Chapter-1

Introduction: A Conceptual Framework

Police are considered as an organized body of municipal, county, or state officers engaged in maintaining public order, peace, safety, and in investigating and arresting persons suspected or formally accused of crime. The development of police forces and their expansion and organization have often coincided with and been explained by major law and order crises or social unrest within the society. It can be applied in each of the three counties (the US, UK and India). The disorder in the metropolitan areas of Britain in the late eighteenth and early nineteenth centuries as a result of urbanization and pauperization of the landless peasants and the descendant proletariat was a focal point for the development of the modern British police system.

In imperial India, there was an increase in dacoity or banditry in early nineteenth century which was connected to a breakdown in traditional controls in the society. The active revolt against the British imperial colonial power expressed in the mutiny of 1857 was the direct impetus and support for the development of the forerunners of the modern Indian police.

In the United States (the US), the unrest of the pauperized immigrant and native working class during the mid-nineteenth century was the direct cause of the development of the first police force in the New York city. Similarly, social conditions were associated with the spread of police forces across the country (Shane 1980).

1.1 A Development Model of the Police

Richard Lundman (1980) identifies three development stages of police organization from informal to formal policing. In informal policing, every member of the group shares equal responsibility for meeting the police function of social control. In formal policing, specific members are charged with policing responsibility as their primary occupation and role within the society. Between these two extremes, a middle-ground organization, he calls transitional policing, in which the police function is assumed by (or assigned to) group members on a voluntary and part-time basis.

Lundman argues that the history of the police, or at least of English and American police, has been a shift from informal, through transitional, to formal policing. He explains this evolution with reference to three factors: the form of social organization, the interests of social elites, and the rates and images of crime within the society. Changes in these three factors are related to developments in policing and explain the shift from informal to formal policing. Thus, we can see that the evolution of formal police correlates with certain changes in the society in which the police develop. (Lundman 1980).

Klockars (1985) defines the development of policing in terms of avocational to vocational. He distinguishes avocational and vocational policing as follows. Avocational policing involves the exercise of police authority or the performance of the police function by individuals who are not primarily police officers. In contrast, vocational policing resembles formal policing in that it is done by individuals whose primary occupation is police work. Therefore, one important shift in the evolution of the police is the move to policing as a vocation. This involves the definition of a specific organization as the repository of police power, and the identification of a set of people as police

officials. At some point of time all industrialized societies have created a police occupation as a logical extension of general specialization of social functions. That is, as societies develop distinct institutions or organizations for economic, religious, welfare, health and other activities, they also develop them for social control. Additionally, the creation of a police vocation entails a recognition that the problems of social order are no longer adequately solved by episodic reactions but that a more permanent and continuous control response is needed. Finally, a police vocation allows control over those who enforce the rules of society because they are now on the "payroll" and hence can be fired. (Langworthy and Travis III 2003: 33). A formal police figure represents a significant change in social relationships. Informal and transitional policing are largely voluntary and short lived. Members of these types of police serve in a part-time capacity, and they are generally beyond the control of government authorities. Formal police are permanent in that they continue to exist whether or not a crisis in social order is recognized. Further, because officers must be paid, an organization develops to recruit, deploy and manage the police. The formal police thus become a continuing and more or less controllable force for social order within society. (Langworthy and Travis III 2003: 33).

1.2   Purpose of the Police as an Institution

Elite Interest

Newman (1983) observes that the purpose of law in a society is the settlement of disputes. She quotes Fried (1967), who observed that the purpose of the state is social control, typically through the exercise of power. He explains that in the final analysis the power of a state can be manifested in a real physical force, an army, a militia, a police

force…. and other paraphernalia of social control. It is the task of maintaining general social order that stands at the heart of the state. The wording of this comment is important. The purpose of the state, and by extension the purpose of the police, is not to change or even to achieve social order. Rather, the purpose is to maintain that order. Thus, the police, as an instrument of social control, are required to protect the social status quo. In other words, the function of the police is maintenance of the social order. The police serve the interests of the elites within a society. (Newman 1983:95).

Elites are those persons at the upper levels of society by virtue of their wealth, prestige, or other power. One outcome of the development of organic social organization is the creation of social classes, or stratification. In **mechanically** solidary society, individuals exist in a state of relative equality largely because each is self-sufficient. In more complex societies, certain members acquire wealth, status, and power. While everyone may get some benefits from a specialized society, these powerful people receive the most. It is in their interests to ensure that the social structure does not change. It is also in their power to create laws and structures for law enforcement. They do so to protect their economic and political interests. (Langworthy and Travis III 2003: 33).

Lundman argues that in an **organically** solidary society, only elites have the power and resources to bring about change. The non-elites, or relatively powerless people in society, do not possess the ability to create and maintain the police. Thus, the people evolve in response to elite perceptions of the need for formal social-control organizations, which are created for the express purpose of protecting the interests of social elites through maintenance of the status quo. According to Lundman, elites are moved to establish police when disorder or incivility becomes intolerable. When those with power in a society

perceive a threat to their social positions from the existence of disorder in society, they move to restore order by establishing a police force. (Lundman 1980:35).

Therefore, the type of social organization in a society may allow a formal, specialized police organization to develop but does not necessarily require one. Coupled with general social specialization is the creation of social elites. With elites, come conflicts between the powerful and powerless in society. When the interests of the elites of an organically solidary society are threatened by disorder, the elites move to create police to protect those interests.

1.3   Perceptions of Crime and Disorder

The other factor Lundman identified as important to understanding the evolution of police was the rate and images of crime. This factor relates directly to the interests of social elites, because it is their interpretation of the problem of crime as an indicator of intolerable levels of disorder that results in formal police. Formal police are created when the elites in an organically solidary society define crime and disorder as a threat to their position of power.

A certain level of crime and disorder is natural in any society and particularly so in cities. It is precisely these types of events that are the targets of episodic and avocational forms of transitional policing. As long as disorder and crime remain relatively disorganized and intermittent, there is generally no call for a more formal policing organization. To the degree that the elites can insulate themselves and their social positions from the threat of disorder, they do not move to create police forces. However, when the level of crime and disorder increases in either frequency or seriousness to the point that it threatens to

disrupt social functioning, formal police are instituted. (Langworthy and Travis III 2003: 37).

In England and the United States, social elites called for the creation of formal police when crime and disorder were rampant and when the cause of crime was identified as the dangerous classes. As long as crime and disorder were seen as the work of a few, isolated wrongdoers, there was little cause for concern. However, as crime rates increased, and particularly in the wake of large-scale destructive and bloody riots, the elites came to fear for the existence of society itself. Charles Loring Brace explains that the growth of a dangerous class in New York and the need for control for that he defended stating the law lift its hand from them for a season, or let the civilizing influences of American life fail to reach them, and, if the opportunity offered, we should see an explosion from this class which might leave this city in ashes and blood. (Brace1872:21).

What the social elites feared was not so much crime and disorder but chaos/revolution. The mission of the police was not simply the control of crime, but the larger task of controlling the dangerous classes. For example, a proponent of formal police in England, Patrick Colquhoun, suggested that, in addition to crime control and order maintenance, the police should also be responsible for the correction of public manners.

Thus, the interests of elites in society, and perceptions of the crime and disorder problem-correlate with the development of formal police organizations. In combination, they create the conditions under which formal policing can be instituted and in which the benefits of a formal police organization are perceived to out-weigh their possible negative effects. (Langworthy and Travis III 2003: 37).

Despite the different models of development of police in different countries and their development being at different point of time in history, today most of the policing in different part of the world can be considered as "formal" police. Further, despite a common understanding of the police functioning, these police forces in different countries differ in their evolution, their structure and their roles. It becomes intriguing as well as of importance to learn about the commonalities and the differences; to analyze them and to apply the changes, if found relevant to one's own police system.

1.4   Literature Review:

Until well into the 1970s most published and easily accessible studies of the police were concerned with police work in the United States. With few exceptions, research on the British Police was minimal. Whatever British literature was available had the major references to the American literature.

Most of the writings from the United States were parochial and, ultimately, non-comparative, leading Punch (1983b, 14) to suggest that 'Americans are fundamentally ignorant about police system in other countries. When the academics move on to consider policing in different societies, the police as an agency was distinguished in terms of its *legitimacy* (implying the source from which it derives its authority), its *structure* (implying the centralization/decentralization issues, armed/un-armed degree of specialization etc.), and its *function* (implying roles of police).

In the last twenty years, there has been a marked growth in text comparing differing patterns of political structures in different societies, yet police studies, which itself is of recent origin, has a less substantial comparative tradition. Consequently, while focusing

on policing, it is important to draw the lessons learnt by those from other disciplines who have made international comparative studies.

If we consider the earliest texts on comparison of policing systems in various countries, the work of Raymond Fosdick, a former commissioner of accounts in New York City, whose work on policing in many major European cities, which was published, first in 1915 and republished in 1969, provides both a review of the systems he encountered and an attempt to classify them according to number of criteria. He distinguishes between policing in Britain and in continental Europe. According to R. I. Mawby, 'while his work is, in retrospect, somewhat uncritical and partly superficial, its importance is perhaps illustrated by the fact that it was unmatched for well over three decades.'

Another early comparative analysis was provided by the British practitioner, Sir Charles Jeffries, who makes a significant contribution by assessing the emergence of a distinctive police system in British colonies in which law and order was maintained by an occupying power over the majority indigenous population.

Academic comparisons have been of more recent origins. In one of the first, Banton (1964) compared police work in the United States and Scotland. More recently, McKenzie and Gallagher (1989) provide a more practice oriented comparison of England and Wales and the US. Bayley 1977; Bopp 1972; Outrive and Rizkalla 1976; Punch 1983c have also elucidated on comparative policing. A small number of works, similarly, provide an analysis of policing in a variety of societies, perhaps the most notable being by Shane (1980) and Bayley (1985). Shane focuses on policing in five contrasting societies- England, USA, Netherland, Israel and India- then moves on to consider some of the major issues facing the police in different countries. In contrast, Bayley (1985)

draws on the material from a vast range of countries to address the development of modern police forces, their structure, function and the political context within which they work.

There are many works and literature available on police which is not comparative in strict sense but either discusses policing in a particular society or particular aspects of policing. Some significant contributions are historical analysis of emergence of the modern police, for example Emsley's (1983), comparison of France and England and Wales, 1750-1870; and Miller's (1977) discussion of the overlap and divergence of police structures in New York and London in the nineteenth century.

1.5 Rationale and Scope of the study

The most of the literature on comparative policing in different countries, available is dated at least by two decades, if not more. The reforms in police in independent India, howsoever less and slow, are of recent origin. Anything as dated as two-decade, fails to capture the advances in the field of Policing in India. Unfortunately, despite its importance, the number of empirical studies of the Indian police is limited. This, further imposes a serious limitation on the academics of western world in correct assessment of Indian police.

The present study seeks to explain various factors that are strengthening police departments of UK, US and India. It attempts a study of UK Police, US Police and to draw relevant implications for Indian Police.

1.6   Objectives

The objectives of the study are:

1. To trace the evolution of UK, the US and the Indian police.

2. To understand the organization and structure of UK, the US and Indian police.

3. To examine the roles and responsibilities of UK, the US and Indian police

4. To identify the relevant implications for Indian police.

1.7   Research Questions

The study attempts to answer the following questions:

1. How policing evolved in UK, US and India?

2. What are the differential organizational aspects of UK, the US and Indian police in terms of special command and the command within the specialized forces?

3. What are the roles and responsibilities of UK, the US and Indian police?

4. What are the implications for Indian Police?

1.8   Research Methodology

The present research is historical, analytical, and descriptive in nature. It is based on critical analysis of the literature available on UK police, US police and Indian police. The study is based on secondary sources available in English language. It includes-various books, magazines, journals, newspapers and Internet materials available at different websites related to the theme of the research.

1.9 Chapterisation

Following are the chapters of the scheme of the study:

Chapter 1- Introduction: A Conceptual Framework

This chapter studies the concepts of police functioning. It highlights the significance of the study, aims and objectives, methodology and a scheme of the chapters. Besides, a brief survey of relevant literature related to the theme of the research has also been presented.

Chapter 2- Historical Evolution of UK, the US and Indian Police

The chapter deals with the way the police in these countries evolved (from informal to formal police or avocational to vocational police). It also analyzes the vital roles that the police departments played in the past.

Chapter 3- Structure of UK, the US and Indian Police

The chapter enunciates the structure and composition of UK police, US police and Indian police.

Chapter 4- Role of UK, the US and Indian Police

This chapter examines the roles, responsibilities and duties of UK police, the US police and Indian police.

Chapter 5- Conclusion

This chapter summarizes the implications for the Indian police based on the findings of the study.

1.10   Limitation:

Police being a vast subject and more a humanitarian science, it is difficult to compare each aspect side by side. So, the attempt has been made to provide broadly, the manner in which the police of three different countries evolved, their organizational structures, roles and responsibilities they perform; the comparison left implicit, at times.