days, the police performed a wide variety of tasks, such as collecting garbage, firefighting, etc. which had little connection to crime-prevention and crime-control.[12]

- **History of Policing:**

Ancient period: The first police organization was created in Egypt in 3000 BCE where the Pharaoh appointed one officer for each of his 42 jurisdictions who was responsible for justice and security. These officers were assisted by a chief of police, who were mainly in charge of collecting taxes, among other duties. In ancient Greece, policing was assigned to magistrates. Their responsibilities included upkeep and cleanliness of the city, order in marketplace, honesty in measuring standards, etc. For the external security of the state, the magistrates relied on the

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[8] https://www.legislation.gov.uk/uksi/1987/257/introduction/made
[9] http://bareactslive.com/MAH/mh189.htm
[10] WORRALL, JOHN ; SCHMALLEGER, F. *Origins and Evolution of American Policing* https://www.pearsonhighered.com /assets/ samplechapter/0/1/3/3/0133028313.pdf
[11] https://www.britannica.com/topic/police
[12] https://www.britannica.com/topic/police/The-history-of-policing-in-the-West

military. The Scythian slaves purchased from the Greco-Persian Wars were in charge of maintaining peace and order in public places and gatherings. In ancient Rome, people from the lower classes, like slaves, citizens of low birth, some with criminal pasts were recruited as police operatives. Romans were reluctant to prevent and prosecute crimes as it was considered to be a civil tort, which was to be resolved between private parties.[13]

Emperor Caesar Augustus, in 7 BCE, divided the city of Rome into 14 regions. Each region consisted of precincts, which were monitored by "vicomagistri", who were responsible for fire protection and other administrative and religious duties. In 5 BCE, after the collapse of the Western Roman Empire, the Eastern, or Byzantine, Empire retained some of the older Roman institutions, wherein the main duty and the specific responsibility of the policing authority was overseeing the large population of foreigners that resided in the capital.

Medieval period: In England, the earliest policing system, which precedes the Norman Conquest in 1066, was community-based and implied collective responsibility. The Statute of Winchester of 1285 which codified the system of social obligation, was known as the frankpledge system. This was a semi structured system in which groups of men were responsible for enforcing the law. 10 men from a community would form a group called "tithing". 10 such tithings were grouped in hundreds, and these were further grouped into "shires". One person was chosen as a head of every shire and was called the "shire reeve". Every member of the tithing had the responsibility of capturing criminals and presenting them before court. The shire reeves provided other services including keeping a watch on the activities of the members of the tithing.

A similar system prevailed in which constables, sheriffs, and citizen-based watch groups were responsible for policing in the colonies. But these watch groups were not capable of dealing with the increasing social unrest and rioting that were on a rise in both England and Colonial America in the late 1700s and the early 1800s. It was at this point, that police departments funded by the public began to appear in England and Colonial America.

Modern period: During the early 16th to early 19th century, some groups of merchants, insurers, traders, church members, etc. recruited private individuals as protectors of their property and person. Especially in the 1820's, the city of London experienced a spate of extraordinarily brutal crimes of violence.[14] In spite of a history of crimes since the start of the

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[13] https://www.britannica.com/topic/police/The-history-of-policing-in-the-West
[14] GOLDFARB, J., 1968. Christopher Hibbert. The Roots of Evil. A Social History of Crime and Punishment, Boston and Toronto: Little, Brown and Company, 1963, p. 524. *Journal of the History of the Behavioral Sciences*, 4(1), pp.86-87.

early 18th century,[15] the idea of having a police force as an agency of the executive government was always rejected. Because there was fear that such an agency would have a bias towards the executive branch of government, leading to a suppression of the civil liberties. But the reformers in England began to call for the creation of a permanent body of men who would be in charge of policing under the supervision of the higher authority of the state.

In 1829, Sir Robert Peel, the then Home Secretary of England, introduced the Bill for improving the police in and near the Metropolis to Parliament. This Bill became the Metropolitan Police Act, with the object of creating a police force to manage the social conflict resulting due to the fast urbanization and industrialization in the city of London. Peel's vision created the London Metropolitan Police on September 29, 1829, which is identified as the first modern police department by both historians and scholars. Sir Robert Peel is referred to as the father of modern policing, due to his contribution in creating this department, and laying down the foundation of the general principles in policing, that would later guide the formation of police departments in the United States. In the United States early on, churches supervised crime control, though without a formal criminal justice system. As more colonists moved to the United States, they brought knowledge of English criminal codes, law enforcement agencies, and methods of punishment, and they adapted them to serve the needs of their new communities.[16]

III. IMPORTANCE AND NEED TO STUDY POLICING

The study of policing history is important because, for better or for worse, history often repeats itself. It is for worse when decisions are made in a vacuum, without consideration for those who have faced the same problems before. The failure to acknowledge what was once tried without success leads to a costly recurrence of past blunders.[17]

In view of the emerging historical scholarships and commentaries to understand the criminal justice history, a reexamination of Peel's principles of policing, their content, and purpose is the need of time. Peel's principles have been particularly important because they are often used in modern criminal justice education as the 'grandfather' of today's practices, as a way of showing how and when policing became logical, intelligent and judicious.[18]

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[15] MULLETT, C., 1957. A History of English Criminal Law. Leon Radzinowicz. *The Journal of Modern History*, 29(4), pp.372-373.

[16] WORRALL, JOHN ; SCHMALLEGER, F. *Origins and Evolution of American Policing* https://www.pearsonhighered.com/assets/samplechapter/0/1/3/3/0133028313.pdf

[17] WORRALL, JOHN ; SCHMALLEGER, F. *Origins and Evolution of American Policing* https://www.pearsonhighered.com/assets/samplechapter/0/1/3/3/0133028313.pdf

[18] LENTZ, S. and CHAIRES, R., 2007. The invention of Peel's principles: A study of policing 'textbook' history. *Journal of Criminal Justice*, 35(1), pp.69-79. https://doi.org/10.1016/j.jcrimjus.2006.11.016.

- **Rule of law:**

The blindfolded Themis is the universally recognized symbol of law, representing impartiality of law. Laws that are prejudicial and contrary to the rule of law, violate the principle of all being equal before law.[19] Rule of Law implies a mechanism or norm that protects equality of all citizens before law and prevents arbitrary actions and abuse of power by the government. The basic ideal of the rule of law is that the people in position of power must exercise their powers within the legal framework of public norms and not on their own ideologies or their individual sense of right and wrong. Rule of Law is violated when the norms that are applied by officials do not correspond to the norms that have been made public to the citizens, or when officials act on the basis of their own discretion rather than norms laid down in advance.

Among the Rule of Law nations, the United States stands out as a standard bearer because America embodies human existence and human rights at its very best. The principle of Rule of Law is based on the presumption of equality that is intrinsic in human rights. The Rule of Law is subjected to both parties, the ruled and the ruler, like the human rights, which extends equitable principles to all humans, regardless of ethnicity, age, race, or sex.

IV. POLICING AND THE UNITED NATIONS

The first ever reference to the United Nations Police Services was suggested by Secretary-General, Trygve Lie in 1948. The United Nations Police was first deployed in Congo in 1960 followed by a peace-keeping operation in Cyprus in 1964. The demand for peace-keeping operations by the United Nations Police increased and by 1994, 1677 United Nations Police were deployed in peace-keeping operations. They were then called Civilian Police or CIVPOL. It was in 2005 that their name changed to United Nations Police. The Civilian Police Unit, created in 1993 became the Department of Peace Keeping Operations. Based on the recommendations in the Brahimi Report, 2000, the Department of Peace-keeping Operations formed a part of the Office of Rule of Law and Security Institutions. Following the Brahimi Report, the General Assembly created the United Nations Standing Police Capacity, to assist police components in new and existing missions. In 2009, the United Nations launched a global effort to increase the participation of female police officers in the national police services. The various reports presented by the Secretary Generals on United Nations policing, stress the important contribution that the United Nations policing can provide in peace-keeping, political missions, the strengthening of the operational and policy coherence of United Nations policing

(https://www.sciencedirect.com/science/article/pii/S0047235206001449)
[19] MAOGOTO, J. and SHEEHY, B., 2021. *Torturing the Rule of Law: USA and the Post 9-11 Legal World.* [online] Core.ac.uk. Available at: <https://core.ac.uk/display/216992605> [Accessed 21 June 2021].

within the United Nations system, the strengthening of partnerships between the United Nations and international, regional and sub regional organizations.[20]

The Secretary-General, in his report to the Security Council, defined the vision for a people-centered, modern, agile, mobile and flexible, rights-based and norm-driven United Nations police.[21] The mission of the United Nations police is to enhance international peace and security by supporting Member States in conflict, post-conflict and other crisis situations to realize effective, efficient, representative, responsive and accountable police services that serve and protect the population. [22] United Nations police pursue community-oriented and intelligence-led policing approaches to contribute to the protection of civilians and human rights; address, among other things, sexual and gender-based violence, conflict-related sexual violence and serious and organized crime; and conduct investigations, special operations and electoral security. The United Nations Police occupy a unique role among the world's police, with about 11,000 men and women from over 90 countries serving on the frontlines in 14 peace operations (figures as of August 2020). They are deployed as formed police units, individual police officers, which include specialized teams, contracted seconded police and civilian experts, which are deployed in United Nations peace operations.[23]

The mission of United Nations Police is to strengthen international peace and security by assisting Member-States in conflict, post-conflict and other crisis situations. Its goal is to realize effective, efficient, representative, responsive and accountable police services that serve and protect the population. United Nations Police build and support or, where mandated, act as a substitute or partial substitute for host-State police capacity to prevent and detect crime, protect life and property and maintain public order and safety, in adherence to the rule of law and international human rights law.[24]

V. POLICING IN INDIA

The concept of rule of law and administration of justice has existed in India since the recognition of the Vedas, as they were considered to be an element of Dharma. Certain evidences indicate the presence of security forces even during the Harappa period. The Mauryan and the Gupta periods too exhibit some important features of policing. Kautilya's "Arthashashtra", a treatise on the criminal justice system, is like a manual for the police during

[20] https://police.un.org/en/our-history
[21] https://police.un.org/en/report-of-secretary-general-united-nations-policing-2016
[22] https://police.un.org/en/report-of-secretary-general-united-nations-policing-2016
[23] https://police.un.org/en/mission-of-un-police
[24] https://police.un.org/en

modern time. The concept of crime that prevailed in ancient India was classified by Manu into eighteen heads which included assault, defamation, theft, robbery, adultery, violence, gambling, and betting. In the Manusmriti, there is a reference to the prevention and detention of crime being the main function of the police. There are glimpses of policemen on patrol security in Valmiki's Ramayana.**[25]**

- **History and origin of policing in India:**

The origin of policing could be traced back to the earliest stages of human development, where humans transformed from a savage state to the civilized state. The policeman in man was born in the earliest times when humanity started emerging from animalhood and began to think and reason out its actions. The need for self-implementation was realized and the policeman in humans showed them the path of wrong and right. Humans thus evolved into social policemen. Their police consciousness was developed through continuous analysis and vigilance of their own actions. As families expanded into tribes and races, and further expanded into nations, the concept of State emerged, with the king as the leader. [26]

The ancient police structure, which was synonymous with the military, was limited to cities associated with fortresses. In the medieval period, influential and criminal groups and castes were designated by sovereigns to maintain order in the cities.

The roots of the present police system in India can be traced down to the structure developed by the Mughals in the seventeenth century, which was later borrowed by the British. Till the nineteenth century, the British limited their interest in India only to trading. It was only after the battle of Plassey that they emerged as the de facto ruling power. When the British came to India as a trading class, they followed the existing system of order maintenance, but when they assumed colonial powers, they tried various policing models, all of which were ineffective until the establishment of the commissionerate system in some cities in the late 1800's. Under this system, the commissioner of police had powers to restrict citizen movements; arrest, detain, and extern offenders; regulate traffic; and exercise general restrictive and regulatory powers. This system was commended and extended in the post-independence period.[27]

- **Colonial concerns:**

The police organization in India is still governed by the Police Act, 1861 which was enacted in

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[25] SHARMA, ANUPAM, 2004. "POLICE IN ANCIENT INDIA." *The Indian Journal of Political Science*, vol. 65, no. 1, pp. 101–110. JSTOR, www.jstor.org/stable/41855800. Accessed 15 June 2021.

[26] MISHRA, K., 1987. *Police administration in ancient India*. Delhi, India: Mittal Publications.

[27] CHATURVEDI, S., 1985. *Metropolitan police administration in India*. Delhi: B.R. Pub. Corp.

a manner to serve the interests of the British rulers at that time. The object of this enactment, which was designed by the colonial power, was to suppress the people and to keep them in fear of the police. Until the middle of the nineteenth century, there was no satisfactory police system in India. The absence of a well-organized police system made the task of maintaining law and order extremely difficult. This also affected the safety of the trade routes that were being utilized by the British for trading in India.

The modern police system devised by Sir Robert Peel in London, in the early nineteenth century, was receiving remarkable success throughout England. The Metropolitan Police System of London was being followed by the American cities. However, the British were not willing to extend this system to their colonies. For the colonies, they created another model called the colonial policing system that was originally developed in Ireland, which was based on the Royal Irish Constabulary. The credit of adopting this colonial policing model in India goes to Sir Charles Napier. This model was based on considerations of trade and profit. It was used only for the commercial interests of expanding capitalism in search for new markets and resources. The British rulers persuaded their colonial population that they were not adequately advanced to sustain their own judicial practices and procedures for law enforcement. Their policy was thus to ensure imperial rule by using law as a weapon.[28]

The colonial policing model of Ireland was designed for a foreign land, which describes the influence of the colonial model in the development of the armed police in India, used for maintenance of law and order rather than the prevention and detection of crime. This is in contrast to the Metropolitan Police system. Though the colonial model was successful in protecting the then commercial and political interests of the British, it does not serve the recent needs of India. For dealing with underlying social problems, democratic ideals and freedom, a civilian model is required to be developed.[29]

- **Use of Police by the British:**

The British imperial rule used police to establish the British supremacy and were unsympathetic towards the Indians. They were used to create horror and loot India's wealth, by serving as watchdogs of the Zamindars. The Indian Council Act, 1961 created the foundation for modern professional police bureaucracy in India, but it sharply opposed the principles of democratic policing propounded by Sir Robert Peel, which were being followed throughout the world. Indian imperial police was open to Indians only in the 1920s, however

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[28] VERMA, ARVIND 2005 The Indian police: A critical evaluation. Daya Books.
[29] DAS, D. and VERMA, A., 1998. The armed police in the British colonial tradition. *Policing: An International Journal of Police Strategies & Management*, 21(2), pp.354-367.

the senior posts were reserved exclusively for the British. Although the imperial policing has changed to Indian policing post-independence, the ancient colonial culture has been inherited and is still deep-rooted in Indian policing. It has failed to emerge from the repressive colonial rule and still uses threat and physical torture as a strategy for investigation of crimes and the enforcement of laws. The police culture in India has failed to adopt policing through the consent and participation of the public.[30]

As an agency of state oppression and surveillance, the police were vital to Britain's attempts to hold on to power in India. Policing was the bulwark of the British Raj. This was apparent by the systematic use of police against the Indian National Congress during the agitation of the 1920s and 1930s.[31]

- **Police administration in India:**

India still displays most of the colonial traits of policing which it inherited as a colonial legacy from the British rule in India. The colonial police force was answerable to colonizers and had to secure the interests of the colonizers and not of the people. They were meant to control, rather than protect the community, and were trained to remain distinct from the community. They were required to function in a hierarchical structure making sure that they were loyal to the regime rather than to the rule of law.[32]

After 1860, there were two methods of recruitment of senior police officers. First by the appointment of officers from the British Army, and second, by nomination from amongst younger sons of landed gentry in the United Kingdom. Both these methods were abolished in 1893. The recruitment of officers was later done through a competitive exam held in London which only the Europeans could take. Later, after 1920, the imperial forces were open for the Indians through entrance examinations. Despite the pronouncements and recommendations, Indianisation of the police services remained very slow. More Indians started getting appointed to the services later, due to the non-availability of Europeans. India adopted the 1861 system after independence without any alterations.[33] David Potter, in an article, has suggested that the end of British Raj in India may have been caused due to a shortage of manpower in the Indian Civil Service (ICS).[34]

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[30] RAVIKUMAR, AISWARYA, and M. RAHMATHULLAH, 2020, "REVOLUTIONIZING COMMUNITY PERSPECTIVES ABOUT INDIAN POLICE." Delivering Justice: Issues and Concerns

[31] ARNOLD, DAVID, 2017, "Police power and the demise of British rule in India, 1930–47." *Policing and decolonisation.* Manchester University Press.

[32] ULLAH, FARHAT, et al., 2016 "Factors influencing police image in public (a study of university students' perception in KPK Pakistan)." *Pakistan Journal of Criminology* 8.3 (2016): 134.

[33] https://blog.ipleaders.in/police-policing-india-historical-perspective/amp/

[34] POTTER, D., 1973. Manpower Shortage and the End of Colonialism The Case of the Indian Civil

During the early twentieth century, the inefficiency and weakness of the British policing methods caused resentment among the population of colonial India. It was not so much the violent use of the Indian Police Service, but the discontent of the policing methods that led to dissatisfaction among European and Indian officers and constables. Yet, all through this period, police remained the most important connection between the Europeans and Indians, and were a channel for social exchange as well as a point of bitter dispute.[35]

Under the current structure of policing in India, the subject of Police is governed by the States as per the Schedule VII, State List of the Constitution of India. States draw rules, regulations and guidelines for the police in the state police manual, which is fairly uniform in all the states in India. Director-General of Police (DGP) is the head of the police force in a state. A state is further divided into several zones, ranges, and districts. An officer of the rank of the Superintendent of Police (SP) heads the district force. An officer of the rank of Deputy Inspector General of Police (DIG) heads a group of districts forming a range. Zones, which are composed of two or more ranges, are headed by the Inspector General of Police (IG). Districts are further divided into sub-divisions like circles and police stations. These sub-divisions are headed by officers of different ranks. The district police are also divided into two branches, the civil police and the armed police. The civil police mainly controls crime, and the armed police deals with law and order situations. The armed police is also the reserved police of the district, in cases of emergency situation.[36]

VI. ROLE OF POLICE IN SOCIAL CHANGE

According to the views of many social critics, it is said that the police are agents of the ones in power and would act in a manner so as to perpetuate the regime of those in power. Nevertheless, a distinction can be made in the role of the police when laws of the state are made through a democratic process, which are intrinsic in the Universal Declaration of Human Rights. Over the past centuries, police power has been restricted to constitution, laws, policies and mass media. The development of the rule of law and the autonomic bureaucracies in policing have controlled/ limited the political pressures.[37] Police power as such is undefined and indefinable. To identify any act of the government as an exercise of police power means to insulate it from

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Service. *Modern Asian Studies*, 7(1), pp.47-73. doi:10.1017/S0026749X00004388.

[35] CAMPION, D., 2003. Authority, accountability and representation: the United Provinces police and the dilemmas of the colonial policeman in British India, 1902–39*. *Historical Research*, 76(192), pp.217-237 https://doi.org/10.1111/1468-2281.00173

[36] https://www.prsindia.org/policy/discussion-papers/police-reforms-india

[37] MARX, GARY T. 2000, "The police as social change agents? The curious case of Poland's transition." *Social Justice* 27.2 (80: 106-112.

serious constitutional scrutiny.[38]

August Vollmer, Berkeley's first police chief, who is known as the Father of modern American policing,[39] published an article in a police journal entitled "The Policeman as a Social Worker", which was later paraphrased as Vollmer telling the new officers: *"You're not to judge people; you're just to report what they do wrong. Better still, you can prevent people from doing wrong; that's the mission of a policeman. I'll admire you more if in the first year you don't make a single arrest! I'm not judging you on arrests. I'm judging you on how many people you keep from doing something wrong. Remember you're almost a father-confessor; you're to listen to people, you're to advise them".*

In spite of being a model of modern police professionalism, Vollmer's model was criticized because it is contended that in Vollmer's model there was a conflict between the detached stance of policemen and the continuing need for policemen to adjust to the social flux in the community. There was a growing dissatisfaction among the critics about relying on the police for coping with social problems. However, present public expectations do not justify the continuance of a model that is founded upon detachment from social change and the preselection of priorities and police goals.[40]

One cannot expect miracles from the legislature if the role of the police is considered to be the regulation of the deviant behavior of the society. The main purpose of police is to enforce legislation and not to regulate deviant behavior. When this purpose in understanding the role of the police is clear, the role of the legislature can be perceived more clearly. Only then it becomes sensible to expect, that the responsibilities of the legislature are fulfilled.[41]

Considering the large size and the diverse culture, the role of police in India is extremely significant. They affect everyone and everything in the society, provide security to people and enforce laws of the country. The police are the ones who implement the democratic decisions in the country. Considering the extensive social conflicts and rise in crimes, the role of police in the stability of the country is extremely important.

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[38] HERBERT, S., 2006. The Police Power: Patriarchy and the Foundations of American Government. *Journal of American History*, 93(1), pp.196-197.

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- **Women in police force as agent for social change**

In most of the religions of the world, women were given an inferior status and were placed in positions which gave men rights over them. Manu, the ancient Indian law-giver opined that women were seducers who led astray not only foolish men but also scholars. Adi Sankaracharya, the Indian philosopher called women a gateway to hell and poison in the shape of nectar. During the Victorian era in England, women were always ruled by their fathers and husbands and referred to as chattel. It is only now, after industrialization and technological development that the gender discriminations are changing. However, it cannot be said that complete gender equality has been achieved. According to the report of the World Conference on the UN Decade for Women, July 1980, even though women represented 50% of the population, and one third of the labour force, they performed two-thirds of working hours, received only one-tenth of the world income and less than 1% of the world property. A survey by the London Metropolitan Police states that women are under-represented in in politics, judiciary and law enforcement.[42]

In an article, En-gendering the Police, Cecilia Mac Donald Santos analyses the relationship between policewomen and the feminists in the city of Sao Paulo in the 1980s which initiated the feminist police in Brazil. Violence against women was criminalized in Brazil only in the 1970s. Until then, wife-murders were rampant in Brazil. The author illustrates the contributions and contradictions in institutionalizing a gender-based agenda by creating women police stations. The women's police station set up in 1985 in Sao Paulo, Brazil was the first of its kind in the world. This was possible due to the pressure from the local and international social movement organizations of Women state actors, feminist academicians and activists and the United Nation. The author focuses on the political conjuncture, the masculine police culture and the interaction of policewomen with women on women police stations. The author insists that the political conjunctures are important in shaping the actions of the State and in capturing the relationship between the State and the society.[43]

With all the peer reviewed documentation available at hand, there is sufficient evidence that forms of gender bias and discrimination in law enforcement agencies still exists. Enforcement agencies must ensure that concrete methods of recruiting women into police profession and attracting prospective women officers are employed.[44]

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42. SEN, S., 1993. Gender Bias in Law Enforcement. *The Police Journal: Theory, Practice and Principles*, 66(3), pp.310-315. doi:10.1177/0032258X9306600312

43 SANTOS, C., 2004. En-gendering the Police: Women's Police Stations and Feminism in Sao Paulo. *Latin American Research Review*, 39(3), pp.29-55.

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- **Need for women in Police:**

The need for women in police was first felt in 1845 in New York for handling women and girls held by the police. In India, women were first appointed as police in 1938 at Kanpur during the labour strike. Due to the rapid socio-economic changes in India, the role of women has faced a new dimension. The quality of policing has improved because of female officers. The escalation of domestic violence has reduced as more and more cases are reported. There have been models driven for female police employment and affirmative action plans. A study conducted in the United States of America between 1970 and early 1990 revealed that the effects of female integration in a traditionally male dominant profession of policing affected the behavior of the crime victims and potential offenders. Increase in the female representation of police through plans and quotas helped improve cases of sexual assault and domestic violence because, the victims felt comfortable reporting to the female police officers.[45]

VII. REFORMS IN POLICING

In the words of Prof. D.H. Bayley, a renowned US expert in criminal justice: "A police force is as good as the public thinks it is." In order for the police to continue its efficiency, a lot more funds will have to be provided to increase their mobility, response and welfare. The constable, who is at the lowest rung of the hierarchy, will have to be more educated and self-dependent. Unless the cutting-edge police are developed as an instrument of social change, the force will continue to be dependent on directions from the senior echelons, which may not be available in all situations on the beat.[46]

Article 28 of the Universal Declaration of Human Rights states: "everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized". To help achieve social and international order is the role of the police. The police must uphold the laws that safeguard the lives of citizens. Policing means protecting human rights and there should be no conflict between human rights and policing.[47]

Police reform requires a much deeper understanding of the notion of trust and its relationship to policing. The main concern of police reform is establishing trustworthy police agencies,

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[45] MILLER, A. and SEGAL, C., 2018. Do Female Officers Improve Law Enforcement Quality? Effects on Crime Reporting and Domestic Violence. *The Review of Economic Studies*, 86(5), pp.2220-2247. Available on *https://doi.org/10.1093/restud/rdy051* Accessed on 20 Oct. 2019

[46] AUJLA, G., 2021. *Develop police as instrument of social change*. [online] Tribuneindia News Service. Available at: <https://www.tribuneindia.com/news/comment/develop-police-as-instrument-of-social-change-86268> [Accessed 21 June 2021].

[47] 1999. *46. "A New Beginning: Policing in Northern Ireland",* [online] Available at: <http://cain.ulst.ac.uk/issues/police/patten/patten99.pdf.> [Accessed 21 June 2021].

because the position of police, as far as the ordinary citizens are concerned, is one of power and control. These powers of the police, their mandate, police training and traditions make the police 'inherently offensive'. These powers are unevenly distributed across the population, and therefore privilege the position and power of the police. This places them in a position of formal public trust, whether or not their actions concur with their official responsibilities. Thus, there can be a mere relationship of formal trust but no actual trust. When trust in policing is absent, it indicates that the police are not eligible for that trust. The basic and grave considerations of police reform are police accountability, human rights abuses and neglect of basic citizen safety.[48]

VIII. CONCLUSION

The British system of policing in colonial India was created to exercise political control and surveillance rather than to control crime and provide services. [49] The present organization of the Indian Police system and its structure are based on the Police Act of 1861, which is 160 years old. The working of the police has been analyzed twice during this period. The first was the Indian Commission of 1902-03 during the British regime and the second was in 1977 by the National Police Commission. In both the cases, the police were found to be far from efficient, defective in training and organization, lacking in public relations, welfare measures, machinery for redressal of grievances, etc. and policing was generally regarded as corrupt and oppressive. Many committees have been formed pre and post-independence for bringing about reforms in police, but to no avail.[50] Even after 73 years of independence, we lack a good and satisfactory police administration system. There is still a need for the refocusing of attitude and approach on the part of the police.[51] Mechanisms are needed to involve police with the non-police elements such as civil society and NGO's. In that sense, there is a dire need to introduce a model like the community policing that could do away with the outdated colonial system of policing.[52]

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[49] Verma, Arvind. *The Indian police: A critical evaluation*. Daya Books, 2005.
[50] History of Police Reforms in India – satyamevjayate.in
[51] https://www.humanrightsinitiative.org/blog/the-police-we-have-and-where-it-came-from-an-analysis
[52] SHARMA, LAXMI. "Police Reforms: Initiatives and Impediments (Accountability For The Indian Police)."