Police Violence in Pakistan: Forms and Justifications

Syed Sohaib Zubair (Corresponding Author)
Institute of Quality and Technology Management, University of the Punjab, Lahore, Pakistan
sohaibzubair654@hotmail.com;sohaib.iqtm@pu.edu.pk

Mukaram Ali Khan
Institute of Administrative Sciences, University of the Punjab, Lahore, Pakistan
mukarram_619@yahoo.com

Abstract
Police force is regarded as one of the most important internal security forces given a mission to monitor law and order situation in the country and curb any sort of violent or criminal activities. The term "Police Violence" it-self sounds awkward and contradictory, but it refers to a situation where allegedly this law enforcing agency is involved in violating rights of the public and is involved in some sort of misuse or over use of its powers, hence troubling the general public in one way or the other. This qualitative study is based on in-depth interviews with different stakeholders (including the Police force it-self) identified by the researchers and tries to integrate their responses and explore different forms of such alleged violence and importantly investigate potential circumstances where this over use of power is justified or is given protection. Different stakeholders have different opinion on the subject under study.
Keywords: Police Violence, State, Politicians, Governance, Rule of Law, Legitimacy, Qualitative Research.

1. Introduction

Violence is that aspect of any culture which is always discouraged by sane elements of the society. Violent behavior is seen as deviant and a taboo in majority scenarios. Violence may have several forms in general i.e. extending from simple verbally aggressive comments to physically violating someone's boundary.

Police violence is described as excessive use of force by the Police. There is not much distinction available as to what excessive use is and what appropriate use is (Lersch et al. 2005). This ambiguity results in some stakeholders claiming the use of force as legitimate.

In Pakistan, the phenomenon of police brutality is not new to the general public; "rather the police department has over the years become a symbol of fright and terror that gives rise to feelings of mistrust and helplessness in the common man" (Lead-Pakistan).

In many societies this violence is considered a legitimate means of asserting power, establishing order, disciplining, and punishing the wrong doers.

Unfortunately, violence and intolerance is increasing in Pakistan and therefore requires to be addressed. We come across stories and incidents in print and electronic media regarding violence and illegitimate force used by Police every now and then. There are several forms of this phenomenon and as per literature Police Violence is not just limited to beating protestors and use of tear gas but it also includes torture led killings in police custody and importantly extra judicial killings.

The research is significant in Pakistani context because, firstly this area has not been addressed as far as research or empirical evidence is concerned. This study helps in understanding what are different forms of police violence, what are the motivations for such actions and importantly how and when this apparently a negative action be justified and approved by competent authorities i.e. is the law silent on this issue; is the law manipulated when it comes to personal interests of stakeholders (particularly politicians in government) and, is use of force and power the only sources to ensure discipline.

1.2 Research focus of the Study

This study aims to explore different dimensions of Police Violence in Pakistan and the sources through which apparently unjustified behavior is legitimized. Objectively, this paper intends to address the following issues:

- To define what do different stakeholders mean by Police Violence
- To explore what are the different forms of Police Violence practiced in Pakistan
- To understand different ways in which such violence is justified
- To explore the circumstances in which such violence is ignored

2. Literature Review

One key task or decision sensitivity police official's face on duty is to decide on the use of level of force to ensure law and order prevails (Bittner, 1970). According Reiss (1971), "Police brutality" can be regarded as a broader concept when it comes to abuse of Power by this law enforcement agency, which may include, use of

extreme power and practice that defames or embarrasses the citizens' repute, "that restricts their freedom, and that annoys or harasses them".

As per the researcher's narrow exposure, limited *research work* exits as far as definition and forms of Police Violence are concerned. More data or information is available in terms of online blogs, newspaper articles and different Non-Governmental Organization websites. According to one such source i.e. website of a law firm "The Cochran Firm" Police Brutality may include, "Unnecessary physical violence, Unnecessary and degrading strip searches, Sexual assault, Coercion, blackmail or other uses of police power to force you into doing something you don't want to do and Racial profiling".

Cohen and Chaiken (1972) found that age and violent behavior are related, i.e. aged officers are likely to be more involved in violence rather than younger officers. Behaviors they observed included complaints on the lines of discourtesy and also of racism.

Herzog (2000) in his study on Israeli police concluded that more complaints are received against police officers that operate at operational and investigative functions, precisely middle and low rank officers.

Lersch et al. (2005) in their research on violent police behavior discussed the theory of rotten apples". This theory advocates that a bunch of police individuals involved in violent behaviors or misconduct are the reason due to which entire police unit is considered to be bad. But this explanation is often used by senior police personnel as a defense against blames on them.

Sociological discussion of "subculture" provides another explanation for excessive use of power.

Advocates of this perspective (Skolnick, 1966; Stark, 1972; Westley, 1970) suggest that there are certain norms, values and regulatory expectations that provide officers with rationale to indulge in such actions.

Prenzler et al. (2013) comes up with a strategy to control police violence. Researchers suggest that ensuring police accountability and discipline in the force can help in reducing or controlling police violence.

Another idea to control Police Violence can be extracted from the study by Steffensmeier (1979), where it was concluded that induction of female officers in Police department led to decrease in complaints of excessive use of force contributing to overall reduction in police violence. Moreover, female officers were not perceived as threatening and "horrific" to the general public.

Community policing as used in some areas in the United States can be a tool to reduce police misconduct. Community policing actions involve door to door contacts with local residents, neighborhood watch programs and accessible police stations (Lersch et al. 2005).

2.1 Police Structure in Pakistan
Police structure in Pakistan traces its origin into Mughal and British era. Several reforms took places during these hundreds of years.

The state of Pakistan was conceived in 1947 and inherited administrative system used by the British. The policing system in Pakistan had colonial foundations and mindset, it flourished in the independent Pakistan as the elites became "neo-colonial-masters" and police failed to become an institution with an aim to serve people. Till date, police has always continued to serve those who have been in power (Imam, 2011) and probably these are the people that try to give legitimacy to violent actions of police force by motivating them into such activities for personal or political gains.

3. Methodology
3.1 Research Strategy
The research strategy adopted for study is "Qualitative". This is a set of non- statistical inquiry techniques and processes used to gather data about something, may it be a social phenomenon or an organizational structure (McNabb, 2002).

3.2 Research Design
Explanatory research design has been for this study. This design is used in a qualitative study to explore any phenomenon and to develop causal explanation of something i.e. cause of the consequence of interest (McNabb, 2002).

3.3 Data Collection
Different stakeholders had been identified for this study in order to get a comprehensive view of the issue regarding Police Violence and for this purpose in-depth interviews have been conducted with the respondents with the help of Convenient Sampling strategy. Stakeholders/respondents belong to following sections of the society:
- Serving and retired police officers
- Legislators(Parliamentarians)

o   Members of the Provincial Legislature were interviewed, because in Pakistan Law and Order is
a provincial subject
- Print and Electronic Media Journalists
- Victims

4.   Data Analysis and Discussion

Total number of respondents from whom data has been collected is 21 i.e. 4 Legislators, 6 Media Personal (including 3 crime reporters), 5 victims, 4 serving and 2 retired police officials were interviewed.

Following data collection on the lines identified earlier, in this section the data has been analyzed and presented in forms of common themes generated i.e. the views of the respondents have been integrated into the themes discussed in this section in a way that research objectives of this study are addressed:

4.1 Understanding Police Violence in Pakistan's Perspective

Police violence has been observed to be a global phenomenon. Different stakeholders or different group of people define this subject in a different way. Those being negative affected by it surely disgrace this practice, whereas those allowing use of force or power by police call it a way to ensure law and order.

According to the data collected from victims and crime reporters (of different newspapers), police violence is illegitimate use of authority bestowed in the security forces. Whenever, someone goes beyond his or her legal bindings and violates another's personal space is taken as violence. In a democratic country and a country who's constitution guarantees fundamental rights, such practices of police brutality cannot be appreciated. In Pakistan, police violence cases are increasing and worst depiction of this phenomenon was the incident in Lahore in June 2014 where approximately 13 civilian casualties were reported and where around hundred people were reported to be injured as a result of police aggression.

Moving on, legislators gave mixed views towards this subject. Few of them declared this act as a reaction to an illegal act by any law breaker. Whereas, others agreed to views shared by the victims and media personal that, police violence is a negative phenomenon and cannot be anyhow appreciated or approved.

It was important to take views of members of that organization which has been most of the criticized for misusing their powers and being involved in some sort of violence i.e. Punjab Police force itself. According to a senior official:

"The term Police Violence or abuse of power itself is misleading idea, what actions we do or what steps we take are for the maintenance and establishment of law and order."

Some of the police officials agreed that at times they mismanage the crowd due to huge resistance by the violent groups within peaceful protestors but the purpose is to ensure safety of the general public at large.

4.2 Forms of Police Violence

A key objective of this study was to identify various forms of police violence in Pakistan, following are the ways that came to limelight and most of them were reiterated by all stakeholders but were generally negated by serving officials of this law enforcement agency. As per the data collected, Violence is not just physical over use of power, in fact other forms also exists where law enforcers go beyond their authority and indulge in misconduct.

Foremost and commonly known form of police violence as identified by stakeholders includes "Physical violence" where officials indulge into acts of 'inhumane treatment of prisoners', 'Beaton Charge', use of 'torture without legal custody' and other actions or behaviors that result in any form of physical injury inflicted upon affected individuals. Another important form of violence as practiced in Pakistan is registration of 'Politically Motivated Cases' against ones political or business opponents, this serious misuse of power was highlighted by all respondents, which shall be discussed in detail in relevance to justification in the next section. Other forms of Police Violence include:

- *Unnecessary Stops on roads in lieu of Security Checks*
    o   Security situation in Pakistan has been a question mark since the war of terrorism; some more sorts of street crimes have been associated with degrading economic conditions. Such scenarios require on street surveillance which is a good way to counter minute crimes. But as per data collected, these security stops and check posts have become a source discomfort to general public and have been labeled as a form of violence where people are unnecessarily stopped in the name of security and are usually allowed to leave after having bribes and if someone does not stop, he or she is likely to be exposed to fire shots.
- *Verbal Abuse*
    o   Another form of soft violence that has been practiced frequently by Punjab Police is use of foul language that includes abuses and threats. As per respondents, this is something which can be highly associated with the police forces in Pakistan. Moreover, there are numerous

- live examples exhibited at each check post or police station on daily basis.
- *Misuse of the 'Police' label*
    - o Some of the respondents came up with another description of Police Violence, where physical use of force or physical challenge to the other person is not involved. As per an Electronic Media journalist:

        "Another form of corruption in which I have observed Police officials are involved is the use of terror (of power) to the poor salesmen and snatching of their products… Fruit and Vegetable stalls in markets are the main victims of such aggressions."

        According to the respondents, other small scale demonstrations of use of the Police Label is observed when for instance *queues are violated* at any place, *rash driving* on roads without emergency (which at times results in vehicles to vehicle hit and run) and bad gestures and again abusive language when the Police is escorting any VIP.

4.3 Justifying and Legitimizing Police Violence

The title of this section appears to be strange and negative, in fact inviting criticism that how can something negative or how can violence or aggression be justified. In this section of the study, responses of the Interviewees have been integrated to understand possibilities where Police Violence is justified and how it gains Legitimacy:

- *Law vs Law Maker Legitimacy Dilemma*

    As per the respondents and analysis of data, biggest dilemma in Pakistan's public sector or public sector in the developing world is that of an urge in public servants to seek legitimacy from Law Makers (or the Rulers) rather than the Law. Politicians in power have always tried to control and run public offices and civil servants as per their own interests and for the fulfillment of personal or their political party interests. According to a senior retired police official:

    "People in Government have always used Police Force as a tool to establish their own/political writ rather than writ of the state."

    Police officials have been since inception of Pakistan have been abiding to wishes of the Politicians rather than rules of business, reason being the fact that due to high political interference and lack of job security and job stability (in terms of postings and transfers) forces Police and other Public Office holders to adhere to such power centers. If the individuals do not comply demands of rulers and top officials, then they are most likely to transferred to a difficult or far flung area of even demoted or suspended on so-called "failure to fulfill official duties or corruption".

    Police Violence is given legitimacy by those in power when they use this state machine for getting their illegal objectives fulfilled and hence in return they protect the officials and legitimize use of excessive force in one way or the other, this nexus basically as per analysis of data collected allows Police to get into excessive use of power, may it be in one form or the other particularly against Political or otherwise rivals/ opponents.

- *Law and Order Situation*

    Establishing Law and Order is the fundamental duty of security forces and at times officers have no other option left but to use force in order to ensure security of the masses. An officer is quoted as follows:

    "When a huge protest is under way or when the crowd is getting out of control and we observe that some critical situation is likely to develop, safety of public property is likely to be compromised or the public is likely to become violent, it is then we are left with no other choice but to use sticks, rubber bullets and water cannons, obviously bullets are the last option and are avoided to a maximum extent".

    Respondents agreed that other alleged forms of excessive use of force that have been mentioned in this study in the previous section cannot be justified particularly prison torture or threat to individuals in the name of uniform. For such behaviors, respondents were of the opinion that training practices and remuneration packages of police force need to be reviewed. A respondent from print media said that:

    "Corruption in no manner can be justified, but what can a person may it be a public or private employee do when he sees that he cannot run his family and fulfill their basic needs through fair means of standard salary'.

5. Conclusion

The purpose of this research activity was not to spread negative information about Police Agencies in Pakistan, nor getting into any propaganda to malign this state institution. Police amongst other law enforcing agencies is the most important wing of the state that is directly related and involved in and is responsible for internal security of the country. Police Force is the basic tool of the state that is assigned the task of ensuring peace and law and order in the country from cities to towns and from towns to villages. When Police itself is accused of

violating rules of business and is blamed for misusing its authority by violating fundamental rights of citizens, then an attention to the subject is required. The term 'Police Violence' itself seems to be unjust, but is being used widely to discuss and study the phenomenon being examined in this paper.

The paper basically highlighted different ways or forms in which allegedly Police goes beyond its authority (where this red-line is difficult to establish). Following this objective, different scenarios or justifications have been explored for legitimizing use of excessive force. As per this study, Legitimacy of Police Violence is usually gained from Politicians or Administrative Rulers i.e. when Politicians get involved into some sort of institutional decision making and try to interfere in Police affairs and use them for their interests and the Police knows that later these 'Law Makers' or 'Rulers' will bail them out in one way or the other. If the Police Officials refuse to adhere to such commands (via illegitimate authority) then they know they will be either transferred or removed from service. To sum up this aspect, as mentioned earlier, 'Nexus for Evil' and 'Legitimacy from Powerful' rather than the Law is the reason behind many malpractices in the Public Sector.

6. Future Research Directions

Every research is likely to have some limitations and probably the researcher of a study can it-self best indicate that what more questions within the research area can be addressed or require attention. A study addressing behavioral aspects of violent behaviors depicted by police officers need to be explored. Furthermore, an Organizational Perspective shall be important in diagnosing that whether this issue is related to individuals or is related to the overall institutional structure i.e. understanding Police Violence from different angles i.e. Training and Development perspective Organizational Environment or "Need of the Job dimension".

Moreover, a quantitative study based on the literature as well as elements identified in this paper can be helpful in contributing to this research issue by coming up with statistically valid results.

7. Research Ethics

Due to the sensitivity of issue, researchers have tried to consider all the ethical guidelines while conducting research. Firstly, the privacy and anonymity of respondents has been ensured. Secondly, while interviewing victims questions refreshing bad memories were avoided to a maximum extent. Lastly, no deliberate factual distortion of data in order to achieve desired results or to conform to popular public opinion or going against an institution has been done.

8. Bibliography

The Pakistan Arms Ordinance. (1965). Retrieved July 18, 2013, from Punjab Police: http://punjabpolice.gov.pk/system/files/pakistan-arms-ordinance-1965.pdf

Police Order. (2002). Retrieved July 19, 2013, from Punjab Police: http://punjabpolice.gov.pk/system/files/police-order-2002-updated-version.pdf

Asif, M. (n.d.). Violence against Women in Pakistan: Role of Police and Media. M Phil Scholar in Sociology. Institute of Social and Cultural Studies, University of the Punjab, Lahore- Pakistan.

BarkawI, T., & Laffey, M. (2006). The postcolonial moment in security studies. *Review of International Studies, 32*, 329-352.

Bishop, R. (2007). Philosophy of the Social Sciences.

Cohen, B., & Chaiken, J. M. (1972)*. Police background characteristics and performance: Summary. New York, NY7 Rand Institute.*

Ellsberg, M., & Heise, L. (2002). Bearing witness: ethics in domestic violence research. *The Lancet, 359*, 1599–604.

Eschholz, S., & Vaughn, M. S. (2001). Police sexual violence and rape myths civil liability under Section 1983. *Journal of Criminal Justice*, 389-405.

Golding. (1995). Leading article-Understanding and preventing violence": A review. *Public Health*, 91-97.

Grandmaison, Houssaye, & Bourokba. (2007). Frequency of traumatic lesions alleged by victims of assault. *Journal of Forensic and Legal Medicine*, 364-367.

Hajjar, L. (2004). *Torture and the Future.* Retrieved July 18, 2013, from Middle East Research and Information Project: http://www.merip.org/mero/interventions/torture-future

Heitmeyer, W., & Hagan, J. (Eds.). (2003). *International Handbook of Violence Research.* London: Kluwer Academic Publishers.

Herzog, S. (2000). Is there a distinct profile of police officers accused of violence? The Israeli case. *Journal of Criminal Justice*, 457-471.

Imam, K. (2011). Police and the Rule of Law in Pakistan:A Historical Analysis. *Berkeley Journal of Social Sciences, 1*.

Klahm IV, C., & Tillyer, R. (2010). Understanding Police Use of Force: A Review of the Evidence. *Southwest Journal of Criminal Justice, 7*, 214-239.

Lersch, K., & Mieczkowski, T. (2005). Violent police behavior: Past, present, and future research directions. *Aggression and Violent Behavior, 10*, 552–568.

McGuire, J. (2008). A Review of Effective Interventions for Reducing Aggression and Violence. *Philosophical Transactions: Biological Sciences, 363*, 2577-2597.

McNabb, D. E. (2002). Research Methods in Public Administration and Nonprofit Management: Qualitative and Quantitative Approaches. M.E. Sharpe.

Police Torture. (n.d.). *Human Rights Issues - Briefs*. LEAD Pakistan.

Prenzler, T., Porter, L., & Alpert, G. (2013). Reducing police use of force: Case studies and prospects. *Aggression and Violent Behavior, 18*, 343-356.

Punjab Police History. (n.d.). Retrieved July 19, 2013, from Punjab Police: http://punjabpolice.gov.pk/pphistory

Reiss, A. (1971). The Police and the Public .Yale University Press, New Haven, CT (1971)

Roche, R. S. (1996). Collective Violence as Social Control. *Sociological Forum, 11*, 97-128. Skolnick, J. (1966). Justice without trial: Law enforcement in democratic society. New York, NY7 Wiley.

Stark, R. (1972). Police riots: Collective violence and law enforcement. Belmont, CA7 Wadsworth Publishing.

Steffensmeier, D. J. (1979). Sex role orientation and attitudes toward female police. Police Studies, 2, 39–42.

Tanner, M. S. (2004). Will the state bring you back in? Policing and Democratization. *Comparitive Politics, 33*, 101-124.

The Code Of Criminal Procedure, *1898*-As amended by Act II of 19*97*. (n.d.). Retrieved July 21, 2013, from Punjab Police: http://punjabpolice.gov.pk/system/files/code-of-criminal-   procedure-1898(Amended_by_Act_II_of_1997).pdf

Walker, S. (2004). Science and Politics in Police Research: Reflections on Their Tangled Relationship. *Annals of the American Academy of Political and Social Science, 593*, 137- 155.

Westley, W. A. (1970). Violence and the police: A sociological study of law, custom, and morality. Cambridge, MA7 MIT Press.

The IISTE is a pioneer in the Open-Access hosting service and academic event management. The aim of the firm is Accelerating Global Knowledge Sharing.

More information about the firm can be found on the homepage:
http://www.iiste.org

CALL FOR JOURNAL PAPERS

There are more than 30 peer-reviewed academic journals hosted under the hosting platform.

Prospective authors of journals can find the submission instruction on the following page: http://www.iiste.org/journals/   All the journals articles are available online to the readers all over the world without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. Paper version of the journals is also available upon request of readers and authors.

MORE RESOURCES

Book publication information: http://www.iiste.org/book/

Academic conference: http://www.iiste.org/conference/upcoming-conferences-call-for-paper/

IISTE Knowledge Sharing Partners

EBSCO, Index Copernicus, Ulrich's Periodicals Directory, JournalTOCS, PKP Open Archives Harvester, Bielefeld Academic Search Engine, Elektronische Zeitschriftenbibliothek EZB, Open J-Gate, OCLC WorldCat, Universe Digtial Library , NewJour, Google Scholar