

Q In Pakistan, the creation of Police force is a Colonial legacy. In which circumstances independent Police force was established in the pre-independence era. What major changes have been occurred in the Police department in Pakistan?

1) Introduction

In order to maintain law and order the country require a force that can protect the soft image of the country. In Pakistan the department of Police is a colonial legacy that was established during British Rule. Since independence Police department has underwent significant changes, changing in roles and responsibilities of the system.

2) Police : A Body to Protect law and order

The Police is a civil force who is responsible for the maintenance of law and order in the country. It is an official organization to protect people and property, make people obey law, find out about crime and solve criminal cases. In Pakistan Police operates

3 according to two laws: The Police Act of 1861 and the Police order 2002

2) Pakistani Police force: a colonial legacy

As a colonial legacy, Pakistan inherited the Police organization from British India, still displaying much of its colonial characteristics. The colonial Police force considered itself responsible for the needs of the colonisers and their bureaucracy, not those of the people, and tried to protect them. Instead of defending the society they were supposed to monitor the population. After the Indian Rebellion, Indian Police Act was passed in 1861, establishing a hierarchical Police force that was modelled on the British Police system. The Act laid out the framework for the recruitment, organization, and management of the Police force in India. It also introduced model Policing methods, such as the use of fingerprints as a means of identification and the establishment of forensic laboratories.

3.1) Police Reforms after Post 1947

The importance of Policing in Pakistan was felt by the founding fathers and hence the first change was introduced in 1948 by Muhammad Ali Jinnah. Thereafter, various reforms were made by various governments.

4.1) The 1951 Reforms

The 1951 reforms Committee was headed

by Sir Oliver Gilbert Grace, who recommended a change in the Karachi Police setup, becoming the 1st Committee to bring changes in the affairs of the Police system in the country.

4.2) The 1960-1961 Reforms in the Police system:

In the year 1960, a Commission of Pakistan Police was which was led by Justice J.B. Constantine visited India for analyzing and devising a model for the Karachi Police. However, no such recommendations were approved due to shift of capital to Islamabad.

4.3) 1961-1962 Reforms:

The mentioned reforms were made by Justice Cornelius through Pay and Services Re-organization Committee. The Committee worked for introducing the metropolitan police system in Lahore and Karachi but failed to initiate any action in this regard as stated by Suddle (2002). Another reason was the imposition of martial law by Ayub Khan that affected the role of Police in effective management of the rule of law.

4.4) Reforms of 1968-70:

According to Suddle (2002), the first major change was introduced by Major General A.O. Mitha where he separated the Superintendent of Police from the control of the District Magistrate. The powers of both were redefined to work separately.

and independently. This reform brought change in the administrative structure of police system in Pakistan.

4.5) Reforms in Police in 1972:

In 1972, the government was interested to bring change in police system at the federal level to deal with the issues of currency, narcotics, smuggling, illegal immigrants and issues related to passport etc. In this regard, Mr. G. Ahmed (a senior civil servant) gave recommendations for federal level police organization to the government which consequently, in 1975, led to the formation of the Federal Investigation Authority to deal with such issues. Several police officers were sent to home due to the implementation of the mentioned reforms but still, the system was under the influence of the political pressure (Crisis Group Asia report, 2008).

4.5) Police reforms in 1976:

In 1976, reforms were introduced in the existing police system of the time and various committees were constituted for this purpose. In this regard, according to Suddie (2002), a Police Station Enquiry Committee was convened by M.A.K. Chaudhry and Chaudhry. Fazal Haque was appointed to head the law and order subcommittee, as well as a Police reform committee worked under Rafi Raza. Similarly, police training was also given full consideration in terms of foreign visits and training programs. Special services of Mr. Crites were obtained for training of police system.

4.5) Reforms of 1981-83:

During 1981 Orakzai Committee was constituted for probing the issue of Police welfare, Promotion and devising the seniority Rules for Police system. It was in the year 1982, that the cabinet committee on the Emoluments of SHO was formed. Further, in 1983, again the cabinet committee to determine the status of SHO was constituted while in 1982-83 another committee known as Sahibzada Rauf Ali committee was formed to study improvement in the status of Police system and to provide trainings and logistics for smooth functioning.

4.6) Reforms in 1985:

During Zia Period (in 1985) a committee under the supervision of Mr. Aslam Hadrat, was constituted (known as the 1985 Police committee) where the said committee gave its recommendations for promotion of metropolitan Policing and Police system for 50 thousand and more people. Besides, during 1987, the government sent an official delegation to India & Bangladesh to study Police system that recommended the metropolitan type of Policing in all big cities of the country. However, due to non-continuity of the government, no such improvement came in the system.

4.7) Police Reforms in 1989-1999

During the time of Benazir Bhutto again an attempt was made to revive Police system by observing the system of India and Bangladesh and in this

course of time the abolition of Police Act of 1861 was suggested. This suggestion was also given by Richard Barratt and colleagues, in their visit to Pakistan in 1990. During 1990, the M.A.K. Chaudhary, the committee for police reforms also proposed the conversion of the Capital Police into a metropolitan force on emergency basis while in the year 1995, the UN inter regional Advisor for crime prevention and Criminal Justice for Pakistan recommended the introduction of police reforms by the political leadership at various levels including both the rural and urban areas. In the year 1998, the Good Governance Group on the Police Reforms or the Police Committee vision 2010 recommended meritocracy in the police system. While government of Pervez Musharraf proposed a National Reconstruction Bureau which introduced several reforms.

4.8) The Police Reforms from 1999 to the Present:

According to Suddie in the year 2000 during the Musharraf era, a focal group was assigned the task for reforms in the police system. The committee submitted its findings to the National Reconstruction Bureau and it was for the first time in the year 2002, the new Police order was implemented to replace the 1861 Police Act. Major changes were made in both at the administrative as well as functional aspects including accountability at all levels. Besides, by the then president in 2004, introduced major changes in Police Order 2002 for legal mechanism while in the year 2009 Police Order

2002 lost the Presidential Protection (due to Sixth Schedule of the Constitution).

4.9) So far Major changes in the Police Department in Pakistan:

Soon after independence, Pakistan established its own Police force named Pakistan Police Services (PPS). The concept of Community Policing was established, due to ongoing challenges such as terrorism, street crimes, and organized crimes. One of the key components of this is the establishment of the police-community liaison committees (PCLCs) which are composed of local community members that work in collaboration with the Police to control crimes. Besides, in order to make Police department of Pakistan more effective the government ordered the formation of specialized units that deals with specific crimes, such as terrorism, cybercrimes, and narcotics. Moreover, Bureau of Police Research and Development (BPRD) which was established in 1977, renamed in 2004. It is headed by a Director General reporting to the Minister of the Interior. This department, now known as National Police Bureau (NPB), makes sure the development and implementation of national policies. Furthermore, in the wake of terrorism CID department was reconstructed as Counter Terrorism Department (CTD) under the umbrella of the National Action Plan 2015. After the 18th Amendment, the improved technology, including CCTV cameras, computerized systems for record keeping, and digital communication tools, is implemented.

5) Critical Analysis

In critical examination, despite improvements, due to the war on terror and increased militancy, most of the Police Services have been reserved to protect politicians or other dignitaries. Such involvement of the Police force has once again revived the old traditional practice of the colonial regime. The Police are providing services to the political masters of the country and there is no such concern about the public services at all. The reason behind this includes a lack of competency, lack of transparent and honest Policing in Pakistan and Political interference. Moreover, the influence of corruption thrives in such an environment, in which the Police are used as an instrument of suppression rather than a service to the people. Similarly it is beyond the Political will to establish a neutral Police force, there is a critical need to review the archaic Police structure, which stifles Professional advancement.

6) Conclusion

In conclusion, despite changes and establishment of specialized units, the Police system and the law enforcement in Pakistan have been dominantly influenced by the colonial legacy and the rule of law is still under the control of remnants of British regime. Changes being practically taken place or proposed since independence benefit the larger population minimal but elite the most.