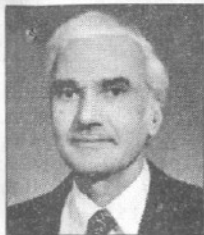


# Pakistan's stillborn police reforms

VIEW



IM MOHSIN

*An authoritarian regime committed only to self-perpetuation cannot afford to have a fair police force. Rather than letting it work as an instrument of justice, it uses the police as its life insurance. No military regime has ever reformed police in any free country*

THE GOVERNMENT HAS BEEN SPINNING tales about reforms outlined in its Police Order of 2002. Though unrealistic in terms of ground realities the scheme devised by the National Reconstruction Bureau (NRB) could have provided a platform for changing the police culture.

However, when the General promulgated the ordinance, he only carried the baggage of

'referendum'. With the installation of a carpet-bagger regime to acquire some legitimacy, he has moved heaven and earth to prolong his rule. Naturally, his strange bedfellows want their pound of flesh out of the devious deal. Given their suspect past, it seems, most of them cannot afford a law-abiding police known for its integrity. Since force is the measure of all things in our so-called democracy, they have to prefer a police that will help them in their struggle for political survival and continued relevance.

Provided that the constitutional framework remains inviolable, democracy is all about differences over public policy. Pakistan is riddled currently with issues various solutions of which can have far-reaching consequences for its integrity and progress. Knowing our weakness, India is taking us for a ride on Kashmir and normalisation of relations. As internal security situation drives us to the edge of the precipice, the foreign investors are understandably cautious. As a result the army is being pushed into awful situations. This makes the prospects of police reforms appear dim.

While renaming police ranks was easy, implementation of substantial reforms required political commitment. The central concept in the NRB scheme was giving functional autonomy to the police so that it can take up law enforcement without fear or favour. To achieve this objective, the police needed a mechanism to ensure and protect its neutrality. To be able to genuinely contribute to rule of law and the dispensation of justice the police has to be above political manoeuvring.

The NRB had borrowed the concept of Public Safety Commissions from Japan. Under the Japanese system, the police is an autonomous force so that politicians and 'strongmen' cannot interfere in its working.

The National Public Safety Commission is one of the institutions that insulate the police from unwanted solicitation. Membership of the commission is restricted to men of impeccable integrity. They include members of parliament from the government as well as opposition parties. Its mandate dictates highly conscientious conduct. The members have unrestrained access to the prime minister.

For its moral authority the commission relies on the credibility it enjoys in the free society. No wonder it holds the police accountable to the requirements of justice and not wishes of some 'strongmen'. This promotes professionalism and character in the Japanese system of policing that has greatly helped the emergence of modern Japan from the debris of the World War II.

Similar Public Safety Commissions have been set up in the provinces to monitor police at that tier. These organisations maintain a very high standard of probity. Even governors, who are the provincial chief executives, cannot interfere in the working of police or influence the PSC members.

The NRB had also borrowed the concept of the Public Complaints Authority from Britain. This can provide an additional safeguard against misuse of police powers.

The General could be given the benefit of the doubt till the time he joined hands with the carpetbaggers having a reputation for corruption. Now the die is cast. He wants to rule the country by hook or by crook. Reconciling democracy with ambition so lacking in vision is not easy. There may still be people with integrity but they cannot serve the nation to the best of their ability if the Constitution remains a plaything for the powerful. No wonder the establishment of the monitoring bodies has been

postponed. Even if the commissions are finally set up no purpose will be served if toadies are used to fill the positions.

An authoritarian regime committed only to self-perpetuation cannot afford to have a fair police force. Rather than letting it work as an instrument of justice, it uses the police as its life insurance. No military regime has ever reformed police in any free country. The democracies, including India, have all depended on public pressure — represented by aggressive political parties — for reform. Status quo regimes resist reforms like poison as awareness of rights in the society can spell their doom.

Pakistan is fast getting the look of the 'politically sick man of Asia'. The recent developments in Balochistan, including the disgraceful assault on a doctor, are only aggravating the situation. Last week, the Belgium-based Human Rights Organisation ridiculed us for being to a Castro-style democracy. The Human Rights Watch has taken the military regime to task for having "acted with increasing impunity to enforce its writ over the state and to protect its grip on economic resources, especially land".

The people and the political parties must wake up. Unless we stand up for our rights, we could end up as a failed state. Pakistanis must organise to restore democracy and force the political parties to conform to the constitution. The political weathercocks should be identified and eliminated politically.

Only then, we will have a police that is an agent of the rule of law and not subservient to the 'law of necessity'.

*The writer is a former secretary of the Interior Ministry*