Work-Culture and Police

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ABSTRACT: Work-Culture is a modern term but has got its root in the ancient past. From the time immemorial, every organization has its work-culture which is its specificity and determines its positivism towards its conduct. In the past, both private and public sector organizations have different way of working, like, private deals with more or less profit–orientation while public sector's whole concern is welfare but nowadays the scene has amalgamated. In the era of globalization, both types of organizations now work to a large extent for welfare as well as profit. Now Max Weber's principles of role-specificity, impersonality, hierarchy, rule-orientation etc. pervades in all institutions with NPM (New Public Management) perspectives. But we don't find these functionalities in police-culture. In fact, "police has a culture" is a matter of discussion. This is an attempt in this direction.

KEYWORDS: Culture, Police, Primitive Culture, Indigenous, Supreme Court.

Culture is a confluence of themes of organizational activities (Crank, 1998). In turn it is generally accepted that an organization's performance is affected by the prevailing culture within its corporate body (Siehl, C. & Martin, J., 1990). However, culture itself means differently to different people (Sackman, 1991). The notion of cultural organization is rooted in both anthropology and sociology (Maanen, John Van &Barley, Stephen R., 1985). While Anthropology describes culture in terms of rites, rituals, habits, customs, material artifacts' and behavioral patterns (Taylor, 1958), Sociologists focus on subgroups where culture is seen as an association of ideas, values, and actions (Becker, 1982). In fact, there are multitude descriptions of culture and varied meanings in which the term is used in the social sciences.

Culture (Latin: Cultura, lit. "Cultivation") (Harper, 2001) is a term that has many different inter-related meanings. However, the word "Culture" is most commonly used in three basic senses:

- Excellence of taste in fine arts and humanities, also known as high culture.
- An integrated pattern of human knowledge, beliefs, and behavior that depends upon the capacity for symbolic thought and social learning.
- The set of shared attitudes, values, goals, and practices that characterizes an institution, organization, or group.

The term was first used by the pioneer English Anthropologist Edward B. Taylor in his book **Primitive Culture**, published in 1871. Taylor said that **culture** is "that complex whole which includes knowledge, beliefs, art, law, morals, custom, and any other capability and habits acquired by a man as a member of society". Of course, it is not limited to men. Women possess and create it as well.

Culture is a powerful human tool for survival, but it is a fragile phenomenon. It is constantly changing and easily lost because it exists only in our minds.

Every organization (whether it is informal or formal) has got a specific culture. Organizational Culture is the collective behavior of people that are part of an organization; it is also formed by the organizations values, visions, norms, working language, systems, and symbols, beliefs, and habits (Wisegeek). It is also the pattern of such collective behaviors and assumptions that are taught to new organizational members as a way of perceiving, and even thinking and feeling (Schein, 1992). It affects the way people and groups interact with each other, with clients, and with stakeholders (Hill, Charles W. I. & Jones, Gareth R., 2001). This can also be called as the "**WORK CULTURE**".

Organizations with aggressive/defensive cultures encourage or require members to appear competent, controlled, and superior. Members who seek assistance, admit shortcomings, or concede their position are viewed as incompetent or weak. These organizations emphasize finding errors, weeding out "mistakes" and encouraging members to compete against each other rather than competitors. The short-term gains associated with these strategies are often at the expense of long-term growth (Aggressive/Defensive styles, 2011).

Police, as an administrative organization, is an integral part of society. "Police" is a modern word but it traces its origin in the ancient system. With the changing situations, its work-culture (organizational culture) has also been changed. In Kautilya's era, the **Samhartr** (today's district magistrate) was responsible for the law and order. He also had the help of **Pradestrs** whose main function was the suppression of crime. Kautilya's administration was very tight. He had a strong spy system, so his foremost concern was the prevention and detection of crime. He laid great emphasis on **ethics** (Kangle, 1972).

THE INDIGENOUS POLICE SYSTEM (WORK-CULTURE) OF INDIA

It was based on the basis of land tenure. The zamindar was bound to apprehend all disturbers of the public peace and to restore the public property or make good its value. Under: the zamindars were a number of subordinate tenure-holders, all of whom were required in their degree to perform police duties and to bear for the area of their charges the responsibilities which rested upon the zamindar for the whole estate; and, finally, there was, as a rule, the joint responsibility of the villagers, which could only be transferred if they succeeded in tracking the offender to the limits of another village. This village responsibility was enforced through the headman, who was always assisted by one or more village watchmen. These latter were the real executive police of the country. Although there was, as a rule, only one watchman for the village, he was, when necessity across, assisted by all the male members of his family, by the other village servants, and in some cases by the whole village. His duties were to keep watch at night, find out arrivals and departures, observe all strangers, and report all suspicious persons to the headman. He was required to note the character of each man in the village, and if a theft was committed within the village bounds, it was his business to detect the thieves, if he failed to recover the stolen property, he was obliged to make up the amount of the value of it so far as his means permitted, and the remainder was levied on the whole village, "The exaction of this indemnity," wrote Mountstuart Elphinstone, "is evidently unjust, since the village might neither be able to prevent the theft, nor to make up the loss, and it was only in particular cases that it was insisted on to its full extent; but some fine was generally levied, and neglect or connivance was punished by transferring the inam of the patel or watchman to his nearest relation, by imprisonment in irons, or by severe corporal punishment. In large towns the administration of the police was entrusted to an officer who was usually paid a large salary, from which he was required to defray the expenses of a considerable establishment of police (The Indian Police Commission Report, 1902-1903).

AKBAR'S POLICE ORGANIZATION (WORK-CULTURE)

At the central level, there does not appear to be any official or minister who worked as a Home Minister in the modern sense, responsible for the maintenance of internal peace. The King and his Vakil or the prime minister was primarily responsible for this task. The officer-in-charge of the Subah (Province) was the Subedar, also known as the nazim, in certain provinces. The Faujdar was the chief assistant of the Subedar. There were several Faujdars in a province, each-in-charge of a fixed area called the faujdari (Sarkar). He had military, police, judicial, and executive authority. Below him was the Kotwal who appointed a headman for each mohalla (ward) to look after the reports about the law and order situation (Kangle, 1972). The Kotwals in conjunction with the royal clerks shall prepare a register of the houses and buildings of the same, which registered included a particular description of the inhabitants of each habitation. One house became scrutiny for another; so so that they all had reciprocally pledged and bounded each for the other. They were divided into districts, each having a chief or spies appointed to each district, who kept a journal of local occurrences, arrivals, and departures, happened either by day or night. When any theft, fire or other misfortunes happen, especially the prefect and the public informers, who if fail to attend on such occasions, unless unavoidably prevent, had held responsible for the omission. No person was allowed to travel beyond, or to arrive within, the limits of the district, without the knowledge of the prefect, the neighbors or the public informers. Those who didn't provided security resided in a separate place off abode, to be allotted to them by the prefect of the district and the public informers. A certain number of persons in each district were appointed to patrol by night the several streets and the environs of the several cities, towns, villages (**Chowkidar**) etc., taking care that no strangers infested them, and especially exerting themselves to discover, pursue, and apprehend robbers, thieves, cut-purses, etc.. If any articles be stolen or plundered, the police must restore the articles, produced the criminal, or if failed to did, became responsible for the equivalent (The Indian Police Commission Report, 1902-1903).

POLICE WORK-CULTURE UNDER THE BRITISH RULE

The foundations of the contemporary police administration in India were laid during the British rule, particularly after the enactment of the Indian Police Act, 1861, which created an organized system of constabulary. During the British rule, at the state level, the Inspector-General of Police (IGP) exercised control over the whole police force of the provincial government. The IGP was often a member of the covenanted civil service that is why even a few ICS officers held the post of IGP. At the district level, the IGP was assisted by the Superintendent of Police (S.P.). The S.P. as well as the Assistant Superintendent of Police (appointed in larger districts to assists the S.P.) were Englishmen (Chesney, 1976).

A subordinate police force, comprising Inspectors, Head Constables, Sargeants, and Constables, was also created. The earlier system of police administration at the field level was based on the office of the Station Officer or **Darogah**. In the reorganized system of 1861, the Darogah did not disappear, but he became a sub-inspector subject to regular training and frequent inspections (Mason, 1994).

Prior to the enforcement of the Indian Police Act, the **Magistrate** was the head of the district police and was responsible for apprehending, trying, and committing criminals. Under the modified arrangements, the Magistrate continued to occupy a position of authority over the district S. P. in matters of the distribution and movement of police, preservation of order, and repression of crime. But, in matters of general organization, including pay, clothing, and training of the police force, the district S. P. was placed under the orders of the Inspector General of Police of the province (Chesney, 1976, p.174).

In fact, the Police Act of 1861 and the Code of Criminal Procedure 1861 had strengthened the position of the District Magistrate (D. M.) by giving him the power of exercising general control over the district police as well as over subordinate magistracy. This over-centralization of authority in one official paved the way for administrative despotism at the district level.

Another phase of reform in police administration started with the presentation and implementation of the Report of the Police Commission that did not disturb the supremacy of the D. M. to interfere only rarely in the mode of conducting investigation. Regarding police administration, the Police Commission recommended:

(a) A European Service to be recruited entirely in England;

(b) A Provincial Service to be recruited entirely in India;

(c) An Upper Subordinate Service consisting of inspectors and sub-inspectors;

(d) A Lower Subordinate Service comprising head constables and constables.

Moreover, a province was to be divided into ranges, each under a Deputy Inspector General of Police. Most recommendations of the Police Commission were implemented by the provincial governments. This resulted in substantial improvements in recruitment, training, organizations, and the remuneration of police officers of various classes (Mishra, 1977).

In 1905, a new class of Indian Deputy Superintendent of Police was created to perform duties similar to those of European Assistant Superintendents. Despite a few other reforms introduced in the police investigation procedures and the organizational system, the broad pattern of police machinery remained unchanged.

POST INDEPENDENCE POLICE WORK-CULTURE

The advent of Independence changed the political system, but the police system remained more or less unaltered. The Police Act of 1861 continued to govern it with few modifications. Constitutionally, it has been placed in the List II, Schedule 7 and became a subject under the State List.

Article 38 of the Constitution states: "The state shall strive to promote the welfare of the people by securing and protecting as effectively as it may, a social order in which justice, social, economic, and political-shall inform all the institutions of the national life (Seervai, 1983)."

For achieving this purpose an efficient and effective police-force is the pre-requisite. Some state governments have enacted new legislation to govern the functioning of their police-forces but these enactments has not brought any significant improvement in the organizational structure,

performance or behavior of the Police. The reason-the new laws were patterned on the model of the 1861 legislation. They are as silent and remiss about the new requirements of democratic policing as the colonial legislation was.

In 2006, the Supreme Court gave 7 binding directions to the states and Union Territories (The Supreme Court's verdict in Prakash Singh vs Union of India on 22nd September, 2006). The court ordered the states and UTs to implement the directions immediately either through legislation or executive order. In November, 2010, the Supreme Court asked for the personal presence of Chief Secretaries of 4 major states (Karnataka, West Bengal, Maharashtra, and U. P.) to learn the progress and give stern directions.

The Seven Directives in a nutshell:
DIRECTIVE ONE
Constitute a State Security Commission (SSC) to:
(a) Ensure that the state government does not exercise unwarranted influence or pressure on the police;
(b) Lay down broad policy guidelines; and
(c) Evaluate the performance of the state police.
DIRECTIVE TWO
Ensure that the DGP is appointed through merit based transparent process and secure a minimum tenure of two years.
DIRECTIVE THREE
Ensure that the other police officers on operational duties (including Superintendent of Police in-charge of a district and Station House Officers in-charge of a police station) are also provided a minimum tenure of two years.
DIRECTIVE FOUR
Separate the investigation and law and order functions of the police.
DIRECTIVE FIVE
Set up a Police Establishment Board (PEB) to decide transfers, postings, promotions, and other service related matters of police officers of and below the rank of Deputy Superintendent of Police and make recommendations on postings and transfers above the rank of Deputy Superintendent of Police.

DIRECTIVE SIX
Set up a Police Complaints Authority (PCA) at state level to inquire into public complaints against police officers of and above the rank of Deputy Superintendent of Police in cases of serious misconduct, including custodial death, grievous hurt, or rape in police custody and at district level to inquire into public complaints against the police personnel below the rank of Deputy Superintendent of Police in cases of serious misconduct.

DIRECTIVE SEVEN

Set up a National Security Commission (NSC) at the Union level to prepare a panel for selection and placement of chiefs of the Central Police Organization (CPO) with a minimum tenure of two years.

But states didn't complied but this is the need of the hour as when we talk of work-culture, we generally thought of several other departments/organizations etc. not police. Police doesn't have any work-culture is the simple belief among folk. This should be changed as early as possible so that we could have better police-personnel working in a specified culture for bringing healthy nation.

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