

POLICING IN SINDH: THE PAST EXPERIENCE*

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Sindh has been the habitat of peaceful population since times immemorial. But for the brief interlude of the Brahmin domination in the 7th century A.D. when the society was violently disturbed in the process of subjugation and imposition of the caste system and application of the laws of Manu, peace had prevailed for a millenium before under Buddhism and peace was continued subsequently under Islamic dispensation of *ikhwa*, *salama* and *'adl*. The dominant values of piety and shunning of the sin coupled with capital punishment for crime, eliminated crime in the newly developing Islamic society in Sindh. But for the occasional political disturbances, there is no evidence of crime in the society during the Arab-Islamic period from 8th to 11th century A.H.

AL-SIND was then a well administered province of the Umayyid and the Abbasid caliphates as also of the local Amirates. Since there existed a strong Police Establishment called SHURATA in the Centre, it may be presumed that there was a similar establishment in the AL-SIND provincial administration where government was well organized as is evident from regular appointments of the Provincial Governors. The names of as many as forty of them, often with dates of appointment, are recorded in the contemporary history. The moral stature of the society was high, so that no theft was committed even when the owner was absent. It is mentioned in the early travel literature with reference to

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the Province's Western Division of Khuzdar that if some one left his belongings in the Jamia Mosque he would find them untouched on his return after a long time.

This state of affairs continued on subsequently during the Soomara and the Samma eras, 11th to 15th centuries A.D., when no incidents of crime were recorded. Only cattle dacoities (*lorrhyun*) are mentioned in folklore, in the tales of Lilan-Chanesar and Lakho Phulani. One tale, however, marvels at the exploits of a dare devil bringand Kara'irro Sammo by name. But then the society was also sensitive and strong, so that the bringand was successfully trapped, and was left with no other escape but to jump the high wall of the citadel only to fall below to his death.

During the rule of the Arghuns and the Tarkhans in the 16th century and of the great Mughals during the 17th/18th century, one comes across the first recorded reference to dacoits in Sindh. They were operating from the Gambat area which was then a considerable wilderness in between the present towns of Tando Adam, Bhitshah and Shahdadpur. Shah Qasim Khan Arghun had built the fort of Sayyid Garh in Gambat in 1011 A.H./1601 A.D. to control dacoits.⁽¹⁾ A century later, during the last years of Emperor Aurangzeb's reign, the same area of Gambat became a stronghold of the dacoits, but immediate action was taken to control the situation by rehabilitating the area, extending agriculture and settling therein peaceful population. Accordingly, a lease was granted to Mir Shahdad Khan Talpur, a zamindar of Hala, by the Mughal Governor, Ahmadyar Khan of Thatta, in the year 1117 A.H. (1705 A.D.) on specific condition that safety of the area will be ensured. Mir

1. Belgarnama, *Persian Text*, ed. N.A. Baloch, Sindhi Adabi Board, Hyderabad, Sindh, 1400 A.H./1980, pp. 261-62.

Shahdad Khan settled farming communities and joined them in extending agriculture in the area. The success of the project led to the establishment of the new settlement of Shahdadpur during the decade 1117-27 A.H./1705-1715 A.D.(2)

After the Mughals, Sindh was ruled by the two local dynasties of the Abbasid/Kalhoras and the Talpurs. There is no reference to any crime problem during their rule, though the ascendancy of the Abbasid/Kalhoras was marred by acts of State terrorism. The peaceful farming communities of Sangis, Panhwars and others in the Larkana district were forcibly dispossessed of their fertile lands. The *Maliks*, *Ranas* and the *Jams* of the local principalities were attacked and deprived of their ancestral States. Also the first two rulers were privy to the two fateful massacres, - of the saintly Shah Inat of Jhok (district Thatta) and of the scholarly Makhdum Abdul Rahman of Khuhra (district Khairpur). The sons of Miyan Noor Muhammad had long drawn internecine struggle and, but for a respite brought about by the benign rule of Miyan Ghulam Shah (1756-1772 A.D.), the country was plagued with intrigues when the last of his brothers ruled Sindh.

The Talpurs who took over from the Abbasids had suffered under their rule. Therefore, they reversed the policy of individual autocratic rule, and based their polity on 'Rule by Council'. Thus 'Consensus of Communities (*Rajan ja Faisala*)' became the mainstay of their public administration. Their chief executive at the grassroot level was the Kardar or Mukhtar-e-Kar, essentially a revenue officer for a taluka area. In case of quarrels or crimes, the matter was decided by the concerned

2. Cf. N.A. Baloch: 'The Foundations of Talpur Power in Sindh', Quarterly Journal of the Pakistan Historical Society, October-December 2001, Karachi.

community (*the Raj*) through the community elders. If they could not decide between the parties, the matter was taken to the ruler, the Mir, and the Kardar/Mukhtar-e-Kar served only as a coordinator. *Choree*, i.e. theft, was looked down upon as an abominable offence socially, which brought shame to the thief as well as to the family to which he belonged. Taking away something forcibly, i.e. '*zoree*', was tolerated but not *choree*. '*Zoree but not Choree*' was the popular maxim. Also proverbial was the popular verse saying:

Choree kamu chuhan jo,

Dhinga hanan dharra

[The rats commit theft (at night);

The strong ones brave the (day time) dacoities].

The instances of confinement of offenders are known during the Talpur period but they were mainly defaulters in paying their land revenue. They were brought to the capitals, - Hyderabad, Khairpur or Mirpur, and confined to the guarded quarters but not fettered. There they received their *bhatta*, the daily *ration* or meals. Only such incorrigible offenders as were also disowned by the people were fettered in what was known as KAATH, a long heavy log of wood. During the reign of Mir Ali Murad Khan of Khairpur, the capital punishment awarded was that of *Kot-te-Charrhan*, i.e. 'sending up on the Fort', -- confining the offender high up in Fort Diji. This punishment, which could become a life imprisonment, was awarded only by the sovereign Mir and was also condoned by him.

To sum up, during the Talpur period, almost all quarrels and offences were settled at the *Raj* (Community) level by the community elders (*Rajan-ja-Changan Murs*), or by the tribal chiefs under tribal custom and convention. *There were no criminals at large, and there was no police and no jails.*

The British occupation of Sindh in 1843 A.D. subverted the peaceful foundations of the society. A foreign colonial power had usurped the country and, for purpose of prolonging their rule and the peoples' subjugation, the community based system of local administration was changed.

All power was centralized in the State. Crimes were deemed to have been committed not against the community but against the State, and were also to be adjudicated by the State. The community or the elders were no more competent to settle matters. A new creed of waderas and zamindars was created and patronized to serve the interests of the colonial power. They were no more dependent on local community support as before. A new Police Department was created mainly to serve the colonial power and to subdue the people. New laws were promulgated and procedures were prescribed which, in effect, promoted crime and even popularised it as a paying profession. So long as the interests of the colonial power remained safe, the crime was to be tolerated and even connived at.

The Police Department became the long arm of the colonial power to control the people at the grassroot level. The local Police Station Officer was given free hand to deal with the people. He was designated as 'Subehdar', which was previously the high ranking title of the Provincial Governor. His was the task to subdue the people by abusing, humiliating and terrorising them. Some of these subedars became notorious by their own adopted ferocious titles. One called himself 'Qahhar', the 'Mighty Subduer'; the other 'Karo-wa', the 'Instant Death'; another was *Muchh-pat*, the 'Uprooter of Moustache'; and yet another one was *Ghanno*, the 'Bone Cracker'.

Instances may be cited how the colonial subedar acted. In northern Sindh, in the Sabzal Kot area, the Khosas, who were the remnants of the frontier gaurds of the Talpur period, were to be subdued. Charges were fabricated against them and the subedar proclaimed that they were to be arrested, their women folk were to be brought out, their heads would be shaven and they would be paraded naked in street. The announcement was so shocking that the women folk, to save their own honour, begged their men to kill them first and save them from falling into the hands of the Police. This was done, and then the four brave men fought against Police and died. Folk poets paid compliments to them and the memorable words which a mother then said to her son have been preserved in a verse for the posterity.

In southern Sindh, in the Mirpur Sakra Taluka, the eminent Kardar of the Talpur period and the most respected Sayyid Rajan Shah were to be humiliated, and the Subedar hatched the plan. The house break of a petty Hindu village shopkeeper was arranged, and then charges were framed against the Kardar and the venerable Sayyid. They were both arrested and brought to Karachi by Lt. Gell of the Karachi Police to be paraded in streets and then jailed. While being led to the jail, the Sayyid's only plea was that he should be allowed to cover his face in this process of humiliation. The record of this case is to be found in the Sixteenth Volume of the Blue Books of the Parliament published in 1851.

At the time of the British conquest of Sindh (1843 A.D.), the Pir Pagara was the most eminent and influential personage in Sindh. He and his followers were to be subdued. The Subedar of Sanghar was to create the cause for action. He invitd the leading figures from amongst the local followers of Pir Saheb, and

begged them to save the honour of Sanghar and retaliate by forcibly bringing a herd of buffaloes from the Khairpur State. After they had obliged him, charges of dacoity was framed against them. Thus flared up the first rising of the Hurs against the British in the last decade of the 19th century.

Gradually, under colonial patronage, the Police Thanas became the main agencies to spread the culture of crime and corruption in the society. Criminals were cultivated, patronised and protected in collusion with the newly created creed of 'Well Wishers of the Sarkar'. The most petty of them in the villages were designated as 'Police Patels', 'Headmen of the Police'. The more resourceful rascals were patronized as '*patharidars*', who were to be the promoters and protectors of thieves. The '*patharidars*' had a special status with the police; unless hard pressed from above (which happened rarely), they were not to be molested provided they shared their booty with the Police.

In brief, all the oral and recorded evidence leads to the conclusion that, in Sindh, the crime culture was initiated and spread in the society during the colonial period in order to corrupt and control the people. The Police Thanas were the main agencies to implant this culture. The main role of the Police was to subjugate the people. Thus, having been alienated from the 'native' society, the Police stood aligned with the colonial ruler. Consequently, the people saw police as their oppressor rather than protector.

Pakistan inherited this deep-rooted malady in the society on achievement of the national independence. Though the former antagonism between the police and the people has subsided by now, the police and the public stand apart in their perceptions as before. Further

weaknesses have crept in after independence, mainly due to political interference in administration.

How to bridge the gap between the responsibility of the police and response of the public, the police performance and the public cooperation in the common task of curbing crime and ensuring safety of public life and property?

This is one of the key questions to be answered in any future police reform in the country. As a layman, I may venture to make a few suggestions:

1. To create a peaceful society where crime is abhorred, all vestiges of injustice, exploitation and oppression will have to be obliterated. This calls for an organized system of education and other positive measures as well as preventive measures particularly efficient policing and prompt community action.

2. The community consensus and reconciliation should take precedence over the award of punishment in settling dissensions.

3. It should be the direct responsibility of the community to settle, at the very grassroot level, all disputes and minor acts of social crime, without any interference from the police.

4. In such dissensions and crime as require Police involvement, a legal framework should be created providing for cooperation between police and community.

5. In major crimes and cases of law and order requiring public support, the community cooperation with the police should be mandatory.

6. The Station House Officer, should be recognized as the key person to bring about any positive change and reform. Therefore, his recruitment, training, duties and responsibilities should receive special consideration. He should be recruited from families with positive peaceful record; he should be trained professionally to curb crime through community-cooperation; and he should be remunerated adequately.