

**What are the barriers to building a trusted police service in China and India? A
Comparative Study**

**Author: George Chak Man Lee, Trinity College, Development Studies,
Faculty of Politics and International Studies,
University of Cambridge.**

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Abstract:

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Author: George Chak Man Lee

This thesis attempts to identify what the barriers to building a trusted police service in China and India are through answering the questions: How has economic modernisation impacted upon policing? To what extent are the two police forces trusted by its citizens? Do the police carry out their duties in a fair and unbiased fashion? What do police corruption/malpractices look like and why does it persist? And what are the influencing factors in decision-making at the moments-of-truth? There is very limited research into the Chinese Police generally and even less on factors affecting organisational culture, practices, and decision making. There is no comparative study between the Chinese and Indian Police. This thesis found that the Chinese Police are held in higher esteem than the Indian Police by their respective citizenry. Both the Chinese and Indian police use stereotypes and are biased against certain section of society in the way they carry out their duties and that corruption and malpractices are tolerated and engrained in its culture but is subtler in China than in India. However, one surprised finding is that India is more at risk of the rule by man than China, even though India is said to be the world's largest democracy grounded on the principles of the rule of law.

Preface:

- This thesis is the result of my own work and includes nothing which is the outcome of work done in collaboration except as declared in the Preface and specified in the text.
- It is not substantially the same as any that I have submitted, or, is being concurrently submitted for a degree or diploma or other qualification at the University of Cambridge or any other University or similar institution except as declared in the Preface and specified in the text. I further state that no substantial part of my dissertation has already been submitted, or, is being concurrently submitted for any such degree, diploma or other qualification at the University of Cambridge or any other University or similar institution except as declared in the Preface and specified in the text.
- I confirm that the number of words in this thesis does not exceed the prescribed word limit for the relevant Degree Committee.

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1. Introduction:

It is my belief that the core of Development Studies is in essence an attempt to understand the processes and phenomena of raising the welfare of the masses. One key aspect of socio-economic development is the provision of a safe and stable environment. The police play a pivotal role in providing this environment. Therefore, the aim of this PhD is to establish what the barriers are to building a trusted police service in China and India. An important factor influencing public trust is the behaviour of street-level-officers at the moments-of-truth (i.e. police-public interactions).

The PhD question came about when I met Professor Nolan at a roundtable discussion where a Peoples' Republic of China (PRC) delegation was presenting China's steps towards building a "socialist rule of law". Being a 17 year London Metropolitan Police Veteran I made the point that none of the institution building or legislative efforts presented would lead to real change at the coal-face (moments-of-truth) unless the Chinese Police (Public Security Bureau – PSB) was reformed because police officers are gatekeepers to the criminal justice system. Therefore, the focus of reform must also apply to the PSB if positive impact is to be made for the Chinese people.

India was chosen because it and China share many similarities including "vast populations and territories and undeniable political, economic, and cultural importance; severe "principal-agent" problems arising from their size; particularistic cultures that can buttress nepotism and personalism; the legacies of centralized economies; and now economic liberalization and rapid growth. Both economic centralization and overall levels of development affect corruption in complex and reciprocal ways. China had the more centralized economy for many years but began liberalization first, proceeded with it faster, and is now the wealthier country. India's economy was quite centralized in its own right, at least until 1992, and less integrated with the world" (Sun and Johnston, 2009, p.1-2). They differ in that China is said to be the largest dictatorship in the world and India the largest democracy.

The structure of this thesis will consist of a literature review on barriers to trust in the form of how police culture informs decision-making/behaviour – especially misconduct at the moments-of-truth. The subsequent sections will include a methodology section

followed by a discussion where I attempt to identify the barriers to building a trusted police service in China/India by answering the following questions: How has economic modernisation impacted upon policing? To what extent are the two police forces trusted by its citizens? Do the police carry out their duties in a fair and unbiased fashion? What do police corruption/malpractices look like and why does it persist? And what are the influencing factors in decision-making at the moments-of-truth? This will be followed by a conclusion and reflection.

2. Literature Review:

In this literature review on police culture and decision-making I will first define what organisational culture looks like and how it affects organisational behaviour generally and the police in particular. I will then examine what the current police decision-making literature has to tell us in regard to what factors influence decision-making/use of discretion at the coal-face. That done, we will then seek to understand what police culture in India and China looks like before exploring various forms of police malpractices/corruption because they have significant impact on public trust.

2.1 Organisational Culture

There is a rich vein of literature in the management science discipline exploring organisational culture and behaviour (e.g. Ravasi & Schultz, 2006; Schrodtt, 2002; Schein 1992; Kotter & Heskett, 1992; Handy, 1972; Harrison, 1972; Denison, 1990; Moorhead & Griffin, 1995; Miner, 2006; Weber, 1947; Taylor, 1911; Simon, 1997; Katz & Khan, 1978; Herzberg, 1968; McGregor, 1960; and Hofstede et al. 2010) and how it affects performance, productivity, processes, practices, effectiveness, decision-making, morale, staff satisfaction, governance, values, attitudes, behaviours, etc. Organisational culture can be understood by using the examples of attending a rock versus a classical concert or a football match as opposed to a tennis match. At both concerts and sporting events a set of differing social expectations (e.g. how one dress and behave) are unofficially codified and generally followed by spectators. Organisational culture can be understood to work in similar ways¹.

¹ Study.com, Business 107, Chapter 22/Lesson 1

My experience from working in companies across the globe is that every company has its own unique personality. For example, at Deutsche Telekom it is the smallest detail that will decide on what decision is made whereas at Vodafone it is the broad concepts that determine the outcome. This is because Deutsche Telekom originated from a state owned fixed line telecom operator full of engineers therefore risk avoidance was a key part of decision-making. Vodafone, on the other hand, had started out in life as one of the world's first start-up mobile operators where its entrepreneurial culture was reflected in its decision-making.

In short, each company has a unique personality and that is what is usually referred to as its culture. It is “an invisible force that influences the behaviour of the members of that group”. Additionally, it is also the “pattern of such collective behaviours and assumptions that are taught to new organisational members as a way of perceiving and, even, thinking and feeling”. Thus, organisational culture “affects the way people and groups interact with each other, with clients, and with stakeholders”. Moreover, organisational culture “may affect how much employees identify with an organisation” (Schrodt, 2002, p.189–202). Furthermore, it is a system of shared assumptions, values, and beliefs, which governs how people behave in organisations. These shared values have a strong influence on the people in the organisation and dictate how they dress, act, and perform their jobs. Every organisation develops and maintains a unique culture, which provides guidelines and boundaries for the behaviour of the members of the organisation (Ravasi & Schultz, 2006; Schrod, 2002; Schein, 1992).

There are numerous theories on types of organisational culture put forward by commentators referenced above but they can be summarised as composing of potentially seven characteristics that range in priority from high to low. Every organisation has a distinct value for each of these characteristics, which, when combined, defines the organization's unique culture. Members of organisations make judgments on the value their organization places on these characteristics, and then adjust their behaviour to match this perceived set of values. The seven characteristics of organisational culture are: innovation (Risk Orientation); Attention to Detail (Precision Orientation); Emphasis on Outcome (Achievement Orientation); Emphasis on People (Fairness Orientation); Teamwork (Collaboration Orientation);

Aggressiveness (Competitive Orientation); and Stability (Rule Orientation). However, other commentators (e.g. Parker, 2000; Schein, 1992; Deal and Kennedy, 2000 and Kotter, 1992) suggest that complex organisations might have many cultures, and that such sub-cultures might overlap and contradict each other. The neat typologies of cultural forms found in textbooks rarely acknowledge such complexities, or the various contradictions that exist. Although a company may have its own unique culture, in larger organizations there are sometimes co-existing or conflicting subcultures because each subculture is linked to a different management team (Kotter, 1992).

2.2 Police Culture

The notion of sub-culture in police organisations (Herbert, 1998; Paoline, 2003) was certainly borne out in my experience of being a police officer where the values, attitudes and behaviours of officers in different departments in the same force were demonstrably different. For example, in comparing the CID (Criminal Investigation Department) with Traffic Division the CID culture was much less formal, less enforcement focused, sociability (drinking) with colleagues was seen as critical (indeed, in most CID offices there were drinks laid out where senior officers would join in with the heavy office drinking session every Friday afternoon even though drinking on duty was strictly against the disciplinary code), the acceptance of gratuities was much more lax to the extent that teams of detectives were routinely practicing what I would term aggressive “mumping” (Punch, 2010) i.e. eating and drinking banquet size meals in China Town restaurants without formal invitation but waltzing in to get their freebies as if it was their God-given right and helping themselves to goods and produce from small businesses without even offering to pay.

In short, although there was an overarching police culture as described in the literature there were also subtle nuances between departments. The dominant view in police study literature is grounded in the idea of a “special character” that often dictates police behaviour (Banton, 1964; Skolnick, 1966; Wilson, 1969; Westley, 1970; Bittner, 1970; Van Maanen, 1974) and is generally referred to as the “blue curtain” (Westley, 1970) or the “blue wall of silence” (Bittner, 1970). Scholars (e.g. Campeau, 2015) refer to a protective and united “brotherhood”, which is mainly attributed to the isolating and threatening nature of the work (Skolnick, 1966), as well as the constant pressure to be

productive in what are often uncertain circumstances (Wilson, 1969). The core characteristics of police culture can be summed up as conservative, mission-oriented, isolated, possessing a cynical outlook, masculine, pessimistic and suspicious with an encompassing ethos of a code of silence and us versus them mentality and the thin blue line where these values or attitudes are acquired through on-the-job socialisation, and is said to play a vital role in explaining police behaviour (Reiner, 1985). This combination of traits is best interpreted as an “ideal-type”; a synthesis of police values and perspectives into a unified analytical construct (Campeau, 2015). Repeated studies have confirmed the pervasiveness of these core characteristics: conservatism (Loader and Mulcahy, 2003; Skolnick, 2008), danger/mission (Barker, 1999), masculinity (Fielding, 1994; Herbert 2001), solidarity (Punch, 2009), and suspiciousness (Kappeler et al., 1998). Loftus (2010) argued that because the core tasks of police work remain largely unchanged over time and across space - police hold a monopoly on the sanctioned use of coercive force and are obligated to perform society’s “dirty work” on a routine basis (Bittner, 1970; Westley, 1970) – consequently the durability of the core cultural characteristics still holds true. A considerable amount of time has been devoted by academics to try and understand police culture because it is noted as an obstacle to police accountability (National Research Council, 2004), as a reason why police reforms fail (Skogan, 2008), as a cause of police abuse of authority (Skolnick and Fyfe, 1993), as a mechanism officers use to cope with the dangers and uncertainties (Paoline, 2003), and as an explanation for discretionary behaviours (Paoline and Terrill, 2005; Terrill et al., 2003).

My experience of how police culture influences officers’ attitudes and behaviour is that whilst police managers, laws and procedures dictate the broad parameters within which officers operate, it is the canteen culture (Waddington, 1999) dominated by the “old sweats” (veterans with more than 10 years in the job) that tells the rest (especially the ‘sprogs’ – police probationers who has less than 2 year service) how to go about their job (“avoid getting into grief”, “make sure you don’t bring grief in for the skipper” - Station Sergeant, “be careful of the 3 Ps = Prostitutes, Properties and Prisoners – especially juveniles”, “don’t be a smart ass”, “always cover your ass”, etc.) how hard to work (“don’t be a lazy cunt”), what kinds of relationships to have with their fellow officers (“he’s a lazy uniform carrier”, “he’s dodgy”, “he’s a good thief-catcher”, etc.) and other categories of

people (including “Assholes” - Van Maanen, 1978) with whom they interact (“domestics are grief because you are always piggy in the middle so avoid it like the plague”, “apart from God check out all the other bastards”, “If you attend a pub fight don’t rush in, you’ll end up being kicked by every bastard in the place so wait and pick up the pieces after”, etc.), and how they should feel about police managers (“don’t trust governors as far as you can throw them”, “none of them give a shit about you they will always hang you out to dry”), judges (“dodderly old fuckers”, “no idea of the real world or how ordinary folks live”, etc.), lawyers (“defence briefs are all bent and always looking to trip you up”, “CPS - Crown Prosecution Service - are incompetent and useless tossers”, etc.), the law (“it’s an ass”), etc. and the requirements and restrictions they impose on his/her daily activities. Combined with the effects of formal pressures, uncertainty of the nature of work (“you never know what’s round the corner so always be on your guard”) plus the pressures generated by working unsociable hours often lead police officers to experience a great deal of stress in their professional, social, and family lives thus resulting in cynicism, burnout, medical retirement and a host of physical and emotional ailments (Campeau, 2015).

To deal with the isolation from the community that results from the ‘job’ and the police socialisation process (e.g. everyone is expected to go down to the pub after work no matter what time of the day or night it is where men have to drink pints of beer whether they actually enjoy it or not), they fall back on the shared sense of purpose and identity in order to cope and make sense of the world around them. Although much of the academic literature portrays police culture as aggressive and negative. Speaking as someone who experienced it first hand, at its core, there is a shared sense of mutual responsibility, team work, the desire to get the job done no matter the circumstances and provide stability for its actors in an uncertain and often complex working environment.

Having painted a broad-brush picture of what police culture looks like it might be helpful to also examine how and why a distinctive police culture arises and how it impacts moments-of-truth. I will use Lawson’s (1983) study (because this study more than any other accords with my personal policing experience) to illustrate and summarize similar findings from various sources mentioned above. Lawson suggests that officers develop

a professional combatant perspective (a gladiator mentality) for nearly all encounters with the public, even service related functions systematically “skirt the law” (i.e. police engage in quasi-legal or outright illegal activities to maintain community peace) and then develop elaborate mechanisms for concealing (hiding, denying, and lying) these activities. Police become extremely critical of the other agencies within the criminal justice system, particularly the “lenient courts” and “permissive correctional programs”. His survey findings of American officers suggest that: 1/ nearly 50% indicated that their friends were almost exclusively other officers (reinforcing the isolation aspects of the policing profession); 2/ nearly 60% believed that the public’s image of law enforcement had declined in recent years; 3/ 60% indicated that police work was getting more difficult because fewer people respected police officers personally; 4/ over 40% felt that fellow officers quit, in part, because the public generally did not appreciate their attempts at keeping the peace; 5/ 69% agreed that the public was becoming more and more disrespectful of authority (police, courts, judges, etc.); and 6/ 76% believed that this situation is “very serious”. Lawson suggests that whether or not the public is as anti-police as these impressions by officers indicate, it is important to realise that officers react to citizen encounters with these views in their minds. Thus, the very nature of the mediation process is bound to be influenced by such police impressions of the public (1983, p.83-84).

A gladiator’s view is adopted because nearly all encounters with the public involve tension. Either someone has called because something is wrong in their personal world or the police initiate an encounter because things are not perceived as entirely satisfactory by him/her. The officer’s initiation of an encounter can certainly affect the tension or anxiety levels of opposing parties. “No one calls to invite any old officer over for tea. They call because they’re hassled or bothered”. Most police encounters are antagonistic in nature e.g. directing traffic, investigating complaints, interrogating, arresting suspects, controlling mobs and crowds, urging prosecutors to press or drop charges, testifying in court, participating with (or battling) probation officers in juvenile courts, presenting budget requests to local government, negotiating with civil rights groups, defence lawyers, reporters, quelling domestic disputes (officer arrives and spouses jump on this ‘intruder’ who dares enter their sacred home), moving on loitering individuals, stopping unlicensed solicitations, dealing with drunks and rowdy youths and

anti-social behaviours (including playing sports in the streets), asking owners to keep dogs on leash or from fouling streets, etc. Police-public encounters take the form of a precarious balance of officer control and citizen submission where control is often more apparent than real. Especially when dealing with antisocial/antagonistic people police assume a veneer of hardness because they believe that courteousness is seen as weakness or servility. They will say that criminals (antagonistic people generally) are not entitled to the treatment accorded to gentlemen” (Ibid., p.94-95).

Moreover, this policing veneer is easily accommodated by the shared characteristics and values of police officers’ reverence for authority. Police officers tend to be conservative and security bound. They are uncomfortable with rebellion and all forms of dramatic adolescent protest. They are idealistic, and have preserved an attitude towards authority that is one of respect, awe and sometimes reverence. They cannot understand, accept, or tolerate any direct challenge of authority. They experience challenge as abuse and defiance – my personal knowledge of this is the repeated mantra from long-serving police colleagues, “don’t let them [disrespectful people] take the piss out of the uniform”. There is a need to take command/control of encounters which means “demanding that all parties respond properly to the officer’s authority or else varying degree of force will be used to accomplish control” (Ibid., p.99). The justification for control comes from the belief that only people with something to hide or general undesirable types would show public contempt towards the police. Consequently, when officers felt challenged this might lead to questionable practices by “over enforcement” for very minor offences e.g. spitting or jaywalking. “For the patrolman the street is everything; if he loses that, he has surrendered his reason for being what he is” (Ibid., p.100-101).

Lawson made the point that “time and again officers would state that they primarily deal with only the bastards and the assholes of the community, therefore, such perceptions surely taint one’s rose coloured glasses” (Ibid., p.106). My experience suggests that police cynicism manifests itself in assuming the worst about all people (“apart from God check out all other bastards” was the first advice I received from my Police College Instructor). From the outside, this can appear cold and unsympathetic even towards victims, however, experience shows that all “too often it turns out that the stolen TV

never existed, lost, loaned to a boyfriend, or hidden because payments were overdue; the assault was in fact a fight which the victim started but could not finish” (Ibid., p.106); or the missing child was dead and hidden in the loft of the grieving relative, etc.

A new police officer soon realises that it is impossible to make everyone happy. Police must fall back on the realisation that they are ultimately professional combatants (gladiators) working for the state to maintain a particular definition of social order. That definition may not be popular with some or even majority in particular instances. The display of authority is to convince the detainee (and the community) of the gravity of what he has done so as to restore the unity of meaning. Collectively agreed upon meaning must be maintained regardless of the methods used. Whether police choose a ‘crime fighter’ perspective (stress on law enforcement) or an ‘order maintenance’ orientation (stress on keeping the peace), the ultimate end is the “maintenance of a particular definition of social order” (Ibid., p.93). The essential philosophy of democracy is to trust a person until he proves himself untrustworthy but the culture of police to “check out all bastards apart from God” is the reverse of this principle. “Even though officers know that most people they stop or question are not guilty of any wrong doing, but they cannot know for sure until after they have stopped him...The paradox of authority, attempting to maintain order through struggle or confrontation, is that it must uphold absolute or pure principles by impure means. This paradox is obviously true of dictatorships. It is equally true of governments that proclaim themselves democratic and/or humanitarian in nature” (Ibid., p.102). Police tendencies 1/ to initially treat people as guilty or at least potentially dangerous, 2/ to be ready, if not outright willing, to combat challenges to police authority, 3/ to question the legitimacy of ‘victims’, 4/ to define as criminals those who do not show proper respect for officers’ attempts at controlling the streets, all suggest why officers can, in fact, “create hostility in community members, even when none previously existed or at least had not surfaced beforehand” (Ibid., p.104).

Lawson argued that police illegality refers to tactics or strategies that foster the completion of general responsibilities such as law enforcement and order maintenance but not promote basic consideration or guarantee the protection of ‘due process’ to the public. Behaviours such as taking bribes, using excessive/unreasonable force,

engaging in burglaries while on duty are obvious violations of criminal law. These are less prevalent than 'lesser illegalities,' where the distinction between illegal behaviour and quasi-legal or skirting the law behaviour is more blurred e.g. hassling people they don't like, arresting and detaining suspects in full knowledge that no charges will be brought, overlooking someone's criminality to extort information regarding other crimes, getting drunks to leave their homes so that they can be arrested for being drunk in a public place, using threat of force to coerce respect and reverence, etc. (Ibid., p.109).

The rotten apple idea is an excuse to find scapegoats but the pressure for police illegality or skirting the law is the "normal daily characteristics of policing which facilitate officers circumventing the law". Most officers will maintain control, thwart challenges, and suppress outward signs of disrespect, even if they must violate the law to keep control of the streets as this is of utmost importance and police illegality is tolerated in the pursuit of this objective - in my experience this is achieved by using 'The Ways and Means Act'. Their primary function is solving public disputes therefore pragmatism is a key element within police work that leads to "ends justify the means orientation" (Ibid., p.114-115).

The analysis of police illegality must focus on aspects of the job that promote law violations. It is not enough to say that each officer disobeys the law for his or her own reasons. The rotten apple theory of police illegality does not suffice because officers are primarily responding to, and obeying voices outside, not within themselves. "Officers, do not, in an isolated, individualistic fashion, choose to be unyielding in their attitudes toward citizen misbehaviour, while becoming increasingly tolerant of police misbehaviour" (Ibid., p.123). Lawson maintains that police, like other occupational groups, developed a shared world view around attitudes, knowledge, expectations and perception of community history. He suggests that there is a loosely shared picture of society which, whether correct or not, has encouraged certain adaptations by the police. It has fostered a professional combatant perspective. It has promoted police illegality and nurtured concealment and secrecy. Officers in his research talk of three frustrations: 1/ taking bulk of the heat and criticism over increased crime and disorder; 2/ inability to convince increasing numbers of the public that their task is law enforcement not 'social work'; and 3/ increasing 'dues' or social costs officers have to pay in order to police

society – as mediation becomes more complex/tough and solutions more temporary, officers feel that they are subjected to increasing antagonisms from the public (Ibid., p.151-152).

2.3 Police Culture – Indian/China

From the perspective of factors informing police culture in China and India. In the case of the PSB, commentators (e.g. Wong, 2012) argued that since the creation of the PRC the PSB has been entrusted with wide ranging powers to protect the socialist revolution and in the last three decades has been charged with maintaining social order for the purposes of creating a stable environment for economic and social development. This has led to runaway police powers where the prevailing pragmatic policing culture has a preference for substantive rather than procedural justice.

Chan (2014) argued that there is a universal concern from Chinese policing commentators that the PSB's abuse of authority; brutality, misuse of force, in particular deadly force; over-enforcement of the law; bribery; manufacturing of evidence in the name of efficiency or success; failure to apply the law because of personal interests; and discrimination against particular groups or individuals has a detrimental effect on public trust of the Chinese police. Moreover, Mao's (1926) thought on "Who are our enemies, who are our friends, that is a question germane to revolution" has led to the PSB's "expressions of dissent in the embryonic socialist state was not simply to patrol the divide between friends and enemy but to define it. Police work was held together by this very thin thread of understanding. Empirically, the thread becomes the path along which the border patrols of the police walk. Chinese police patrolled the line separating friend from enemy to ensure no ambiguity and no 'trails'. It is a world in which clarity is necessary and...it is gained through the intense and violent struggle origin against the enemy". This means that China's campaign-style policing and politics are not necessarily a smoke screen for cynical real politicking, personal ego or exercise of pure power, etc. It can be due to "believing in the cause too much. In this way moral zealotry expresses itself in a semiotic of tyranny" (Dutton, 2005, p.68-9).

Trevaskes (2010, p.7-8) argued that campaign justice in modern China is evidence of a policing "culture in action". A core aspect of her argument is that the anti-crime campaign

has been employed as the very template or mechanism through which a pre-existing political culture of punitiveness has been able to be sustained and encouraged in a period of rapid economic transformation. By embodying quasi-Maoist nomenclature and practices, campaigns have acted as a bridge between past and present, a bridge that political authorities believed to be a necessary way of negotiating through the potentially unstable path to social and economic transformation. Cohen (2011) points out that the police in China are king both in law and practice.

In the case of India, retired officers (Singh, 2001; Arun, 2000; Dikshit, 2000) and other criminal justice scholars (Vadackumchery, 1998; Gupta, 1979; Mehra, 1985) argued that the modern Indian police still suffers from the legacy of British colonial rule in which the primary purpose of the police was to collect revenue thus the police was designed to repress rather than to serve. Consequently, due to a lack of financial resources and the political will to affect reform the Indian police is still focused on its priority for paramilitary duties to maintain state security at the expense of crime investigation and prevention (Gupta, 1979). Moreover, the colonial legacy has embedded a culture of corruption, abuse, rudeness, rigidity, arrogance, insularity, discrimination against the lower castes, and couldn't care less attitude (Vadackumchery, 1998) as well as laziness, inefficiency, ineffectiveness, fabrication of evidence, and the unnecessary use of violence which has resulted in the Indian police being alienated from the general population (Dikshit, 2000).

This conservatism of police organisations and their resilience to change can be partly explained by the Weberian theory that suggests that once bureaucracies are established, they are extremely difficult to deconstruct. Even when state change occurs as a result of revolution or incremental change (e.g. as in India and China) institutions maintain their rule for functioning. Seleti (1998) argued that police institutions maintain legacies of historical behaviour and ideology, and are rooted in past and present cultures and traditions that may be authoritarian in nature. Marks (2000) supports Seleti's assertions and suggests that new policies and legislations do not automatically bring about desired transformation within the police, and effective police transformation may require a more radical challenge of established culture.

2.4 Corruption

Distrust of government and enforcers of its laws (the police) usually goes hand-in-hand. For example, during my policing of the 1980s miners dispute my colleagues and I were frequently called 'Maggie's boot boys' (referring to the then British Prime Minister Margaret Thatcher) by striking miners on picket lines. Furthermore, we were also targeted by Poll Tax Rioters a decade later in Trafalgar Square as symbol of the unpopular government at that time even though the 'British Bobby' were well known apolitical actors. Goldsmith (2005) suggests that distrust is learned, and all too often it is proved. People share stories of misunderstanding, ignorance, and occasional brutality. Moreover, police who are consistently required to enforce unpopular laws will gradually lose public support which leads to the paradox that a weak police with public support, at least in the long run, will be more effective than a powerful police lacking public support (Goldsmith, 2003). He further reinforced this view by proposing that in societies in which police are deployed to bolster the political authority of the regime, police will often be used under the guise of the law against political opponents and ethnic minorities. When the enforcers are themselves immune from legal processes, a situation of impunity arises. The failure of the police to be governed by the law is evidence of double-standard and hypocrisy, as well as an imbalance of expectations between citizens and police officers. Trust has to be learned, just like any other kind of generalisation, what is sensible for a given individual to expect depends heavily on what the individual knows, both about the past and the future of the other person or other party to be trusted because experience moulds the psychology of trust (Hardin, 1993).

A key determinant of public trust is that police must be seen to be fair, just and free from malpractices – i.e. corruption and abuse of authority. There is no universally accepted definition of corruption (Holmes, 2015) but the traditional view is that it involves economic improprieties, such as bribes and embezzlement by a public official, and there is usually an element of reciprocity in the corrupt transaction (Heidenheimer et al., 1989; Glaeser et al., 2008; Porta et al., 1997).

However, this narrow legalistic view fails to answer one of the trickiest issues in determining whether or not a given act constitutes corruption. That is, how to distinguish a gift from a bribe. In many Asian cultures, for example, not only is a gift not seen as a

bribe, but it can be insulting to decline it, or to treat it as a bribe. As the first Chinese to join the British Police and serve in London's China Town District I knew well that accepting hospitalities from the locals was a way of giving the community leaders 'face' and if my colleagues and I had not attended banquettes held in our honour or accepted Christmas gifts as signs of the community's gratitude, offers of free food from the restaurant owners, etc. then police-community relation bridges cannot be built and both the police and the Chinese Community as well as the wider community would have been the worse for it. This is an example of cultural difference; not only elites, but also most citizens in most Asian states believe that it is polite and one is required to show hospitality by giving a visitor a gift.

Moreover, the concept of corruption has evolved and the scope widened to include both private-to-private sectors without the need for a public official and as featured in The UK Bribery Act 2010 (Comer and Stephens, 2013). Additionally, the practice of nepotism and cronyism where the perpetrator receives no bribe but has certainly abused his power and perhaps 'gained' by doing his family or friend a favour by securing them a position or contract at the expense of a potentially better qualified applicant. Meny observed that the concept of corruption changes over time and varies somewhat across cultures. From Meny's relativist perspective corruption lies very much in the eyes of the beholder. For example, what the Russian's call '*blat*'; the Chinese term '*guanxi*'; the US call '*networking*' and in the UK it's the '*old school tie*', and while each is distinct and culturally specific they do have commonalities between them. In that they all create insiders and outsiders, with privileges for insiders. If the narrower version of the definition is adopted, then they are not corruptions but if the broader version is adopted then all sorts of relationships between people (including those listed above) may be seen as corrupt (1997, p.7-8).

Heidenheimer (1989) has drawn attention to the problem of borderline areas mentioned above. He attempts to make a distinction between 'white' corruption, 'grey' corruption and 'black' corruption. Black corruption is accepted by everyone, elite as well as the public at large, as corruption and offenders should be punished; White corruption is where both groups accept that an act is technically corrupt but should not attract punishment; and Grey corruption is where views differ between the elites and the

masses due to uncertainty over whether it is corrupt or not. In short, there is no universally accepted definition of corruption because in different jurisdictions different definitions are adopted due to cultural factors and legislative differences on how and why laws are drafted and by whom. However, although there is no universal definition of corruption it is generally accepted that it now includes abuses that go beyond traditional bribery and embezzlement activities.

According to surveys of more than 24,000 people conducted on behalf of the BBC in late 2010 and late 2011 across twenty-six (in 2010) and twenty-three (in 2011) countries, corruption was the topic most frequently discussed by the public globally, ahead of extreme poverty, unemployment, the rising cost of food and energy, climate change, and terrorism. Since these polls were run at a time when most countries were still suffering the effects of the 2008 GFC (Global Financial Crisis), such results testify to the significance of corruption in the contemporary world. Indeed, a more recent (2013) survey of almost 70,000 people in sixty-nine countries, conducted by WIN/Gallop International, provides further evidence to support this contention; it identified corruption as the world's no. 1 problem (Holmes, 2015).

The effects of corruption impact directly the lives of the ordinary population in many ways, for example, social, economic, politico-legal, environmental, security-related, and international implications. More importantly it can also increase inequality. "While many citizens will tolerate reasonably high levels of inequality if this appears to be based on merit, they will resent it if based more on personal connections and bribery to obtain prestigious jobs and promotions. The problem is exacerbated if growing inequality is accompanied by higher levels of poverty, which is often the case. In a seminal analysis published by the IMF in 1998, the authors analysed data from more than thirty countries over an 18-year period and demonstrate convincingly that increased levels of corruption increase both income inequality (as reflected in the Gini coefficient) and poverty levels. Since poverty is linked to poorer health, both physically and mental, corruption can impact directly on people's well-being" (Holmes, 2015, p.19).

Moreover, high levels of corruption might lead to increased distrust of the state and its officers. This can lead to a widespread "return to the family" and heightened attachment to kinship. This might have the potentially negative effect of creating greater reliance

on, and identification with, “kith and kin”, thus resulting in a reduction of social capital and cleavages appearing between social and ethnic groups in society, which can lead to ethnic and other forms of social conflicts (Holmes, 2015).

In terms of economic impact, it is generally accepted by corruption commentators that the phenomenon of capital flight makes elite corruption more of a problem than that of petty corruption because of its monetary impact in developing nations. This is because poorer nations will feel the effects of capital flight in its economic performance more so than economically developed nations (Madsen, 2013). Kleptocracy is a term used to describe corruption of high-level public officials, who use their positions systematically to line their pockets directly or indirectly with funds from the public purse. Foreign borrowing and capital flight are connected by a financial revolving door, as funds borrowed in the name of governments are captured by politically connected individuals and channelled overseas as their private wealth (Madsen, 2013, p.33). There are ongoing debates as to the definition of capital flight and the accuracy of various measuring methods based on distinctions between ‘normal flows’ and ‘capital flight’, ‘short term’ and ‘long term’ and between ‘legal’ and ‘illegal transactions’. Consequently, estimates of capital flight vary. Such debates notwithstanding, however, capital flight measures have an important economic impact on developing economies because they are still viewed as important indicators of a nation’s predicament in financing international debt repayments and act as a warning to the international banking community as to the risk of lending to these countries (Schneider, 2003).

In sum, the effect of corruption is wide ranging, it has social, economic, politico-legal, environmental, security-related, international, and inequality implications for the host nation as well as risks for trading partners and global financial institutions. If left unchecked, it erodes the quality of everyday lives of its citizens and has a demoralising impact on its people as well as legitimacy challenges for the ruling elite.

There is a prevailing belief, largely based on western-centric value-laden views, that Parliamentary democracy as an institution is less corrupt than other forms of government: “Many forms of government have been tried, and will be tried in this world of sin and woe. No one pretends democracy is perfect or all wise. Indeed, it has been said that democracy is the worst form of government, except all those other forms that

have been tried from time to time (*including dictatorship*)” (Churchill, 1947). This perception is not only popular among Western politicians and media but also true among corruption academics. “In more open and democratic societies, legislation may be the result of compromise between different groups both within and beyond parliament – and the particular permutation of diverse interests is unique to each society. This explanation is less likely to apply in authoritarian systems. But such systems are typically more corrupt than more democratic ones, and ruling elites often choose either to have no explicit anti-corrupt legislation – and hence no legal definition – or else deliberately vague laws; they want to preserve their privileged positions, and prefer not to introduce laws that could be used to undermine these” (Holmes, 2015, p.8). Leaving aside the fact that there are a number of problematic western democracies with major corruption issues, such as Greece and Italy, to name but two, the proposition that democracy is the panacea for corruption, in actuality, is far from clear (see articles by J. Van Klaveren; H.J. Ford; J.Q. Wilson; J.J. McCook; J.G Speed; A.A. Rogow/H.D. Lasswell; and R.S. Geitz on US local and state corruptions in A. Heidenheimer’s edited collection on Political Corruption, 1978).

As an illustration, analysis of the Transparency International’s 2010/11 Global Corruption Barometer survey to the question of percentage of respondents (or their family members) who had paid a bribe in the last 12 months (global average = 24%) shows that China (an authoritarian regime) with 9% was on par with Austria and only 2% behind France. China actually came out much better than many other Western democracies or ‘developed nations’ including for example: Belarus (28%); Bosnia (23%); Czech Republic (14%); Greece (18%); Hungary (24%); Italy (13%); Latvia (15%); Lithuania (15%); Luxembourg (16%); Macedonia (22%); Poland (16%); Russia (26%); Romania (29%); Serbia (18%), etc. Moreover, China’s position was positively outstanding in comparison to South Asian democracies: India (54%); Pakistan (50%); and Bangladesh (72%).

Furthermore, proponents of the democracy panacea thesis have not yet provided compelling evidence to explain countries such as Singapore, which does not have a typical western-style democracy but a single party state but yet it is largely seen as not having a ‘corruption problem’ and is regarded by all manner of measurements as being

less corrupt than most Western democracies including UK, USA, France and Germany. Moreover, many corruption commentators tend to gloss over or even ignore the issue of political lobbying in western democracies which can be seen as buying political influence under another name. Additionally, there seems to be incongruence on how, for example, UK anti-corruption legislations are framed, take for example cash for access. Regulators have made it clear that if a business pays to arrange a meeting with a foreign government official, it will be regarded as 'bribery'. However, paying £50,000 for a dinner place with the Prime Minister at Conservative Central Office is framed as 'lobbying' and is therefore acceptable. Consequently, it can be argued that "It is highly unlikely that corruption in the UK, France, the USA, Italy and the EU is any less than in countries such as Nigeria, Indonesia or Mexico, it is just different (Comer and Stephens, 2013, p.11).

Moreover, Comer and Stephens (2013, p.24) catalogued a whole series of corruption scandals both by western governments and public servants which to-date have resulted in very little actions taken against the perpetrators. For example, in the UK they highlighted a report published by the National Audit Office which estimated waste in the Civil Service between 2009 and 2011 at £31 billion. These includes, for example, numerous failed public IT system projects that went way over budget; public procurement contracts that were extremely poor value for the tax payer; and Private Finance Initiatives (PFI) where hospitals were being charged £150 to fit a light bulb and £3,500 for a basic laptop computer; the starting budget for the Scottish Parliament building was estimated at between £10 and £40 million but the final cost exceeded £440 million. "It is, of course, possible that some or all of these cases can be attributed to misunderstanding or negligence although corruption is most likely explanation. It is hard to believe that innocent people could be that careless or so stupid". Not only has there been no police investigation into many of these cases but no civil servants have resigned for incompetence. To the above list one can also add MP expenses; cash for questions; cash for honours; Iraq dodgy dossier, etc.

I was involved in a number of the above mentioned public sector bids as a deal executive in various well known multi-national information technology and business process outsourcing firms in early-to-mid 2000s, and the practice of lavished 'corporate

entertainment' and leveraging the 'old school tie' was the norm in trying to access and influence decision-makers – it was how business was done. The difference in corruption practices between developed democracies as opposed to those of developing nations is that the degree of subtlety in developed nations is more oriented towards longer term relationships and deferred benefits. "Corruption in developed economies are just as bad; just subtler (Comer and Stephens, 2013, p.13-14). Moreover, Porta and Meny (1997, p.168-179), in their comparative analysis of corruption in Western democracies, argued "...both in France and the UK, the opportunities for corruption are increased by the practice of large businesses of recruiting retired public administrators or distributing consultancies to those still working...In both the Italian and French cases, we can highlight the role played in organizing more or less illegal dealings by some Masonic lodges. We can conclude, therefore, by observing that important functions in the widening spread of corruption are played by various network of power, characterized by secrecy: 'transverse' involvement of politicians from different parties, entrepreneurs, public officials, professionals; selective membership procedures which consolidate the relationship between members". The suggestion that a Masonic network creates an 'in' and 'out' crowd was certainly evident when I was a police officer in the early 1980s. It was an accepted fact among colleagues that officers who were Freemasons had better career prospects than those who were not.

The causes of corruption are obviously varied as, indeed, are the effects. Socio-political circumstances and the level of development most certainly play a role, "Federico Varese points to a series of positive relations that seem to exist between corruption and the level of 'red tape'; tiers of government; Spanish colonial domination; the amount of time spent by managers with public officials; the cost of capital and investment; and the degree of regulatory discretion on the part of officials" (Madsen, 2013, p.9-10). Additionally, it would seem that a nation with weak state apparatus in transition or going through rapid modernisation experiences more corruption (Holmes, 2015). There are ample examples of systemic corruption on the road to modernisation in the corruption literature regarding role models of western democracies – e.g. USA (Glaeser et al., 2008) and the UK (Gill, 1999). In short, there are many competing theories as to the causes of corruption. Some argue that it is down to the individual, others point to the social environment, and still others suggest that it is a combination of both. Whatever

the real cause(s) it is certainly the case that a nation in transition provides the conditions for the elite with a get rich quick mentality to extract graft and rent in less subtle manner than those in more developed nations.

2.5 Police Malpractices

A pre-requisite for police trust and legitimacy is a service free from malpractices and corruption. Much of the literature on corruption focuses on elite corruption by politicians or state administrators (e.g. national level civil servants, ministers and politicians) with little attention paid to low level corruption by the police (Holmes, 2014). Yet police corruption is regularly seen by the public as a major issue. For example, in Transparency International's Global Corruption Barometers, which have been published every 1-2 years since 2003 and now involve surveying the general public in more than one hundred countries, the 2013 survey showed that globally the police were considered to be the second most corrupt agency (after political parties), but also that respondents had paid bribes to them more than to any other agency of the state.

Police corruption may be viewed by some commentators (e.g. Madsen, 2015) as less important than high level corruption because economically it has considerably less impact on a country's economic performance and so, in comparison, police corruption is but "a fly on the back of an elephant". However, just like flies, police corruption is at the very least a major irritant that plagues the lives of commoners in developing nations. It is much more visible (e.g. traffic cops extracting bribes or patrolling officers demanding 'rents' from vendors and shop-keepers) than other forms of state corruption and thus a constant symbol of a corrupt or failing state in the eyes of both citizens and foreigners alike, which has major consequences for the reputation and morale of the nation as a whole; and, it has an immediate impact on the pockets of those who can least afford to pay i.e. the common people (Gill, 1999).

Furthermore, police corruption also differs to other forms of corruption: Firstly, police officers are usually armed - with guns or truncheons - thus allowing them to use more or less legitimate violence in ways that other officials cannot; Secondly, in addition to the highly visible uniform branch policing activities mentioned above, many police activities - e.g. CID and undercover investigations - are less open to public scrutiny than

other public services; Thirdly, as a corollary to the previous point, police interact directly with organised crime gangs (who cannot exist without some form of police collaboration – Holmes, 2014, p.15) thus giving them opportunities for collusion that are rarely available to other officers of the state; Fourthly, police holds a privileged position of trust and power in that they hold the key to starting the criminal investigation engine which provides them with considerable leverage for intimidation to extract bribes, and so , greater opportunities to abuse this unique power than other officials; Finally, and perhaps most importantly, citizens look to the police to enforce the law, for protection, for help in emergencies and for them to catch and prosecute corrupt officials, politicians and businessmen (see appendix 1 for analysis of opportunity for corruption comparing police vs. other officials). Marenin (1996) proposes that the police are major actors in changing society and that they are involved in crucial activities such as the combating of crime, the protection of citizens and the curtailing of threats to the functioning of society. Therefore, in many ways, the police not only reflect the nature of the state, but are also responsible for the prevention or promotion of state change. Consequently, police have a unique role to play in acting as change agents for developing nations wishing to tackle official and private sector corruption. Therefore, if the police are also corrupt then what hope is there for a nation wanting to break out of this quagmire?

The Knapp Commission's investigation of the New York Police Department in the early 1970s is a much cited report in the field of police corruption. The commission coined two terms that describes police corruption which is now frequently used. They are 'grass-eaters' and 'meat-eaters'. The former refers to police officers who will accept bribes if offered to them and the latter refers to more predatory officers who actively seeks or solicit bribes, though some analysts prefers to use the terms 'proactive and reactive' corruption (Holmes, 2014).

However, I would argue that when researching police-public trust the traditional understanding of corruption is insufficient because other police malpractices that impact on public trust extend beyond bribery, embezzlement, rent extraction, nepotism and cronyism. For example, there exists the term 'noble cause corruption' in policing which has been depicted in popular culture by Hollywood movies such as Dirty Harry, Apache the Bronx, etc. This is where an officer abuses his office through excessive use of force

(e.g. 'bitch slapping', threatening a suspect in the interrogation room or cell with violence, sleep deprivation, etc.) to extract information or confession in order to administer the officer's version of substantive (result justifies the means) rather than procedural (sticking to legal rules) justice.

In my experience, UK police practices in the 1980s, such as the so called 'verbals, gilding the Lilly, or egging-the-pudding' and 'testilying' (Barker and Cater 1990; Slobogin 1996) that is, making up evidence or enhancing evidence to strengthen one's case against an individual whom the officer is convinced is guilty, were both widespread and routine. Moreover, senior officers - and occasionally magistrates and crown court judges - not only turned a blind-eye to these practices but some actively encouraged it. In these kinds of corruption cases, there is no question of reciprocity or bribery and the idea of 'gain' is potentially also tenuous, but judged by today's standards they are no doubt corrupt acts nonetheless. Academics such as Punch (2010) takes a broader definition in defining police corruption to include unwarranted police violence, police prejudice and sexual harassment. In short, for him, police corruption equates to malpractices.

For the purposes of this research the definition I will use is 'Police Malpractice' which will include corruption (defined above as bribes, embezzlement, rent extraction, nepotism and cronyism), cover-up for misconduct and abuse of power (including 'noble cause' and unlawful violence). Other activities such as 'mumping' (Punch, 2010) or 'blagging' i.e. proactively seeking freebies such as gifts, food and drinks, etc. may also be malpractices if the officer acquires it from businesses who give it grudgingly because the owner feels intimidated by the officer. The reason is that it is an abuse of power and contributes towards undermining police-public trust. However, if the individuals provide these as gratuities because they are genuinely grateful for the work that the police is doing in their community - 'slippery slope' (Sherman, 1974) notwithstanding - then they may be contrary to the discipline codes of the police force in question (e.g. Singapore) but the act is not police malpractice for the purposes of this PhD (see appendix 2 on analysis of how moments-of- truth may be exploited).

Most academics (e.g. Bittner, 1974; Brown, 1981; McNamara, 1967; Reuss-Ianni, 1983; Skolnick, 1966; Sparrow et al., 1990; Van Maanen, 1974; Westley, 1970) and police officers agree that the organisational culture of a police department affects the

behaviour of officers. Thus, the establishment of a professional, moral, ethical culture in a police organisation can control, prevent, and punish misconduct and corruption. Of course the establishment of this type of culture relies in part on the organisation's hiring, retention, promotion practices, leadership, and socialisation process for new police officers. This is what the Metropolitan Police aimed to do in their Plus Programme in 1989 to change its culture from a 'force' to a 'service'. This programme was launched against the backdrop of major social dislocations in 1980s Britain (e.g. violent trade disputes involving coal miners and news-print-workers, football hooliganism, deadly race riots, frequent anti-apartheid and CND demonstrations, IRA² bombings, etc. - all against the backdrop of the Cold War).

Social dislocations put pressures on police to change its behaviour and researchers argue that policing in many societies is currently entering unsettled times and with it is the potential to reduce the negative aspects of the blue code during police-public encounters. This is because of the prevalence of CCTV, mobile smart devices, digital cameras, etc. combined with the speed and accessibility of mass social media, which may be causing a significant disruptive influence in police practices and culture. "With the rise of social media such as Sina Weibo, the Chinese equivalent to Twitter, the vivid pictures and videos of Chinese police brutality can spread to the world through the internet almost instantly and give rise to social conflicts and profound changes in social sentiment of China...The police brutality and subsequent violent reactions for the Chinese civilians are actually undermining the Chinese Communist Party's (CCP) goal to build a hexie shehui (harmonious society) and shatter the Zhongguo meng (China dream) portrayed by the Xi Jinping administration and are likely to endanger the legitimacy of the CCP by tarnishing their image" (Chan, 2014, p.243). Moreover, "the disruptive influence of society's changing accountability standards for police and of the bright spotlight that is now being shed on an organization that has historically hidden behind a blue curtain. This study highlights an alternative conceptualization of police culture that underscores its dynamic qualities and contextually contingent nature... 'Anybody who's got a phone in their hand becomes a video journalist, and we've all seen it, right? With the emergence of You Tube and Facebook and everything...I tell

² Irish Republican Army, terrorist movement seeking unification of Ireland

people that all the time now - Always assume you're on camera. Always assume ... if you take that advice, then you'll govern yourself accordingly' (Sergeant B, Media Relations) ...In the past, witnessing police–citizen encounters was largely limited to those dealing personally with law enforcement, or to bystanders of officers executing their mandate. In recent years, the visibility of policing has increased substantially with the advent of surveillance equipment on commercial establishments and visual recording technologies in the hands of the citizenry (e.g. mobile phones and cameras) ...These images are easily accessed by a mass audience through social media networking sites like Facebook or Twitter, and video-sharing platforms such as YouTube. This trend is paralleled by increased demand from public and political groups for greater police accountability” (Campeau, 2015, p.674).

It is worth hypothesising that while historically police culture change (e.g. as in the case of the Metropolitan Police's Plus Programme) had been driven by external political and social pressures due to a series of scandals or moral panics with police leaders applying business transformation techniques to drive changes. But with the advent of social media the drive for change in behaviour is coming from the front line officers themselves because of the danger that their misconducts will be caught on camera and broadcast instantly to the world thus eroding the code of silence. Moreover, the old police mantra of 'covering your ass' has potentially come home to roost against corrupt officers because his/her colleagues will certainly cover their own 'ass', “With more stringent legislative policy to impose accountability, as well as elevated visibility in the community, police are *less* able to rely on informally instituted behavioural codes to maintain solidarity in the new environment” (Campeau, 2015, p.683).

However, whilst organisational cultural influences on police attitudes and behaviour have been the subject of much debate and are assumed to play a significant role in the quality of police-public encounters especially in regard to decision-making shown in the exercise of discretion, “The field of policing is understood by the officer by means of a decision-frame...acquired through police officer's habitus – their past experiences, personal ideals, motivations and moral values...influenced by officer's occupational culture” (Parsons, 2015, p.69). But studies into what factors may influence police

decision-making and the choices s/he make (i.e. discretion) at the sharp-end during public encounters indicate that there is still much to be done.

Discretion is defined in the Collins English Dictionary as: ‘the freedom or authority to make judgments and to act as one see fit’. Police discretion is said to exist when “...officers have some leeway or choice in how to respond to a situation. The fewer the rules about handling incidents and situations, the more discretion officers can exercise. Discretion involves both action and inaction” (Groeneveld, 2005, p.1). Moreover, discretion is a necessary and constant feature of daily police work and at least some discretion is exercised in every aspect of the police task. “Some discretionary actions involve very subtle and perhaps minor decisions, while others involve blatant and important ones” (Dunham and Alpert, 2010, p.73). Discretion is seen as being so important that Parsons (2015, p.225) noted that much of the literature on police discretion focuses on its control to prevent abuse of power. Furthermore, some academics have actively argued for it to be removed from officers’ remit altogether. “Police should not be delegated discretion not to invoke criminal law...the police should operate in an atmosphere which exhorts and commands them to invoke impartially all criminal laws within the bounds of full enforcement...Responsibility for the enactment, amendment and repeal of the criminal law will not, then, be abandoned to the whim of each police officer or department, but retained where it belongs in a democracy – with elected representatives” (Goldstein, 1960, p.587). However, whatever side of the argument scholars favour there is general agreement that the quality of police-public interaction is important in promoting police legitimacy (Mazerolle et al., 2013) and that police decision-making is a complex multi-faceted issue (Schulenberg, 2007).

Skogan and Frydl (2004) undertook the task of reviewing all available research into what factors may influence police behaviour, decision-making and the use of discretion during police-public encounters. In this review they examined sixteen (16) situational, officer outlooks & characteristics, and affirmative action factors (1/Legal, 2/Citizen Demeanour, 3/Social Class, 4/Gender, 5/Race, 6/Mental Illness, 7/Authoritarian Personality of Police Officers, 8/Police Culture, 9/Cynicism, 10/Job Satisfaction, 11/Effects of specific attitudes, 12/Greater knowledge skills & ability, 13/Officers Education, 14/ Training ,15/Officers Race, 16/Officer’s Sex) but apart from ‘Legal’ they found that in general the

available evidence was insufficient to make a judgment on whether it did or did not influenced behaviour during encounters. They also examined organisational and environmental factors e.g. effects of hierarchy, organisational models, oversight by local officials, citizen review boards, etc. but once again their conclusion was that the available research was insufficient to make a judgment on causality (2004, p.214). Their recommendation was for more research to be conducted into what factors influenced police decision-making (2004, p.114-153).

Dunham and Alpert (2010) conducted a similar review exercise but classified the factors as: Organisational Variables; Neighbourhood Variables; Situational Variables; and Officer Characteristics but concluded, "Since police exercise so much discretion, it is important to understand the factors that affect their discretionary choices. It appears as though organisational, situational, neighbourhood, and officer characteristics all may play some part in the decisions that police make. While much research has focused on the determinants of police behaviour, and much has been learned in the process, there is still a great deal that is unexplained...it becomes apparent that the study of police discretionary behaviour is a complicated endeavour...more attention should be paid to this area" (2010, p.85).

2.6 Conclusion

There is a large volume of literature on both organisational and police culture but there is no universally agreed definition for corruption. This is largely due to the fact that nations have differences in history as well as differing cultural mores and values. Moreover, due to the nature of policing the traditional term 'corruption' is insufficient to cover activities that undermine public trust. Consequently, for the purposes of this PhD the term malpractice will include corruption, cover-ups, abuse of power and unlawful violence. Moreover, the nature and form that police corruption takes is different to those practiced by political elites and other officials. This is because police officers are in a position of trust where they hold the key to the criminal justice system and have the right to use lawful force. Furthermore, the public expects the police to be their go-to-person in emergencies as well as the guardians of law and order in their community. Therefore, they are seen as the institution that keeps corrupt politicians, businessmen and other errant officials in check. Consequently, the population will lose all hope of being able to

change the status-quo if the police themselves are in cahoots with those who are corrupt.

It is a generally accepted wisdom by both academics and police officers alike that police culture plays an important role in police decision-making at the moments-of-truth but research in this domain is inconclusive with scholars asking for more research. Furthermore, corruption is a relatively new area of research in academia and police corruption in particular is a much neglected field (Holmes, 2015). It is also very obvious that the vast majority of research into this domain is US dominated and western-centric with very little material in relation to China. Much of the literature and media reports covering corruption in China focuses on corruption by the 'Princelings' (children of senior CCP cadres) and local officials turning from "Apparatchiks to Entrepreneurchiks" (Lu, 2000) by taking advantage of China's economic reforms. There is limited research on the Chinese police and still less in the study of Chinese police malpractices (Wong, 2012). There is no literature on comparisons between policing in India and China.

However, getting reliable data on the extent and nature of corruption generally and on PSB malpractices in particular is extremely difficult. Surveys that are available consistently indicate that corruption is one of the main concerns of both officials and citizens (Wong, 2012; Wong, 1998; Pei, 2007). Consequently, research into identifying what the barriers are to building police-public trust and the potential factors that influences an officer's decision-making at the moments-of-truth in India/China will help to redress this yearning gap.

3. Methodology:

I adopted a mixed-method approach (i.e. one-to-one interviews, focus groups, surveys, and field-observations) so as to get an understanding on the inner ways of working by getting inside the heads of the frontline 'bobbies' on the beat. This is the "Inside Out & Bottom-Up, Horses' Mouth" approach that Wong espoused. In concluding his research into internet forum comments by PSB officers, he noted, "In not so many words, the police voices told us that the future of police reform in China most likely rests on the people and their culture, values, and interests; thus, studying policing in China is

perhaps better suited for cultural anthropologists than lawyers or social scientists” (Wong, 2012, p.375).

Verma argued that, “...the difficulties in obtaining cooperation especially from organizations that are secretive and defensive about their activities remains insurmountable. In organizations like...the police, the only way to gain an in-depth understanding of the prevailing organizational culture are from those "insiders" who have worked in different capacities for sufficiently long periods of time to describe and explain the genesis of the culture. Such personal accounts have their limitations, for these could be construed to be biased or subjective and even suspect since the narrator may have an axe to grind. Authors also charge that insider accounts mindlessly ignore the deeper complexities of the craft of policing and the paradoxes and ironies that mark the role of the police. Nevertheless, such accounts still remain the best source to learn significantly about any organization and in one sense the object of any cultural study is to seek an insider's viewpoint” (1999, p.266).

Wong argued that research into the PSB is a much neglected field and that the prevailing negativism toward Chinese ways of doing things acts as a barrier to unbiased scholarships and commentaries, “Surprisingly, outside of China, few attempts have been made to study Chinese legal, criminal justice, and police reform on her own terms. Instead, most foreign observers have adopted a negative view toward China’s political, legal, and criminal justice system to the point of being dismissive (e.g. “uncivilised”) and contemptuous (e.g. “barbaric,” “punitive,” “arbitrary,” “capricious”)” (2012, p.51). Peerenboom also commented on the lack of interest in the West towards the serious study of the Chinese legal system, “Within the academic world, political scientists on the whole have paid little attention to legal reforms. Much of the political-scientist literature is devoted to high-level Party manoeuvring elite politics, and geopolitical issues. Nor have sociologists, anthropologists, or economists devoted much time to exploring developments in the legal system, even when they are directly relevant to their research topics” (2002, p.563).

However, it is also fair to say that it is difficult to research the state security apparatus of most countries but in China there are more barriers to overcome. This was brought home to me when I asked a PSB contact for an organogram of a typical police station

only to be met by the warning that “these are regarded as secret so it won’t be possible to get and you must be careful asking for official materials”. The difficulty of getting reliable data is also another issue in China, “It is impossible to get any kind of data regarding malpractices by the police, there’s no transparency, and no unified data. Each province and municipality can selectively make public what they wish, and there are only official statements. When Mainland legal reporters tackle this topic, they have to go in person to the court to submit an application of enquiry for information – but the application won’t necessarily be accepted or handled” (Shanghai Journalist).

In contrast, there are much more readily available material on Indian policing. However, Verma (1999, p.266) noted that “although, there is a growing literature about Indian police... there is virtually no empirical research about its organizational culture. The literature describing the organizational practices, belief systems, prevailing norms and values within the Indian police is very limited. Some understanding of the organizational practices and norms is available from the memoirs published by former police officers and through some journalistic accounts. However, these could hardly be classified as a scholarly examination of the organizational culture within the Indian police”. Moreover, Sinha (2012, p.91) asserted that “while socio-economic reforms have attracted the attention of policy-makers and academicians in areas of health, education and the like, the Criminal Justice System has seldom generated much interest in India”.

In regard to decision-making in China, Wong argued that the Chinese take cognisance of feelings more so than the West, “Oriental thinkers, with Confucius in the lead, have long considered the holistic and integrated nature of the body, soul, and mind with regard to decision-making. As such, the Chinese are situational feeler-thinkers who think in a contextual, concrete, and above all, intuitive (emotional) way, as distinguished from Westerners, who tend to be dispositional (and dispassionate) rationalistic thinkers and whose thinking can be individualistic, general, abstract, or, most significantly for our purposes, logical. The observation here is that who we are as people and how we think or feel as individuals affect the process, content, and outcome of our decision-making or, more generally, our life choices...After an in-depth review of a court case in imperial (Qing) China, Eugenia Lean concluded that “the moral authenticity of emotions has been a powerful motivating force” in justice administration...When foreigners study

Chinese policing, of necessity (inaccessibility of the culture) and by choice (facility with rationality and being drawn to utility), there is a tendency to substitute Western “thinking” for Chinese “feeling” when considering crime, social control, and justice” (2012, p.58-61).

In short, in order to truly understand policing in China, Wong suggests that we need to “discern how the Chinese people (including the police) see, think, and feel about and evaluate their police. What we see or do not see is governed by our perceptions, mediated by perspective and framework. How we think is governed by a cognitive map, populated by definitions, classifications, and connections of things, or, more simply, by an idea or conception of where everything belongs. What we feel is governed by our reception of things, people, events, and ideas, controlled by values, philosophy, and ideology of an intuitive kind (i.e. what make for good, beauty, and meaning in life). Studying policing in China requires asking three questions: (1) From whose perspective are we looking at police reform (e.g. from an insider vs. an outsider’s perspective, from a top-down vs. bottom-up perspective)? (2) How are ideas conceived and things ordered in the Chinese (police) culture (e.g. duty to collective interests vs. rights of individuals)? (3) How do Chinese intuitively feel about what is good, just and beautiful?” (2012:64).

In the case of India, from Vikash Mehra’s observations³ (and my own experience of both cultures, it can be said that many aspects of the Chinese culture (e.g. desire for peace, harmony, family hierarchy, stability and social connectedness) are also important to decision-making⁴. In short, Wong’s argument regarding societal cultural influence upon policing in China can also be said to apply to India.

It is always problematic to cluster a whole race of people to a particular universal outlook, especially for vast and diverse countries such as India and China. Nonetheless, Mehra and Wong’s observations are worth noting and taking into consideration in terms of the formulation of the relevant questions; the way the questions are asked; how the answers are interpreted and insights derived.

³ Indian Culture 05/08/14, <http://www.importantindia.com/10518/indian-culture>

⁴ See <http://www.commisceo-global.com/country-guides/india-guide>

In practice, researchers will always need to tailor their planned field research depending on the situation and access on the ground. This is more so in the case of researching into a sensitive and difficult area of policing/corruption and in the highly complex social and political societies of China and India. Consequently, in addition to the usual diagnostic tool choices associated with this type of field research there is also the added complexity of language and cultural barriers – both societal and organisational.

In regard to the language issue, in both China and India I was grateful that my local pathfinders not only arranged the interviews but were also present to help break the ice, and act as interpreters. In China some ex-PSB friends (one holds a UK PhD) either accompanied me during these interviews or conducted them alone without me if the participant wished for that to happen. In India, many of the interviews were conducted in the company of a Cambridge PhD colleague whose father was a retired DGP (Director General of Police). The use of interpreters obviously conjures up the feelings of inadequacy but it is worth noting that this is a common feeling amongst foreign researchers (especially in China) and that practically nobody in the field worked without assistance (Heimer and Thogersen, 2000).

Additionally, there are other cultural (societal and organisational) barriers to overcome. However, as a Hong Kong born British Chinese who had studied Oriental Studies at Cambridge; had worked in China/India; and was a police officer, I was well prepared for understanding the nuances of these cultures. Moreover, my pathfinders were personal friends and their reading of situations was invaluable in helping me to interpret, analyse and understand nuances from a native's perspective. Furthermore, as they had all studied in the UK, they were also able to critique observations from an academic perspective.

However, in any horses' mouth research, the first barrier that one has to overcome is gaining access. "Gaining access to representatives of the security state is difficult, particularly for foreign researchers. Scholars seeking to break into this world must identify points of entry, navigate cultural differences and establish trust with their interviewee" (Scoggins 2014, p.1). One way of gaining access is via official channels but (according to Heimer and Thogerson 2000, p.12-13) this may expose researchers to official control over data collection and a potential lack of autonomy. In China, this

may result in “walking in the footsteps of the CCP” where respondents are more likely be under the “direct political-ideological control of the CCP or at the very least restricted by the influence of the Party on what can be disclosed”. Furthermore, going through official channels may potentially allow the “Chinese state to construct the discourse and defining which topic we and our informants can and cannot talk about”. Moreover, due to “changing political climate even local officials do not know where the boundary lie in regard to what is politically sensitive or not, hence there is a general tendency for interviewees to play safe”. Consequently, alternative sources of information, from critical articles in scholarly journals to the hairdresser’s opinion and comments (guerrilla interviewing – Gold, 1999) in Internet chat rooms (Wong, 2012), can be used to contextualise our studies and shape our understanding of the research topic. I took this advice and enriched my data by interviewing as many subject matter experts and members of the Chinese and Indian public as I could during my research.

The other access approach is through the snowballing method (Hoyle et al., 2002; Scoggins, 2014). Scoggins (2014, p.1) argued that interview information is not available as research into policing in China had been extremely limited and that which has been done was predominately top-down, therefore effort in gaining access even via the snowballing method is worthwhile and often the only choice left to researchers. I had met a wall of silence from the Chinese authorities requesting access, thus, this was the method I decided to adopt. I also adopted the same snowballing approach for India because I felt that it was best to align my method for both countries as much as possible to enable compatibility. Moreover, as I had anticipated that there would be greater difficulties in obtaining data from China I decided to focus on this first to see what data I could get before progressing to India. This approach allowed me to adjust my data-gathering-tools in order to obtain the kinds of data I needed for comparison.

In addition to the access issues, researching in China, and especially in the case of interviewing in closed government institutions, familiarity with the researcher’s potential insider/outsider impact to that process need to be understood (Ke, 2015; Herod, 1999; Dwyer et al., 2009). Furthermore, to facilitate a smooth interaction, shared culture (Hofstede, 1980; Bond and Wang, 1981) as well as other connections (e.g. in my case policing experience) need to be leveraged. In short, in qualitative research the

researcher cannot avoid bringing individual experience, personal background and pre-existing understanding of a phenomenon into the research process. Consequently, the researcher has to be thoughtful, and self-aware of the role that s/he plays in that process (Finley, 2002).

It is worth noting that even by adopting the snowballing method, as in official access situations, the tendency for interviewees to 'play-safe' when discussing sensitive subjects such as corruption can still occur. Therefore, as an experienced interviewer in sensitive situations I overcame this potential obstacle by making every effort to building rapport and trust with the interviewees and by being authentic, empathetic, credible (e.g. by sharing my personal history which included my childhood in a Hong Kong shanty town, working in a toy factory aged five, an immigrant to the UK at the age of 10, as well as, my career achievements in policing, politics, and business) and reiterating assurances on participant anonymity.

Reflexivity (Takeda, 2012; Hammersley and Atkinson, 1995; Griffith, 1998; Bridges, 2001; Hellowell, 2006; Merian, 2001) allows us to observe our feelings, positionality (Takeda 2012, p.2) and the analysis of this dynamic is an important source of data. Reflexivity is an on-going and active process of critical reflection both on what knowledge has been produced - what do I know - and on how this knowledge comes into existence - how do I know what I know (Takeda 2012, p.2). In short, reflexivity is a significant part of the process of knowledge production, especially in qualitative methodologies and being an 'insider' allows researchers a more complete knowledge than that of an 'outsider' where (as in my own case) life (including policing and low social class origins) experiences may outweigh structural or biological characteristics in understanding where one stands in relation to one's interviewees (Takeda 2012, p. 2) as well as intuitively appreciating the nuances of what is being said. As stated earlier, I found the fact that I was an experienced police officer and a Chinese who studied Oriental Studies and Social Political Sciences as an undergraduate, as well as, someone who had worked extensively in both China (as a management consultant) and India (I had been Vice President in an Indian Company) was certainly an advantage in helping to understand such nuances.

In sum, in researching the Indian and Chinese police it can be argued that it is more fruitful to take a bottom-up and inside-out approach as espoused by Wong. In my desire to identify the barriers to trust where decision-making factors at the 'moments-of-truth' between police/public interactions is a key part of the study then in designing the data capturing tool as well as during the data capturing stage one has to be mindful of the difficulties in researching into sensitive topics within the security apparatus. These obstacles notwithstanding, if insights can be gained as to the importance or otherwise of these influencing factors and the degree of impact they have then potential solutions can be developed for mitigation. This would in turn potentially help India and China to build a police that is less prone to the temptation of malpractice - thereby benefiting the population as a whole and users of police services in particular.

3.1 Public Surveys and Focus Groups

China:

Although the primary aim of my study was to get an inside-out horses' mouth perspective, it is nevertheless also useful to gain a holistic view by gathering an outside-in perspective in order to contrast and identify potential gaps in perspectives between the citizens of China/India; between police and citizens; and between officers of these two countries. To do this, for the China part of my research, I conducted two focus groups and collected responses from a survey. Due to various constraints (e.g. difficulty in gaining public access) in doing a traditional public survey on a sensitive topic in China, I initially spoke to mainland Chinese living in the UK to obtain their views on the PSB. However, I found that these were unsatisfactory due to factors such as stale opinions because of the length-of-time respondents had left China or biased by the fact that they had decided to live a 'freer' life in the UK.

Consequently, I decided to use PRC students in Cambridge as my sample. I managed to obtain 31 responses for my survey out of the total population of 1,068 (Cambridge University Student Statistics 2015/16). It is recognised that the size and the limited

socio-economic and demographic make-up of these students cannot obviously provide a representative sample for generalisation purposes. However, I believe that there are still useful insights to be gained because they are more likely to respond to the survey in a more open and informed fashion than their counterparts in China. This is because they are far from home and hence less likely to be shackled by political and social constraints as may potentially be the case if the survey was conducted inside of China. These students are also generally better educated, better informed, better travelled and have greater exposure to western culture than their average fellow countrypersons. Moreover, it is safe to say that these individuals are members of the country's ruling class as many of their parents are either senior officials or wealthy business people who are most certainly in a majority of cases senior CCP members. Furthermore, most intend to return to China after their studies so they have more stake on how China develops than their counterparts residing permanently in the UK.

In short, these students will have a better chance of one day becoming members of China's ruling elite and are therefore more likely to have the ability to influence the direction of China's development than the average PRC citizen and certainly more so than Chinese living in Britain. Consequently, it can be argued that obtaining their views on the subject of police trust has greater significance than views from the general population. Moreover, as members of the ruling class they are more likely to support the police and the status quo than the average citizen. Thus, any criticisms or poor regards for the PSB will add more weight to their answers and to any potential negative findings from this study.

The public survey was created after I had conducted a thorough literature review on the PSB and discussions with Criminal Justice academics in China, USA and the UK as well as subject matter experts in Hong Kong and UK. I also conducted a small number of informal interviews with Chinese Students to adjust the questionnaire content and format. I used these initial interviews to gauge the level of appetite for participation and to understand any potential barriers to getting responses from the student population. I learnt from these interviews that many Chinese students were uncomfortable in discussing matters relating to 'state security' and on top of this reluctance, many were mindful of presenting a positive image of China and its police. One emotional

interviewee's comment that "it is ok for me to criticise our police but I always find it offensive when outsiders especially Westerners criticise them" summed up the sentiments shared by many I encountered.

The questionnaire was largely a perception survey asking respondents to assess officers' motivation for joining the police; their moral character; views on the level of corruption and malpractices; how they would rate officers' social status – here I decided not to simply ask respondents to select between White Collar or Blue Collar Workers because I did not want to assume that foreign students necessarily know the distinctions. Therefore, I created a list of professions for respondents to choose from which included, for example, teachers, doctors, lawyers, etc. for White Collar and shop assistants, factory workers, etc. for Blue Collar ; what they believe the PSB culture to be in regard to tolerance of malpractices; the percentage of CCP membership in the PSB; whether the PSB treated everyone on equal terms – For this I listed a bi-polar construct contrasting treatment by the police in a dispute between the following categories: Wealthy Businessman; Government Official; CCP Member; Factory Worker; Peasant; and a Migrant Worker. By pairing each category into a systematic one-to-one comparison I hoped to be able to narrow down the level of bias through the adding up of frequency of choices and thereby establishing a hierarchy.

I also included experiential questions in the form of whether they or a member of their family/friend had ever paid a bribe to the PSB. Furthermore, I wanted to test out attitudes and trusts by using the UK Police as the benchmark in asking who they trusted more and how they would react under certain circumstances in the UK verses when they are in China. My reason for using the UK police as a benchmark is because these students would most likely have had some impression of both the UK and Chinese police. In the question I asked them to indicate whether they would (1) definitely involve the police, (2) may involve the police or (3) definitely not involve the police under various scenarios. These scenarios were based on the most frequent types of situations that, in my policing experience, a police officer would be called upon to deal with in the course of a tour-of-duty. I categorised them into: Victim of serious crime (e.g. robbery, assault with injury, burglary); Victim of minor assault without injury; Witness to a serious crime (e.g. assault with injury, robbery, burglary) or to anti-social behaviour (e.g. rowdy youths and yobbish

behaviour); civil disputes with a trader or a neighbour; traffic accident; and 'being a good citizen' type questions e.g. reporting to police when they see suspects loitering or theft from motor vehicles. The responses can be compared between China and India for the purposes of using them as a proxy to gauge trust of the two countries' respective police to perform their duty. Open questions were used to solicit comments from respondents in regard to what questions they would ask a PSB officer if they had the chance and, that if they were stuck in the lift with President Xi of China what advice would they give him on how to improve trust between the Chinese masses and police. I hoped that these questions would yield insights into what respondents believe to be the core issues facing the PSB from the point-of-view of its future elites.

I distributed the survey randomly to students through various forms of encounters e.g. social events; attendance at lectures; as well as, via various student associations; and personal network. All the questionnaires were completed and returned anonymously. However, even by assuring respondents that these were anonymous (as no identifying details were recorded on the questionnaire itself) a large number of students that I had approached were still either reluctant to complete the questionnaire or refused outright to take part saying that the subject matter was "too sensitive".

After I had received 31 responses I conducted two focus group with Chinese students. I had originally planned to hold only one session with 12 students but had to do a second because of the difficulty in securing enough participants at the first session where only 3 of the 12 actually showed up. I was told by one of the students who had helped me to organise the session that many had pulled out when they discovered in more detail the topic of my research. In the end, however, I did manage to secure 13 participants in total over the two sessions but as in the first session a number of students who had agreed to participate also failed to show.

During these focus groups I noticed that while there were some individuals happy to share their 'war stories' a large number were obviously reluctant to criticise the PSB. Furthermore, judging from the body language (e.g. folded arms, crossed legs, frowning, leaning far back on their chair as if checking out of the discussion, covering their mouths with their hand, etc.) that I observed, many were uncomfortable with the subject matter under discussion especially when the topic of corruption was brought up or when the

more openly critical participants were sharing their war stories. During one focus group a more willing female participant brought up a number of examples of police misconduct reports on Chinese social media adding that “you see and hear about these kinds of corruption and abuse all the time in China”. To which, a more reluctant male participant challenged her by saying “I don’t trust these sites, I never see these on social media, you only see this because you actively look for it”. Moreover, his body language (leaning forward towards her, frowning, twisted facial expressions, and pointing finger, etc.) indicated to me that he was rather annoyed by the fact that a fellow Chinese was openly criticising the police in the presence of a Western researcher – even though I am a British Chinese born in Hong Kong.

My purpose in holding these sessions was so that I would be able to get a more qualitative handle on some of the responses I had in the survey; to get more experiential insights into police-public encounters; and qualitative perceptions of trust or the lack of by the participants.

India:

I kept the data-gathering between China and India as closely as possible, by conducting a survey with Cambridge Indian students. I obtained 24 responses out of a total population of 299. As in the China case I first conducted a literature review and interviews with Indian students and subject matter experts in order to adapt my questionnaire. From these activities I made the necessary adjustments, for example, in the question relating to fairness I replaced ‘CCP Member’ and ‘Migrant Worker’ with caste status unique to India by introducing Brahmin (highest) and Scheduled (lowest) Castes. This is because in spite of government attempts to eradicate the caste system it nonetheless still dominates much of Indian society. I would also argue that the observations regarding the elite status of the Chinese sample also holds true for the Indian sample - albeit to a lesser extent.

However, due to my experience that canvassing public opinions in India is much easier than in China I supplemented the student survey data with interviews and focus groups. I managed to obtain views from individuals of diverse castes and social backgrounds

(e.g. barristers, documentary-makers, businessmen, politicians, journalists, company executives, property developers, taxi drivers, consultants, government advisors, shopkeepers, labourers, peasant farmers, village heads, bank managers, families of serving police officers, a professional golfer and a British expat, etc.). Although many of these interviewees were from Uttar Pradesh (UP), I did also manage to interview members of the public from Goa, Chennai, Bangalore, Delhi, and Mumbai. The conclusion I gained from these validation interviews was that whilst there are differences in police effectiveness/efficiency, the malpractices were similar across India.

3.2 Police Officers' Interviews and Surveys

Interviews:

I took an iterative approach to designing my interview and survey tools because I was unsure of what access level I would attain; how open or comfortable the interviewees would be to the topic; and what the quality of the insights would be. Judging from the experience with the Chinese students and the largely silent response I had from the Chinese authorities regarding access to interviewees/data I was extremely cautious and pessimistic in being able to access sufficient interviewees and survey respondents to gain meaningful data. However, through various routes – e.g. personal/family network, introductions from members of Cambridge University, cold calling individuals and institutions in China, Hong Kong, UK and the USA – I was able to seek out the appropriate introductions and thereby start the snowballing process. I was eventually able to conduct 29 interviews: 2 with Chinese Judges; 2 with Chinese Prosecutors; 2 with Chinese lawyers; 1 with a Chinese Journalist, 2 with Hong Kong Assistant Police Commissioners with knowledge and experience of working in China and India and 20 with serving PSB officers of various ranks from Superintendent (SP) downwards. All the interviews were conducted under agreement of total anonymity and the interviewees came from various parts of China – Beijing, Jiangsu, Shenyang, Hejian in Heibe, Qingdao, and Guandong/Shenzhen.

To minimise any potential resistance or embarrassment and to reduce barriers for an open and honest discussion I made clear that I was interviewing these officers as subject matter experts in the policing situation of China and that when we discuss attitudes or activities surrounding corruption and misconduct they are not talking about themselves nor their colleagues giving me their opinion on what a typical PSB officer would do in a particular set of circumstances. I did this because in my experience it is always easier to be candid if one removes the potential for moral judgement and recrimination. Moreover, due to the universal policing mantra of 'covering your ass' few police officers would openly admit to any personal forms of illegality/wrong-doing.

To further make the interviewees feel safe the interviews were conducted more as conversations between international policing colleagues sharing each other's policing experiences and they were usually conducted in restaurants, bars or other social venues and we were joined by their good friends or family members who had set up the meeting. However, in spite of these precautions a number of potential interviewees outright refused to participate, frequently citing the phrase "too sensitive". Additionally, a large proportion of officers who had originally agreed to meet pulled out after having had second thoughts saying that it was "tai ma fan" (too much trouble). It is worth noting that these officers were asked by my contacts who were close friends, colleagues or family members of the targeted interviewees and many were well respected individuals of high social status. Therefore, the significant number of declines, which in the Chinese culture inevitably leads to the lost-of-face, provides a glimpse of how sensitive this topic is in China and how reluctant officers were in sticking their heads above the parapet.

Moreover, even officers who had agreed to meet, on two occasions, I found myself having to wait in the hotel while my contact went to the meetings alone armed with my briefing on the types of questions and insights I was after because the interviewees called at the last minute to say that s/he would only talk in private with my contact but not with me being present. I conducted two interviews via telephone as the interviewees were reluctant to meet in person to discuss this topic. I also conducted 5 interviews at dinners or over coffees at official China/UK events that I was invited to either as a VIP

guest or as a speaker where I sought out delegates who were senior PSB officers or members of the judiciary. It was noticeable how these conversations were a great deal more formal and guarded than the privately arranged interviews. Nonetheless, I was surprised that even in these interviews I was still able to get insights into the private views of these individuals. In short, I had to be very flexible in the way I approach individuals and in the way I asked sensitive questions and how I recorded their answers. I was very grateful for the skills/experiences I had acquired as a police officer and as a management consultant because I was experienced in the art of asking awkward questions in ways that would solicit a response and in the recording of evidence/conversations immediately after the event as well as being verse in the reading of body language.

Obviously, my difficulty in acquiring willing participants in my research is not unique in the study of China's security apparatus. However, the timing of my fieldwork was not very opportune. This was because I was there in September/October 2016 when the Chinese authorities were in the throes of preparing for the G20 Summit. This meant that security (and the desire to prevent any kind of loss-of-face) was a top priority for the country's leadership. Additionally, the UK had just voted for 'Brexit' of the European Union leading to a new Prime Minister and her (Theresa May) deciding to postpone the granting of the Hinkley Point Nuclear Power Station Project to China until after a review. This decision caused a diplomatic hiccup because China had thought that they had already won the rights to build this plant under the Cameron administration. One Chinese academic told me "it's very difficult to research China's security organisations especially by a foreigner. Sometimes if the political atmosphere is a bit more relax then you can sneak in get your data and get out. Currently the political atmosphere is much tighter under President Xi, people are more cautious and the diplomatic spat with the UK doesn't help either".

The design of my interview guide consisted of a number of themes: 1/ Ethos/raison d'être; 2/ Governance; 3/ Culture and ways of working; 4/Job satisfaction and morale; 5/ Malpractices/Corruption; and 6/ Potential causal and inhibition decision-making factors (see table below):

A/ Government policy/directives/legislations
B/ Ministry of Public Security (MPS) Initiatives/policies
C/ MPS public-relations campaigns (e.g. Spirit of Lei Feng - potentially leading to increased expectations amongst the public that cannot be met by PSB officers)
D/ Poor leadership at local level leading to a Us vs. Them mentality between managers and operational officers
E/ Conflicting instructions between MPS and local PSB units (internal dept politics)
F/ Effects of targets/objective set in performance management/appraisal system
G/ police officers being used by local government for non-policing activities e.g. tax and debt collecting, enforcement of commercial contracts, etc.
H/ Lack of consistent and effective independent operational inspection of complaints
I/ Practice of leveraging fines to support police operations due to lack of government funding – hence increasing corruption/ abuse of power opportunities
J/ 'Two bosses' i.e. currently MPS sets priorities, targets and procedures but local government hires/ fires officers and pay their wages (conflict of loyalty)
K/ Increasing media criticisms and attention
L/ Speed and transparency of internet communications making individual incidences and officers' conduct being debated virtually simultaneously, openly and by a much wider and diverse group of people.
M/ Increased expectations of the urban public - which the police are frequently unable to meet due to a variety of reasons not least because of the lack of resources and funding
N/ Public's disrespect and low esteem of police officers post socio-economic reforms
O/ Poor pay and working conditions
P/ Police culture that promotes Substantive (pragmatic) rather than a procedural (follow letter of the law/regulations strictly) work practices
Q/ Poor training and low legal knowledge
R/ Low morale due to changes in status and sense of alienation to new urban population since socio-economic reforms began
S/ Sense of the lack of promotion and career progression opportunities unless one has (Guanxi) the right network leading to cynicism
T/ Increasing fear of criticism or losing one's job if an officer falls foul of new directives/regulations or a powerful local cadre, etc.

These enabling/causal and inhibiting decision-making factors were made up into individual cards and at the end of each interview I would place them randomly in front of the interviewee and ask them to select the top 5 choices from the 20 options. I then ask them why they had selected these and elicit war stories out of the interviewees by asking for examples of it happening in their experience. I used the interviewees' answers to provide qualitative commentaries to the survey results where respondents were asked to select the top 10 factors in order of importance thereby providing me with quantitative data on hierarchy as well as potential differences between the rank and file officers' views versus managers.

These influencing factors are important because they can potentially be 'inhibitors' or 'enablers' to malpractices. For example, if officers are used to collecting levies and

enforcing commercial contracts this would potentially increase the chances/temptation for abuse. Additionally, the fact that local units are poorly funded where the officers are routinely not paid their salaries and where officers have to actively issue fines in order to keep the 'lights on' (Wong, 2012) then this would also encourage malpractices. Consequently, both of these factors are clearly 'enablers'. However, a strong and independent media that openly reports malpractices or a spontaneous viral internet debate that highlights such incidences may be 'inhibitors' to an officer from abusing his/her powers at the moments-of-truth. In short, these factors are worth exploring because they might hold the key to gaining important insights into the minds of the officers. Obviously in the Indian case some of these factors are common and therefore may apply (e.g. low pay) but others (e.g. administrative powers) would not apply. Consequently, the factors used for China were adapted for India but in so doing I was able to gain further insights.

My experience in India was a great deal easier, especially in terms of gaining access and being able to conduct more interviews in a structured fashion – i.e. recording answers during interviews in a meeting room. Most of the interviews were conducted either in police offices or at police stations (Chowk) where I was treated as a VIP guest with endless rounds of refreshments being offered to 'Sahib' during the time I spent on police premises and ride-alongs. This was made possible because I was lucky enough to have been hosted by a very respected Uttar Pradesh (UP) DGP Mr. K. Singh (a very open-minded, candid and reflective gentleman of enormous presence and gravitas and one of the few DGPs who served a full two-year-term in that office and was later retained by the Chief Minister as an advisor after he retired in 2012) whose daughter was a PhD colleague at Cambridge. As a family guest and treated as a "member of the family" I was able to have daily interactions with my host and even though all the surveys and interviews were done on the basis of anonymity, Mr. Singh readily agreed for that to be waved for his contributions.

Moreover, I found the fact that I was introduced as the first Chinese to join the British police; was a "famous Senior British Police Officer" who had worked in "New Scotland Yard"; someone who had had a successful international corporate career; had stood for the British Parliament; and was a Cambridge graduate now back doing a PhD added to my prestige/credibility. I was aware that this positioning was potentially a double-edged sword,

whilst it was an advantage when dealing with senior officers who treated me as a peer. But with junior officers, in a society and in an institution where the culture is based on hierarchy and deference, I had to make sure that the uneven power dynamics did not bias my interviews. Therefore, I adopted a humbling posture when interviewing junior officers to make them feel at ease and to encourage them to be as honest and open as possible by showing warmth and deference in my mannerisms and reassuring them that their opinions were anonymous. The enthusiasm and willingness of both senior and junior officers to have their say was in stark contrast to my somewhat cloak-and-dagger China experience. Indeed, in China, I found that me being a “high profile British-Chinese” sometimes acted against me because some potential interviewees actually changed their minds about meeting me when they realised who I was. This was because they felt that my profile would make it more likely that our undercover meeting would be more easily discovered. In India, on the other hand, so many officers (especially junior officers) wanted to have their say that I struggled to accommodate.

All in all I was able to interview 37 police officers of varying ranks from Additional Director Generals (ADG) to Constables working in police stations and in specialist departments such as Anti-Terrorism, Special Task Force (specializing in cybercrimes & wildlife protection but this unit was originally set up in the nineties to deal with ‘Dacoit Encounters’ – i.e. eradicating armed bandits through extra-judicial killings referred to as ‘Encounters’), and Dalit (Oppressed/Untouchables/Scheduled castes) Unit investigating caste-motivated crimes. Although the majority of these interviews were arranged either directly by my host or via his network I managed to conduct interviews (10) via a local journalist to try and eliminate any potential bias in the sample. UP was chosen mainly because of access via Mr. Singh but it was also chosen because it is the most populated state in India (with the population of 223,897,418 equating to 16% of the total Indian population in 2017) and therefore it has the largest police force (327,955 personnel in 2015) in all of India and notably the world. Furthermore, UP also contains the area of Agra which is the home of the most famous site in India – the Taj Mahal. Among the 37 total, 5 of these interviews were with ADGs from Delhi, Goa, Bangalore, Chennai and Kerala either through Mr. Singh or other channels in an attempt to validate my findings.

In terms of the interview guide, I used the same set of questions as the ones I had used for China. However, I did add in questions relating to caste and amended the decision-making factors to reflect the Indian situation without altering the thrust/substance: In item (B) I replaced MPS with ‘State Government’; in (C) removed MPS and Lei Feng⁵; (E) replaced MPS with ‘HQ’; (G) added ‘State Government, excessive VIP protection & private functions’; (J) removed MPS; (N) added ‘since independence’; (P) added ‘acceptance of evidence fabrication & evidence enhancing’; (S) removed the term ‘Guanxi’; and (T) replaced local cadre with ‘politician’ (See below).

Decision factors - India

A/ Central Government policy/directives/legislations
B/ State Government Initiatives/policies
C/ Public-relations campaigns (potentially leading to increased expectations amongst the public that cannot be met by police officers)
D/ Poor leadership leading to a Us vs. Them mentality between managers and operational officers
E/ Conflicting instructions between HQ and local units (internal dept politics)
F/ Effects of targets/objective set in performance management/appraisal system
G/ Police officers being used by local/state government for non-policing activities e.g. tax/debt collecting, commercial disputes, excessive VIP protection, private functions, etc.
H/ Lack of consistent and effective independent inspection of complaints
I/ Practice of leveraging fines to support police operations due to lack of government funding – hence increasing corruption/ abuse of power opportunities
J/ ‘Two bosses’ i.e. conflict of loyalty between state and central authorities
K/ Increasing media criticisms and attention
L/ Speed and transparency of internet communications making individual incidences and officers’ conduct being debated virtually simultaneously, openly and by a much wider and diverse group of people
M/ Increased expectations of the urban public - which the police are frequently unable to meet due to a variety of reasons not least because of the lack of resources and funding
N/ Public’s disrespect and low esteem of police officers since independence and the latest economic reforms
O/ Poor pay and working conditions
P/ Substantive (pragmatic) vs. procedural (follow letter of the law/regulations strictly) Justice culture – i.e. leading to acceptance of evidence fabrication or enhancing evidence to make case stronger against suspects
Q/ Poor training and low legal knowledge
R/ Low morale due to changes in status and sense of alienation to urban population since economic reforms began
S/ Sense of the lack of promotion and career progression opportunities unless one has the right network leading to cynicism
T/ Increasing fear of criticism or losing one’s job if an officer falls foul of new directives/regulations or a powerful local politician, etc.

Police Survey:

For China, I initially produced a comprehensive survey based on the five dimensions - i.e. ethos/raison d’être; governance; culture & ways of working; job satisfaction & morale; malpractices/corruption - with multiple choice answers, 5 bar-gate scales and bi-polar constructs, etc. and had the questionnaire translated into Chinese. However, the feedback from my contacts in China was that even when they had managed to overcome various barriers discussed above to get PSB officers’ cooperation, these potential respondents still

⁵ CCP role-model

refused because the survey was too long and complicated. I was advised that I would stand a better chance of getting responses if I were to shorten and simplify my survey to agree or disagree statement choices where possible.

In response, and after analysing the interview data that I gained, I prioritised the kind of insights I needed validating. From that basis I made the survey simpler but retained the decision-making factor section. This revised format meant that I was still able to ask questions covering: morale/job satisfaction; whether the job has become more complicated; whether they would be proud if their son/daughter became police officers; whether central or local government had more power over the PSB; who would be treated better in a dispute; how an officer would react witnessing malpractices; and, asking an open question regarding what the one thing they would change in order to increase public trust. After this adaptation I was able to get a total of 23 responses consisting of 5 Superintendents (SP), 2 Inspectors (Insp), 2 Sergeants (PS) and 14 Constables (PC) from cities including Changzhou, Shenyang, and Hejian in Heibe.

For India, I used the same survey format but it was very noticeable that the Indian respondents were much more willing to elaborate on their answers. In total I received 39 responses consisting of 1 ADG, 1 Inspector General (IG), 1 SP, 4 Inspectors (Insp), 18 Sub-Inspectors (SI), 9 Head Constables (HC), and 5 Constables (PC). Apart from amending the decision-making factors as described above, the other question in the survey I amended related to who has more say in appointing senior officers. As law and order is a state responsibility, the appointment of senior officers is a state government affair except that the IPS (Indian Police Service) cadres (entry as Additional SP via a national exam) are federal level officials whom state governments cannot readily sack but they can be transferred. Moreover, during the research I was told by many interviewees that there was a great deal of political interference in appointing not only senior officers but also the constabulary. Consequently, I added into the question two additional options – i.e. politicians and senior officers. I did this with the intention of soliciting extra insights into the level of interference by politicians.

In sum, I used the same tools and method of data-collection for both China and India to enable ease of comparison. I conducted public surveys with Chinese and Indian students at Cambridge University as well as conducting focus groups with Chinese students. Due to the fact that it was easier to canvass public opinion in India than in China I was able to engage with wider and more diverse sections of the Indian public thus, unlike China, I was able to conduct interviews and focus groups with members of the public beyond the student sample.

Overall, for the outside-in view, I obtained for China 31 student survey responses, 4 one-to-one interviews, 13 focus group participants and 9 in-depth subject matter expert and stakeholder (e.g. judges, academics, journalists, etc.) interviews. For India, I obtained 24 student survey responses, and 35 interviews/focus group participants. In terms of police engagement part of my data-collection for China, I was able to obtain 20 PSB interviews and 23 survey responses. For the Indian police, I obtained 37 interviews and 39 survey responses. In total, I obtain 115 survey responses/interviews for the public part of my research and for the police perspective part I obtained 119 interviews/survey responses. Making a combined total of 234 participant engagements through surveys/interviews - see Appendix 3 for results.

4. Discussion:

In this section, I will discuss my findings by attempting to answer: 1/ how are the Chinese/Indian police impacted upon by economic modernisation? 2/ to what extent are the police trusted by the masses? 3/ do the police carry out their duties in a fair and unbiased fashion? 4/ what do corruption/malpractices look like and why do they persist? and 5/ what are the key influencing factors for ethical decision-making at the moments-of-truth?

However, I will first provide an overview of the Chinese and Indian police. The rank structures of both the Chinese and Indian police are shown immediately below for the reader's convenience. Table 1: Indian Police structure and Table 2: PSB structure. The tables will also help the reader to understand my abbreviations for various ranks.

Table 1: Indian Police Rank (*positions reserved for IPS officers only)

Comments

Director General of Police (DGP)*	Highest-ranking officer within state police (i.e. Chief of Police).
Additional Director General (ADG)*	Usually heads of department.
Inspector General (IG)*	Ceiling rank for state entry gazetted officers on internal IPS scheme.
Deputy Inspector General (DIG)*	
Senior Superintendent (SSP)*	Non-IPS officers cannot reach this level.
Superintendent (SP)	Ceiling rank for gazetted officers not on IPS scheme.
Additional Superintendent (Add SP)	Ceiling rank for Sub- Inspector entrants only 1/500 able to achieve this from starting at SI rank.
Assistant Superintendent (Ass SP)	Entry level for IPS officers.
Deputy Superintendent (DSP)	Highest possible entry level from State entry route – DSP can apply for internal IPS scheme after 8 yrs service. This is the highest rank a Sub-Inspector (state gazetted officer) can reach. Only 1/100 achieves this level when starting as Sub-Inspectors.
Inspector (Insp)	Usually in charge of a police station - referred to as the SHO (Station House Officer).
Sub- Inspector (SI)	State level entry – the rank that is given power under law to conduct criminal investigations. The typical workload is approximately 60 cases per month to investigate. Officers from this level upwards are referred to as 'Gazetted Officers' – i.e. 'Officer Class' as in the military.
Head Constable (HC)	Senior Constable generally lead a team of 8 Constables acting under direction of a Sub-Inspector. Constables and HCs are usually referred to as 'Constabulary Ranks' and as such has no power of investigation but act as ordered by Sub-Inspectors and above.
Constable (PC)	Entry level for the Constabulary. PCs and HCs makes up approximately 90% of a state's police strength.

Table 2: Chinese Police (PSB) ranks

Comments

Commissioner (总警监, zǒng jǐngjiān)	Minister level: Chief of provincial or large metropolitan force
Deputy Commissioner (副总警监, fù zǒng jǐngjiān) (DCP)	
Superintendent (SP) 1 st Class (一级警监, yījī jǐngjiān)	Also referred to as Assistant Commissioner of Police, SP 1 normally commands a functional bureau (e.g. CID, Immigration, Traffic, Anti-Smuggling, Economic Crime) or is the Chief of a city or county force, direct report to DCP.
Superintendent (SP) 2 nd Class (二级警监, èrjī jǐngjiān)	Deputy in charge of a functional bureau; or a city/county force or an headquarters commander.
Superintendent (SP) 3 rd Class (三级警监, sānjī jǐngjiān)	Commands police division of a functional bureau, or the head of a police sub-bureau of a city.
<p>Inspector (Insp) ranks:</p> <p>Inspector (Insp) 1st Class (一级警督, yījī jǐngdū)</p> <p>Inspector (Insp) 2nd Class (二级警督, èrjī jǐngdū)</p> <p>Inspector (Insp) 3rd Class (三级警督, sānjī jǐngdū)</p> <p>Sergeant (PS) and Constable (PC) ranks:</p> <p>Sergeant (PS) 1st Class (一级警司, yījī jǐngsī) Highest admin position at this rank can be Station Commander, or Operations Squad Leader and sub-Unit Commander/Section Head at a police bureau or sub-bureau, normally in charge of a detective case or a common policeraid operation.</p> <p>Sergeant (PS) 2nd Class (二级警司, èrjī jǐngsī) Other than basic duties, also attend and assist sub-unit commander/ section head in handling all kinds of cases. Sometimes is second in charge or Acting Commander during a case or operation.</p> <p>Sergeant (PS) 3rd Class (三级警司, sānjī jǐngsī) Other than basic duties, also attend and assist sub-unit commander/ section head in handling all kinds of cases.</p> <p>Constable (PC) 1st Class (一级警员, yījī jǐngyuán) Perform beat and mobile patrol duties.</p> <p>Constable (PC) 2nd Class (二级警员, èrjī jǐngyuán)</p>	<p>Management positions do not tally exactly with ranks among Inspector and junior level officers. Administrative positions (from PC to Station Commander or even Deputy Chief of a sub-Bureau), are various and flexible, it depends on each individual's qualifications and skills, performance and effectiveness, years of service, personality and communication skills, leadership, etc. Loyal and qualified officers with no misconduct records are eligible to get rank promotion at every four-year of service (only applicable from PS 1st class to Insp 1st class). Which means for example, for a normal PC during his/her entire police career, with the increasing years of service, the highest rank he/she may attain is either Insp 3rd class (for high school and below qualification holders), or Insp 1st class (for university graduates).</p> <p>Alternatively, young officers who holds a university degree, usually after three years of service, once his/her overall performance and ability meet operation needs, recommended by his/her team leader or a higher commanding officer, may have the chance to get promoted (as sub-unit commander, detective supervisor, etc.).</p> <p>Officers at this mid-rank level play an important role as the "Cornerstone" of the national police force. Those with long service and experiences, even if they have not held command positions are given major responsibilities or are given mentoring roles to nurture junior officers.</p> <p>PS and PC ranks does not have any connection with position, it only indicate how many years you have been in the police.</p>

In terms of background, according to Sun and Wu (2010) the PSB have undergone two periods of development since the establishment of the PRC in 1949. The first being the counterrevolution period, which was between 1949 and 1977. The task of the PSB during this period was to suppress and punish anti-revolutionary or anti-communist party activities. The economic reform of 1978 opened a new policing era with a focus towards professionalization and modernisation. During this era, China went through a number of changes in criminal legislation, police functions and strategies. The introduction of the Police Law in 1995 was an effort by the government to regulate policing and the abandonment of class struggle as the dominant ideology. The main objective of policing

now focussed on protecting economic development. This new focus forced the PSB to find a balance between law enforcement and public service⁶ and it required them to put more effort into protecting the interests and properties of entrepreneurs. Thus, the major functions of the PSB shifted to social order maintenance, public safety improvement and the protection of property. The second era of policing saw an increasing influence of western policing theories and practices on China's policing development. For example, this student was one of the first British Police Officer to be invited to Beijing's Public Security University in 1995 to give a series of lectures on community policing as practised in the UK, and by 2002 the MPS required community policing to be fully implemented in all departments by the end of 2004. However, Wu et al. (2016) suggest that the differences between China and the West lie in the social-cultural dimensions, such as, China's long-standing mass line principle and the use of residential profile systems (e.g. household registration - Hukou), government-funded civilian organisations (e.g. neighbourhood committees) and early intervention strategies are systematised and more widely and regularly used.

Wu et al. (2016) further suggest that today's Chinese policing system consists of several police agencies: the police in public security organisations, the police in state security organisations, the police in correctional facilities and the judicial police in the people's courts and procuratorate. Out of all these police agencies, the public security police (PSB) has the most interaction with citizens. The PSB is centrally organised and divided into several administrative levels: the MPS, provincial-level police departments, city/county-level police departments and neighbourhood-level police stations. Officers in this police organisation wear a common uniform irrespective of location, and all its precincts and divisions nationwide follow the same rules and regulations about enforcement procedure, recruitment standards, training requirements, rank structures, promotion criteria and benefits. It is noteworthy that the local governments exercise strong control over police forces by determining policing priorities, allocating budget and conducting personnel management. Moreover, police in China are given a great deal more official responsibilities

⁶ E.g. Introduction of public emergency call facilities (Wong 2012).

(e.g. fire, health and safety, running detention centres, etc.) and powers⁷ than their counterparts in the West and India. This means that the PSB (in their official capacity) have more interactions and involvement with the fabric of people's daily lives than say the British police for example.

Similarly, in India, many police and public interviewees highlighted the ubiquitous presence of the Indian police in the lives of the masses. This, they claim, stems from the legacy of the colonial model where the police was the sole enforcement agency and took the lead in resolving all kinds of disputes. Consequently, they are called upon today to act in situations even though officially it is not within their scope of responsibilities⁸. The current Indian policing model, according to commentators (e.g. Sengaputa, 2010, p.720-722), "can be traced historically to a peculiar combination of an already existing rural police system and a British model, set up in the mid-nineteenth century, based on the Royal Irish Constabulary (Bayley, 1969). With the governance of two-fifths of the sub-continent passing from the control of the East India Company to the Queen in 1858, a slew of legal codes and legislations were enacted for British India, including the Code of Civil Procedure in 1859, the Indian Penal Code in 1860, the Code of Criminal Procedure in 1861 and, finally, the Police Act of 1861. The Act established a police structure that is virtually intact in contemporary India: a three-tier system comprising the constabulary, the supervisory ranks (Sub-inspector and Inspector) and the Deputy Superintendent and Superintendent of districts as 'superior' officers...along with a Deputy-Inspector General who supervised a range (a set of districts), and the Inspector-General who oversaw the police department and reported to the provincial government. The Acts that governed the British model continue to be the core legal tenets invoked by the Indian police, while the three-tier structure also continues with some modifications, including the expansion of the senior levels with the creation of posts such as the Additional Director Generals and Director Generals of police. The entire police department is under the control of the Ministry of Home

⁷ The PSB retains many of the administrative powers that they enjoyed under the Mao era for dealing with vices such as drunkenness, drug abuse, prostitution and delinquency. This enables them to by-pass criminal law and the various legal functions (e.g. judiciary, prosecution department, etc.) and the checks and balances within the criminal justice system. That is, they are able to issue fines and detention orders without due process or the requirement to involve other government agencies.

⁸ This point was made by a number of senior officers.

Affairs at the provincial level, and the head of the department is supervised by the Home Secretary and the Chief Secretary...Under Article 246 of the Constitution of India...the police, public order, courts and other allied institutions come within the ambit of State or provincial authority. ...Consequently, the local civil police institution is governed at state level and is seen by many as the everyday face of the state". Moreover, similar to China, various Indian states also introduced community policing⁹ and public emergency call facilities in an attempt to professionalise their police and as a response to the changing needs of policing since economic modernisation.

4.1 How are the police impacted upon by economic modernisation?

4.1 (a) Economic modernisation:

Scholars and commentators (e.g. Yang et al., 2014; Potter, 2009; Shen and Tsai, 2016; Hou, 2011; Huang, 2012; Zhu, 2012; Pleskovic and Stiglitz, 2000) characterise China's economic modernisation efforts as based on incrementalism and pragmatism. "During the 1970s, profit-making activities were illegal, China's economy was closed to foreign trade and investment, and internal migration/labor mobility was highly restricted. By the 1990s, those key constraints to market oriented development had been reversed: the private sector was legalized and thriving, China became one of the world's leading destinations of FDI, and hundreds of millions of rural migrants were working in its cities...Incremental reforms generated unexpected economic transformation" (Shen and Tsai, 2016, p.108).

Wen (2012. p.12) argued that China's latest "attempt at modernisation started in 1978 under leader Deng Xiaoping. The country refused to take advice from Western economists (unlike what Russia did in the 1990s) and instead took a very humble, gradualist, experimental approach with its economic reforms. The keys to this approach have been to: 1. maintain political stability at all costs; 2. focus on the grassroots, bottom-up reforms (starting in agriculture instead of in the financial sector); 3. promote

⁹ Miharu Yui (2006)

rural industries despite their primitive technologies; 4. use manufactured goods (instead of only natural resources) to exchange for machinery; 5. provide enormous government support for infrastructure build up; 6. follow a dual-track system of government/private ownership instead of wholesale privatization; and 7. Move-up the industrial ladder, from light to heavy industries, from labor to capital intensive production, from manufacturing to financial capitalism, and from a high-saving state to a consumeristic welfare state”.

Wen further argued that, “China’s path to industrialization has gone through three major phases: 1. 1978-1988: proto-industrialization. This phase featured the sprouting of millions of rural enterprises (collectively instead of privately owned by farmers) across China’s vast countryside and small towns; these enterprises acted as the engine of national economic growth during the first 10 years of economic reform. The number of village firms increased more than 12-fold (from 1.5 million to 18.9 million), village industrial gross output increased more than 13.5-fold (from 14 percent of gross domestic product, or GDP, to 46 percent of GDP), village peasant-workers grew to nearly 100 million by 1988, and farmers’ aggregate wage income increased 12-fold. Because of such phenomenal growth in the supply of basic consumer goods, China ended its shortage economy (a typical feature of all centrally planned economies, characterized by the rationing of meat, other food, clothes and other basic consumer goods) in the mid-1980s and simultaneously solved its food security problem. The 800 million farmers were the biggest beneficiaries of the economic reform in this period.

2. 1988-1998: first industrial revolution. This phase featured mass production of labor intensive light consumer goods across China’s rural and urban areas, relying first mainly on imported machinery. During this period, China became the world’s largest producer and exporter of textiles, the largest producer and importer of cotton, and the largest producer and exporter of furniture and toys. Rural enterprises continued their hyper-growth, and their workers reached 30 percent of China’s entire rural labor force (not including migrant workers). Village industrial output grew by 28 percent per year, doubling every three years (an astronomical 66-fold increase) between 1978-2000.

3. 1998-present: second industrial revolution. This phase featured the mass production of the means of mass production. Because of the rapidly and enormously expanding domestic market for intermediate goods, machinery and

transportation, there was a big surge in the consumption and production of coal, steel, cement, chemical fibers, machine tools, highways, bridges, tunnels, ships, etc. In all, 2.6 million miles of public roads were built, including more than 70,000 miles of express highways (46 percent more than in the U.S.). Twenty-eight provinces (out of 30) have high-speed trains (with total length exceeding 10,000 miles, 50 percent more than the total for the rest of the world)" (Ibid., p.13).

However, as China has industrialized, it has "picked up not only the positives of Western development but the negatives, including rampant corruption and organized crime, unprecedented pollution and environmental destruction, rising divorce and suicide rates, widespread business fraud and scandals, markets full of "lemons" and low-quality goods, pervasive asset bubbles, rising income inequality and class discrimination, frequent industrial accidents, etc. And there are other challenges, including building social safety nets, finishing social and economic reforms in the health care and education sectors, finishing rural urbanization and agricultural modernization, establishing modern financial infrastructure and regulatory institutions as in the U.K. and U.S., and establishing a modern legal system as in Hong Kong and Singapore" (Wen, 2010, p.14). Other challenges include the emergence of social strata¹⁰, rural-urban migration¹¹, rapid urbanisation¹², and even marriage prospects for the less educated and low income males¹³. These negative developments have added weight to scholars (e.g. Huang, 2008; He and Sato, 2011; Warner, 1978; He, 1993; He, 1998; and

¹⁰ See Anne Anagnost From 'Class' to 'Social Strata': grasping the social totality in reform-era China. *Third World Quarterly*, Vol. 29, No. 3, 2008, pp 497 – 519; and, A caste-like system of social stratification: the position of peasants in modern China's social order Chapter 15 in Potter, J. (2009) *China's Peasants. The Anthropology of a Revolution*: Cambridge University Press.

¹¹ Siham. G. (2015) Highlight the issue of large numbers of unskilled rural-urban 'floating population' (non-Hukou population) who are classed as 'permanent temporary population'. Rural-urban migrant numbers jumped from 30 million in 1980 to 262.61 million by 2012.

¹² The population of India currently stands at 1.1 billion and China at 1.3 billion. It is estimated that between 2010-2015 the annual rate of urbanisation in this period was 2.47% for India and 2.85% for China. In 2011 31.3% of the total Indian population were classified as residing in urban areas and in China it was 50.6% of its total population (Index Mundi, www.indexmundi.com/facebook/compare/india,china. Retrieved 30/05/17). According to the PRC State Statistic Bureau (2005a, 2005) China's urban population grew from 17.92% of total population in 1978 to 41.76% of total population in 2004. The bureau estimates that by 2050 75% of China's population will reside in urban areas. Wu. F. Xu. J. and Yeh. A.G (2007) *Urban development in post-reform China: State, Market and Space*. Routledge, London and NY.

¹³ Jia Yu & Yu Xie, Changes in the Determinants of Marriage Entry in Post-Reform Urban China. *Demography* (2015) 52:1869–1892.

Anagnost, 2008) who challenge China's economic success story as "rapid economic growth with equity"¹⁴ (Huang, 2008).

In the case of India, Byington and McGee (2010, p.9-10) argued that, "From 1947 to 1991 India was under socialist-based policies that created a governmentally protected economy. It was characterized by extensive regulation, pervasive corruption, and slow growth ("Economy of India," 2009). This situation was referred to as the "License Raj" because of the extensive red tape that was required in order to set up a company. As an example, there were 80 different agencies whose requirements had to be satisfied before a private company could begin operations ("Licence Raj," 2009) and subsequent to this process, production would be further regulated by the government. These conditions resulted in the creation of numerous dysfunctional, unproductive corporations that were state-owned. Since 1991 there have been a number of developments that have moved the economy toward a market-based system. These developments include: (1) freedom from the red tape of the "License Raj," (2) attempts to take the state-owned industries private, (3) relaxed rules pertaining to foreign direct investment in certain industries, and (4) the easing of cash flow across borders. These developments have...led India's economy to become one of the fastest-growing economies in the world (Joshi, 2008)".

However, others (e.g. Rani, 2013; Sharma, 2011; Kotwal et al., 2011; Fall, 1998; Kothari, 1997; Siggel, 2010) paint a less structured picture and argue that the 1991 modernisation effort was triggered by a financial crisis. For example, Garikipati and Pfaffenzeller (2012:843) contend that, "India's economic reforms, in common understanding, started in 1991. They were preceded by a period of high but unsustainable growth which culminated in the crisis of 1991 during which per capita GDP growth fell to -1 per cent...This crisis unfolded against the backdrop of high debt

¹⁴ Gini coefficient is a widely used measure of inequality and takes into account income distribution among residents of a country. The higher the Gini coefficient, the greater is the inequality. According to IMF data India's Gini coefficient rose to 51 by 2013, from 45 in 1990, mainly on account of rising inequality between urban and rural areas as well as within urban areas. China's Gini coefficient also rose to 53 in 2013, from 33 in 1990.

service as a percentage of exports...and was followed by economic reforms. Given the foreign reserve component of the crisis, these reforms were linked to IMF and World Bank conditionalities. India's reform agenda was mainly focused on policy areas such as current account convertibility, industrial liberalisation (for example less restrictive labour laws, dismantling trade barriers), privatisation of large loss making public units and removal of subsidies mainly on credit, electricity and fertilisers. From 1991 onwards, licensing was abolished for most industries, quantitative restrictions were removed for a number of capital and intermediate goods imports and foreign direct investment was partially liberalised while a reduction in tariffs was phased in. This year also saw the beginning of a currency realignment which led to the unification of dual exchange rates in 1993 and the establishment of current account convertibility in 1994...Against the background of these reforms, India is classed as an open economy in Sachs and Warner (1995) from 1994 onwards and further reforms have taken place since. For all the breadth of the reform agenda, it has been limited in its depth. India's economy remains highly regulated by international standards. This fact is illustrated by the overall value of the Economic Freedom Index which improved only slightly from 45.1 in 1994 to 54.2 in 2007...As expected these policies had a beneficial impact on growth. The economy, which had grown at 3 per cent in the seventies and 5.5 per cent in the eighties, grew more than 6 per cent in the post-reform period. Growth acceleration has coincided with a moderation of annual inflation which experienced a sustained fall below levels of 8 per cent from the late 1990s and declined to annual rates of 3 to 4 per cent by the beginning of the 21st century".

However, while accelerated growth in India has been widely attributed to the economic reforms of the 1990s, their impact on poverty is still a subject of intense debate. Most scholars agree that poverty has continued to decline during the post-reform years (the 1990s). While the official government line is acceleration of poverty reduction, which is supported by Deaton and Dreze (2002) and Lal, Mohan and Natarajan (2001) others, including Bhalla (2002), Sundaram and Tendulkar (2003), Sen and Himanshu (2004),

Siggel (2010), Kothari (1997), Garikipati& Pfaffenzeller (2012)¹⁵, Fall (1998), Kotwal et al. (2011) posit that poverty reduction has continued at a slower pace after the reforms. Other scholars, for example Rani (2013) highlighted some of the advantages and disadvantages of India's reforms. Kothari (1997, p.85-97), focusing on the disadvantages, argued that, "Behind the façade of superficial symbols of consumption, however, lies a story of increasing disparities: a rise in under-and unemployment; a deterioration in the livelihoods of a majority of the population; an increase in critical poverty; a decline in the membership of trade unions; and a phenomenal increase in the number of workers in the informal sectors of the economy and in the extent of the irregular employment. Additionally, there has been an intensification of rampant corruption, particularly by political and economic elites; a staggering increase in environmental degradation in both urban and rural areas; loss of bio-diversity; and growing social unrest arising largely out of greater immiseration. At the same time, there has been an increase in dependence upon international capital and multilateral and transnational institutions, resulting in a critical loss of control – not just by producers, but by the country itself...Politicians used poverty alleviation programmes and infrastructure development monies to advance their patronage networks. In the process, most programmes sustained dependency of the recipient on the donor rather than creating wider social and economic security...Demand for land consolidation and greater power to agro-processing and food processing companies, small, marginal and landless and particularly women among them is severely affected".

Furthermore, Kothari (1997, p.97-99) went on to argue that, "The 1991 reforms, besides affecting production, have also impacted the way business is transacted in India in the form of the black economy¹⁶. Evidence that illegal activity is steadily finding its way into the public domain is suggested by the dramatic increase in tax evasion, graft and financial speculation, as well as an increase in the illegal traffic in weapons and drugs.

¹⁵Argued that poverty alleviation due to growth has not only been limited but it has widened the rural-urban poverty divide and increased marginalization of female agricultural workers – which in 2001 stood at 46.9% of the Indian labour force.

¹⁶ The government's attempt at tackling this through demonetisation was evident during my fieldwork where high denomination bank-notes were withdrawn and people were made to open bank accounts to justify their deposits. According to media reports this led to a great deal of hardship (including suicides) among the poor who traditionally never held bank accounts.

Black money is used extensively for political patronage and economic gains. It is spirited abroad through the *havala* markets, where foreign currency is exchanged for Rupees at higher than the official rates, and is also cleared through the under-invoicing of exports and over-invoicing of imports (black money become legitimate through various amnesties)¹⁷. Much of this black money is used to purchase gold, guns, drugs and gems and smuggled into the country and purchased by people using black money! Black income is estimated to be 20-25% of national income.¹⁸ The systematic violation of laws and regulations that perpetuates black money has partially been made possible by grand symbiosis between businesspeople, politicians and bureaucrats who have entrenched themselves in the political system...The 1991 reform has also led to increased unemployment¹⁹ and underemployment...The greatest effects are on artisans and handloom weavers and the young – driving the young into underworld activities including prostitution²⁰.

¹⁷See Arun Kumar, "The Missing Dimension of Micro-Economic Policy Making in India: The Black Economy," Working Paper, Centre for Economic Studies and Planning, School of Social Sciences, Jawaharlal Nehru University (New Delhi: 1993).

¹⁸ See Kamal Marayan Kabra, *The Black Economy in India: Problems and Policies* (New Delhi: Chanakya Publications, 1983).

¹⁹ According to World Bank index covering the 10-year period of 1996-2016, the average unemployment rate as a ratio of total labour force for China was 4.4 and 3.9 for India. See also, for example, Michael P. Todaro, "A Model of Labor Migration and Urban Employment in Less Developed Countries," *American Economic Review*, March, 1969, p. 147, for correlation between unemployment/underemployment and crime.

²⁰ See Singh, A. K., "Social Consequences of New Economic Policies with Special Reference to the Working Class," *Economic and Political Weekly* (13 Feb 1993).

4.1(b) Economic impact – a brief comparison:

Table 3. World Bank Development Indicators

Source: Adapted from World Bank's World Development Indicators database (Last updated:06/01/2017)

Comparison Areas	China				India			
	1990	2000	2010	2015	1990	2000	2010	2015
1/ GNI per capita (US\$)	330	940	4,340	7,900	390	450	1,220	1,590
2/ GNI per capita, ppp (international \$)	990	2,900	9,290	14,320	1,130	1,980	4,270	6,030
3/ GDP (US\$)(Billion)	360.86	1,211.35	6,100.62	11,064.66	326.61	476.61	1,656.56	2,088.84
4/ GDP growth (annual %)	3.9	8.5	10.6	6.9	5.5	3.8	10.3	7.9
5/ Inflation (annual %)	5.7	2.1	6.9	0.1	10.7	3.6	9.0	1.9
6/ Population growth (annual %)	1.5	0.8	0.5	0.5	2.1	1.8	1.4	1.2
7/ Population density (people per sq. km of land area)	120.9	134.5	142.5	146.1	292.8	354.3	414.0	441.0
8/ Poverty headcount ratio at \$1.90 a day (2011 PPP) (% of population)	66.6	40.5	11.2	1.9	45.9	..	21.2	..
9/ Life expectancy at birth, total (years)	69	72	75	76	58	63	67	68
10/ Fertility rate total (births per woman)	2.4	1.4	1.5	1.6	4.0	3.3	2.6	2.4
11/ Births attended by skilled health staff (% of total)	94	97	100	100	34	43	52	..
12/ Mortality rate, under-5 (per 1,000 live births)	54	37	16	11	126	91	60	48
13/ Immunization, measles (% of children ages 12-23 months)	98	84	99	99	56	56	82	87
14/ Urban population growth (annual %)	4.3	3.6	3.3	2.7	3.0	2.5	2.5	2.4
15/ Improved water source (% of population with access)	67	80	91	96	71	81	90	94
16/ Improved sanitation facilities (% of population with access)	48	59	71	77	17	26	36	40
17/ Electric power consumption (kWh per capita)	511	993	2,944	3,927	273	395	642	805
18/ Energy use (kg of oil equivalent per capita)	767	899	1,955	2,237	351	419	563	637
19/ Mobile cellular subscriptions (per 100 people)	0.0	6.7	63.2	92.2	0.0	0.3	62.4	76.4
20/ Individual using the Internet (% of population)	0.0	1.8	34.3	50.3	0.0	0.5	7.5	26.0

Whichever side of the debate one favours in terms of the impact of China and India's economic modernisation, the data from the World Bank (table 3 above) indicates improvement to the material lives of the masses. Whether it is GNI per capita and GDP growth; decrease in inflation; reduction in poverty; increases in live expectancy; or improved access to fresh water and sanitation, both China and India showed sustained

positive improvements between 1990 to 2015. However, in comparing China with India, these indicators (e.g. GDP, Income per capita, population density, poverty ratio, internet/mobile phone usage, energy consumption, access to clean water/sanitation facilities, life expectancy, infant mortality rate, education, etc.) along with other indicators (e.g. Adult literacy rate: China 96.4% versus India 71.2% - *UNESCO 2012*; The average number of individuals living in a private household: China 3.0 - National Bureau of Statistics 2013, *China Statistical Yearbook 2013* versus India 4.8 - *Census of India Population Enumeration Data 2011*; as well as the HDI metrics shown in table 4 below) suggests that the Chinese people live a wealthier, healthier, safer and more comfortable life than those enjoyed by their Indian counterparts.

Table 4: Human Development Indicators (HDI)

Comparison Areas period covering 1990 to 2017	China: Overall Ranking (90 th)	India: Overall Ranking (131)
1/* Human Security: Homicide rate per 100,000 people.	0.8	3.2
2/ Work, Employment and Vulnerability: Employment to population ratio.	67.6	51.9
3/ Education: Expected years of schooling	13.5	11.7
4/ Poverty: Multidimensional poverty index (MPI)	0.023	0.282

Source: Adapted from UN Human Development Indicators 1990-2017. *USA 3.9; France 1.2; UK & Germany 0.9 UN Human Development Index: Comparison between China and India covering period 1990 to 2017 (Including measurements, such as: Health; Education; Income; Inequality; Gender; Poverty; Work, Employment and Vulnerability; Human Security; Trade and Finance; Mobility and Communication; Environmental Sustainability; and Demographics) ranked **China 90th with score of 0.738 versus India ranked 131 and a score of 0.624. Best ranking is 1.**

Moreover, any international traveller to India and China can see the differences between these two countries as soon as one steps outside of the airport. Especially in areas away from tourist attractions most casual observers will fail to note the poverty²¹, poor sanitation (including open defecation in public places by its inhabitants as well as itinerant cows), lack of cleanliness and poor housing – all common features of the Indian urban landscape. As

²¹Researchers argue that there is a correlation between inequality and crime: see, for example, *Journal of the Asia Pacific Economy*, 2015 Vol. 20, No. 2, 202_223, "Crime rates and inequality: a study of crime in contemporary China." Tsun Se Cheong and Yanrui Wu; Bharadwaj's quantitative study in India suggests that there is "a positive and statistically significant impact of poverty, inequality income growth and low quality of the legal system in incidences of total property-related crime" ("Bharadwaj. A. Is poverty the mother of crime? Empirical evidence of the impact of socioeconomic factors on crime in India." *Atlantic Review of Economics*. 1st volume, 2004); Crime in India: specification and estimation of violent crime index Kausik Chaudhuri • Payel Chowdhury • Subal C. Kumbhakar *J Prod Anal* (2015) 43:13–28.

an ex-police officer I can speak from personal experience that it is less challenging when working in prosperous neighbourhoods than in poorer and more densely populated ones. Consequently, factors such as population density, community homogeneity, material wealth, hygiene and cleanliness of an area²² do play a part in forming police attitudes towards their work. This then leads to how a police officer goes about his/her duty and how s/he interacts with and gives due regard to residents of poorer parts of a city²³.

4.1 (b) Effects of economic modernisation on crimes:

The study of criminal behaviour has been conducted from a variety of different viewpoints. One early group of theorists (e.g. Lombroso's Theory formed in 19th century) focused on body-type, attempting to support and validate the assumption that genetic factors, as they appear in the structure of the physical organism, cause crime²⁴. Another tradition has focused on race, some scholars even going to the extreme of asserting racial characteristics as causal factors in criminal conduct²⁵. Crime has also been studied from the viewpoint of social class, generally revealing correlations between class membership and the prevalence of certain kinds of crime, as well as correlations between class and the volume of crime²⁶. Durkheim's classical examination of the impact of the nineteenth century French industrial revolution on deviance and crimes laid a foundation for contemporary modernization theory and research (Huggins, 1985). Durkheim argued that in the process of modernization, rapid social changes disrupt the integrative force of the collective conscience, and consensus on social values associated with traditional society breaks down, resulting in social disintegration—a normless condition he termed anomie. He maintained that anomie is the social source of deviance and crime (Durkheim, 1933; Durkheim, 1950). Rostow (1960)²⁷ also

²² See Broken Windows theory, proposed by James Q. Wilson and George Kelling in 1982 that used broken windows as a metaphor for disorder within neighbourhoods. Their theory links neglected neighbourhoods and low level anti-social behaviours within a community to subsequent occurrences of serious crime.

²³ For example, R. Sharma (2006) found that the Indian police paid more attention to rich neighbourhoods.

²⁴ See George B. Vold, *Theoretical Criminology* (New York: Oxford Univ. Press, 1985).

²⁵ See Richard R. Korn and Lloyd W. McCorkle, *Criminology and Penology* (New York: Holt, Rinehart and Winston, 1959), ch. 11.

²⁶ See Shaw and MaKay (1942) The Chicago School/Social Disorganisation Theory.

²⁷ W. W. Rostow, *The Stages of Economic Growth; A Non-Communist Manifesto* (Cambridge: Cambridge Univ. Press, 1960).

advocated the study of crime from a viewpoint of socioeconomic development where the process of economic development is viewed in stages. This, he argued, allows a more extensive consideration of the social, cultural, and historical contexts of crime. "Clusters of circumstances distinctive of specific developmental stages, or criminogenic contexts, are suggested as means of characterizing such variables. The first is a product of the unplanned drift of rural populations to urban areas in search of a better life. The second is a product of the changeover of elite groups in societies seeking to make the transition to modernization and sustained economic growth" (Fisher 1987, p.17).

As an example, Tobias (1967, p.37), in *Crime and Industrial Society in the 19th Century*, wrote that, "in the last half of the eighteenth century and the first half of the nineteenth century, society was in violent transition. The towns were growing rapidly, and the facilities available to their rulers were very limited and their knowledge of how to use them even more limited. Their population, ever increasing, was predominantly a young one, and the young town-dwellers were faced with a whole host of unfamiliar problems, problems for which their background and training provided them with no answer. The towns, and especially London, had always had a criminal problem different from and larger than that of other areas, and there were groups of people, living in distinctive areas, who had evolved a way of life of their own based on crime. Many young town-dwellers faced with these problems and receiving no assistance from their families or their employers (if they had families or employers) or from the municipal authorities, found solutions by adopting the techniques, the habits and the attitudes of the criminals. There was, thus, in London and the other large towns in the latter part of the eighteenth century and the earlier part of the nineteenth century, an upsurge of crime which was the fruit of a society in rapid transition".

Additionally, Shelley argued in *Crime and Modernization* (1981) that at early stages of modernization, urban and industrial growth undermines the traditional way of life in urban areas. The concomitant social disorganisation, anomie, and weak control promote increases in property crimes. Newly arriving migrants from the countryside bring with them the traditions of violence associated with rural life, which leads to increases in violent crime. At later stages of development, patterns of crime change.

Property crimes continue to rise, becoming the most prominent type of criminal activity. In contrast, the growth in criminal violence subsides as rural migrants become adjusted to urban life.

Unsurprisingly, therefore, rapid rise in urbanisation in both China and India has led to a number of issues for both the PSB and the Indian police. In China, for example, official statistics indicate that serious and violent offences increased substantially from 1978 to 2006 (Hu et al., 2014). Although official crime statistics in China, as in many other countries, are notoriously unreliable²⁸, available data nevertheless showed that overall crime in China has taken an upward trajectory since economic reforms began in 1978. For example, between 1981 and 2001 robberies grew from 22,266 to 352,216 (Bakken, 2004) - an increase of 18 fold. According to Marescialli (2005), the MPS reported that the nature of crime has changed since reform in that there are many more street crimes, car thefts, con games, blackmail, and e-prostitution. Moreover, most of the perpetrators for reported crimes are juveniles (Shuhua, 2000), migrants (Wang, 2002), and criminal gangs²⁹ (Chen, 2005). In short, in today's China crimes of major concerns for the government are property/economic (Forster, 1985), violent, official misconduct (Investigative Report on Chinese Official Crime, Beijing, 2004), and Internet (Chen, 2004; Wong, 2005; Yu, 2007; Liang and Lu, 2010).

Liu (2006, p.127) argued that, "The rapid modernization process in China, especially over the last two and one-half decades, brought about profound social consequences. China achieved very fast economic growth while engendering large increases in crime...the total official crime rate reached 337.5 per 100,000 people in 2002 from a rate of 55.91 per 100,000 people in 1978 (Press of Law Yearbook of China, 1988 ; Press of Law Yearbook of China, 2003)...The present study used annual time series data from 1978 to 2002 on

²⁸ Dutton noted that "We agree with those Chinese scholars (including the MPS!) who suggest that public available statistics grossly underrepresented the extent of the crime problem in China" (1993:316).

²⁹ Chen. A. (2005) in "Secret Societies and Organized Crime in Contemporary China." *Modern Asian Studies*, 39, 77-107 argued that unemployment, impoverishment, economic inequality, relative deprivation, and political corruption created disadvantages and marginalized social groups, leading to organised gangs.

major crimes in China. Crime rates per 100,000 people. The statistical results comparing trends of property crimes with violent crimes showed a general pattern that property crimes increased at a faster rate than violent crimes during China's modernization process over the last two and one-half decades...The transition towards a market economy is a process of fundamental institutional change, which not only eliminated the previous institutionalized suppression of economic motivation for individuals, but also strongly encourages and stimulates it. In contrast with socialist institutional arrangements, pursuit of self-interest and realization of selfish economic motives of individuals and business firms are seen as fundamentally important for the operation and growth of the market economy. Market institutions embody the values orientation that promotes personal economic ambition, achievement orientation, entrepreneurial spirit, and individualism; it rewards and encourages entrepreneurship, which is an essential factor of production, fundamentally important in facilitating the growth of the economy (Hagen, 1962; Inkeles & Smith, 1974; Lerner, 1958; Lerner, 1968; Levy, 1966 ; McClelland, 1961)...The introduction of market institutions in China created vast opportunities for individuals to pursue economic success. From the countryside to the cities, individual and family based private businesses (*getihu*) boomed. The get rich examples of early starters further stimulated larger numbers of others. The Communist Party's new ideology encourages the entrepreneurial spirit and condones selfish economic motives for profit. These are considered compatible with a market economy and essential in the development of a market economy. The official media has criticized the traditional orientation as unfit for the modern economy. The institutional change in official ideology contributes critically in stimulating economic motivation. Getting rich by any means has become a national spirit. Under these social processes, crimes have increased dramatically. It is reasonable to speculate that there is corroboration between the patterns of expanding economic motivation and the patterns of a faster rate of increase in property crimes compared to that of violent crimes. Greatly expanded economic motivation has been a driving force for many social behaviors, including crime. Compared with violent crimes, property crimes are instruments for profit. The findings that property crimes increase at a faster rate than violent crimes mirror the pattern of exploratory expansion in profit motivation. The findings suggest that expanding economic motivation is a generating process for crime patterns. This explanation differs from traditional modernization theory, which mostly cites the breakdown of the traditional way of life, rural-

urban migration, social disorganization, anomie, and weakening social control during modernization for explanations of crime patterns. The differential rates of increase in crime seem to corroborate more with the economic motivation explanation”.

Other Chinese scholars (e.g. Hu, Qian and Chen, 1989) point to not only the changing economic structure but also deteriorating social conditions; the erosion of traditional communal cultural values and bonds towards individual-centric ones more suited to a competitive market place which tends to attenuate personal relationships and accentuate interpersonal conflicts. Moreover, the increasingly diversified and mobile urban population adds further complications to the already straining traditional collective communal surveillance and order management systems (Jingtai zhian guangli), such as household registration, which were no longer effective in tackling criminality in economically reformed China. In short, “economic reform has not only contributed to a rise and change in crime, but also to its demographics...[where] old strategies and methods are no longer working” (Dutton 1993, p.316).

Similarly, economic modernisation and urbanisation have resulted in an increase in the incidence of crime in India. For example, according to the National Crime Bureau, Ministry of Home Affairs the crime rate in India stood at 1769308 in 2001 and by 2014 this number has rocketed to 2851563. Sinha (2012, p.96-97) pointed out that “with increasing urbanisation and breakdown of community structures, there has been a resultant pressure on the police to respond to a plethora of situations...The increasing criminalisation of social or civic norms (e.g., spitting on footpaths or roads, smoking in public spaces) has only added to their woes. All these have led to increased workload and strain on the police, thus reducing their ability to act promptly and increasing criticism of the system. Additionally, they have to deal with issues of terrorism, gangsterism, trafficking, etc.” The increase in “gangerism” was also highlighted in Weinstein’s (2008) book *Mumbai’s Development Mafias: Globalization, Organized Crime and Land Development* - in which she argued that liberalisation and deregulation since the early 1990s has diminished demand for smuggled consumer goods and criminal syndicates have since diversified their operations. With skyrocketing real estate prices since the 1990s, bolstered by global land speculation, the mafia began investing

in property development. Supported by an illicit nexus of politicians, bureaucrats and the police, the mafia has emerged as a central figure in Mumbai's land development politics. Furthermore, Byington and McGee (2010, p.10) point to the fact that, "India's economic growth also fostered growth in White Collar Crime. Examples of this type of crime in India include: (1) fraud related to five World Bank health projects that included bid rigging, bribery, and manipulated bids during the procurement process; (2) credit card fraud at an Indian call centre; and (3) the fraudulent financial statements of the giant outsourcing company Satyam Computer Services, Ltd. (Credit Card Fraud in India, 2009; Magnier, 2009; Serious Fraud Revealed, 2008)".

4.1 (c) Impact of economic modernisation from police officers' perspective:

As already shown in table 4 above, according to the HDI China's homicide rate is 0.8 versus India's 3.2 per 100,000 of population. I also utilised the statistical website Nationmaster.com which provides access to their online database. Using this website, I was able to do a crime comparison for the year 2014 (year where the website's databases had sufficient data for both countries to allow an online comparison). This site utilises official crime statistics from China and India as well as data from various sources³⁰ and provides a ranking for countries based on recorded and perceived fear of crime by residents. The results are shown in table 5 below, being ranked number one is the worst outcome. Although this is only a single year snapshot it nevertheless provides us with a glimpse of actual crimes reported as well as perceived fear of crimes between the citizens of China and India. It is worth noting that while the overall actual and perceived numbers of crimes in China is less than half of those in India, property crimes (such as robberies and burglaries) are substantially higher in China, but the fear level among the Indian population is substantially much higher – e.g. 79% greater fear of being burgled. Moreover, whilst violent crimes such as assaults are more than twice as high in India as they are in China but the fear of being victims to such crimes is reported to be 64% higher among the Indian population. If one views China as being

³⁰ E.g. Various UN reports ; World Development Indicators, etc. <http://www.nationmaster.com/country-info/compare/China/India/Crime>

ahead in its modernisation than India, then these results can be said to support Shelley’s (1981) argument. That is, in the later stages of development, patterns of crime changes. Property crimes continue to rise, becoming the most prominent type of criminal activity. In contrast, the growth in criminal violence subsides. Additionally, these findings indicate that the fear of crime is far greater in India than it is in China. Therefore, these findings not only raise questions regarding the Indian masses’ well-being but also their potential lack of trust of their compatriots, and their lack of trust/confidence in the police to protect them.

Table 5: Comparison between China and India on recorded and the fear of crime – ranking 1st is worst outcome
Source: Adapted from <http://www.nationmaster.com/country-info/compare/China/India/Crime> June 2017

Crime Areas	China	India	Comments
1/ Overall crime level: based on actual recorded by police and residents’ perceived level	83 rd	45 th	India 2 times higher in perceived crime level
2/ Robberies: Numbers recorded by police per 100,000 population in brackets	9 th (24.5)	68 th (1.6)	China 15 times more than India
3/ Burglaries: Numbers recorded by police per 100,000 population in brackets	5 th (90.7)	50 th (8)	China 11 times more than India
4/ Assaults: Numbers recorded by police per 100,000 population in brackets	83 rd (9.5)	73 rd (25.1)	India 2 times more than China
5/ Fear of being Burgled	80 th	40 th	India 79% more fear than China
6/ Fear of violent hate crime	68 th	55 th	India 22% more fear than China
7/ Fear of violent crime incl. assaults and robbery	71 st	44 th	India 64% more fear than China
8/ Worried of being attacked	78 th	47 th	India 64% more fear than China
9/ Perceived drug problem	81 st	72 nd	India 23% more than China

For China, standing against the above mentioned unprecedented social changes and increased crime rate is a police service under enormous pressure, “Many police in China have no idea on how to deal with modern crimes and are struggling to adapt to new demands” (Insp 20 years of service). Against this backdrop, Wong (2012) argued that the number of incidences involving police malpractice and abuse has also grown since economic modernisation, leading to widespread public concerns. This may have led to the previous unwillingness of citizens to openly challenge authority in general, and the traditional superior–subordinate relationship between police and citizens in particular, having gradually been altered: “The number of cases brought against the police has increased substantially over the last ten years in my estimation” (Female Intermediate

Court Judge); “I had a young officer who was slapped on the face and made to kowtow by an old lady in the street because she was upset by the officer’s attitude” (Insp 17 years in the service). The above sentiments expressed by interviewees seems to support the findings of an MPS survey³¹ conducted in 2006 to evaluate relationships between the police and the public from the perspective of urban police officers. They found that 71% of officers reported having conflicts ranging from verbal altercations (50%) to physical encounters (21%). 57% of these conflicts arise out of policing mass incidents and resolving disputes, while 13% relate to making arrests, and 10% dealing with public order cases. In terms of PSB officers’ views of the general public’s attitude towards the police, the survey found that officers felt that there is a lack of public support, saying that in a majority of confrontations 55% of the public would stand by and watch, 13% would support the police, 7% would support the agitator, and 25% would want to stir up the situation (Wong, 2012, p.176).

Moreover, Wong (2004) argued that there is a noticeable surge of disrespect or resistant citizen behaviour toward police authority being observed in today’s China. Although getting reliable data is notoriously difficult in China, data that is available shows two interrelated national trends that may potentially provide illustrations of this development. The first relate to mass protests and the second relate to attacks on, injuries to, and deaths of police officers while on duty. The first (according to Sun et al., 2012, p.164) - using 2005 data published by the Mainland Affairs Council - a cabinet-level Taiwanese administrative agency responsible for the planning, development, and implementation of policies between the Taiwan and Mainland China³² - is the apparent widespread occurrence of mass incidents throughout the country. Public demonstrations are said to have increased in both number and size, multiplying by more than 2.5 times, from 8,700 in 1993 to 32,000 in 1999. The total number of protests increased by over a quarter, from 56,000 in 2003 to 74,000 in 2004, during the first half of 2005, 341 organized and armed mass protests in 92 areas were documented. Among them, 17 involved over 10,000 protesters, 46 involved over 5,000, and 120 involved over 1,000, causing the deaths of 102 citizens and 55 police

³¹ Survey of Police and Public Relationship from Police Officers’ Perspective (“Paichusuo minjing zhong de jingmin guanxi tiaocha”), Police Post Work, Feb 2006 (<http://www.phcpps.com.cn/news/2006/c-2.htm> retrieved 03/06/17).

³² Due to potential conflicting political motives, Taiwanese sources need to be used cautiously. However, when used in conjunction with other sources they may help provide an overall impression of the PRC situation.

officers (Ibid., p.89). Using official MPS sources Wong (2012) argued that “According to Minister of Public Security Zhou Yongkang, mass incidences are increasingly getting worst:¹⁵⁷ *The number has obviously increased.* The 10,000+ mass incidents in 1994 and the 74,000+ mass incidents in 2004 represent an *increase* of more than sevenfold over the span of 10 years. The number of participants increased from 73,000 persons in 1994 to 3,760,000 persons in 2004, more than a fivefold increase”.

Both in India and China one of the effects of economic growth is the increased value of land and land disputes have become a major source of confrontation between the police and public. In China, the spread of mass incidents since reform is said to usually relate to land seizures without due process or illegal seizures motivated by corrupt local officials. One of the most notorious and widely reported mass incidents relating to land dispute is the Wukan protest. This was an anti-corruption protest that began in September 2011, and escalated with the expulsion of officials by villagers, the siege of the town by police, and the death in custody of one of the village representatives in apparent suspicious circumstances. The villagers forced the entire local government, Communist Party leadership and police³³ out of the village. Residents in several villages near Wukan alleged that village officials had confiscated their farm land and sold it to developers. Wukan villagers claimed that they were unaware of the sale until developers began construction work, and alleged that local party officials had profited from the sale of communal land without compensation since 1998. The villagers petitioned various levels of government in vain over the years, accused local cadres of pocketing more than 700 million yuan (\$110 million USD). A breakthrough occurred when senior provincial officials intervened in the dispute and acknowledged villagers' basic demands. The officials admitted to mistakes in handling the grievances and vowed to crack down on corruption. The provincial government also agreed to make financial

³³ In disputes between the authorities and the masses the police are in a difficult position. On-the-one-hand they have to keep law and order but on the other they have to keep the wheels of commerce turning irrespective of whether they have sympathies with the demonstrators or not. This was certainly the case during my experience of policing violent disputes (e.g. Coal Miners' Strike – 1984, and News International dispute at Wapping - 1986) where many police officers (some were from mining families themselves) had sympathies with the workers but had to deal with riotous situations with violence thus being accused of siding with big businesses and being “Maggie's boot boys”.

records public, to dismiss and investigate local officials responsible, to address flaws in electing local officials, and to redistribute land which had been confiscated³⁴.

In India, not only has economic development led to increasing crime, disorder and pressure on an ill-equipped and badly trained police (Singh, 2002, p.151) but it has also led to the breakdown in traditional family structures and togetherness. Once many families lived off the land and each family worked together to generate an income from the family farm. Economic liberalisation and the associated urban growth resulted in many family members (usually male) moving to the cities to find paid jobs leading to divergent interests among brothers in the family. As parents passed away, disputes over assets and land became commonplace especially when land for construction purposes is now a valuable commodity. During my stay at the home of DGP K Singh in Lucknow, every morning he hosted a wide variety of visitors on his veranda overlooking the rose garden on his estate - it was like a king holding court. He kindly allowed me to sit in during these morning sessions, which were essentially individuals from all walks of life and from various social classes and castes asking him for favours or advice in resolving problems – usually to do with corrupt police, government officials, mafia, or goondas (ruffians). At the conclusion of these meetings, Mr Singh would make his phone calls to various individuals who can 'help'. I noted that many of the disputes revolved around land and/or construction.

It was explained to me that, "It is extremely common these days, say there are 3 brothers left land by their late father but how the land is divided between these brothers is usually unclear. As land is scarce, there are many developers wanting to buy the land. However, if one of the brothers refuses to sell then a dispute will follow where the other two brothers have sold their share and moved on but then the brother that is left faces intimidation or threats from the developer either by using goons or corrupt police or they just simply build and encroach on his portion of the land. The other usual occurrence is that unscrupulous developers will go to a peasant farmer and pay him a below market price because although the sum offered seems big to the poor illiterate farmer but the developer and land agent know it's not a fair price. If the farmer refuses to sell then rough tactics are used and the developer is usually wise enough to bribe the local police so they turn a blind eye. At

³⁴ https://en.wikipedia.org/wiki/Wukan_protests retrieved 02/06/17

present there are so many disputes regarding land because people simply squat on other peoples' land and if they pay the police then the rightful owner finds it extremely difficult to regain his land so escalation occurs and frequently lead to violence or even murder because so much money is at stake" (DGP K Singh).

In China, the second trend relates to the number of deaths and injuries of PSB officers due to assaults in the line of duty. In 2005 there were 1932 injuries and 27 deaths (i.e. total deaths and injuries in 2005 equals 1,958) and in 2009 injuries on duty rose to 2871 and deaths to 431 (i.e. combined total in 2009 equals 3,302). The number of attacks on police in 2002 was 12,076 and in 2004 it was 13,891. If one considers the fact that attacks on police were virtually unheard of during Mao's era where there were only on average 36 officers dying annually in the line of duty (Wong, 2012, p.157-158), then this puts the increased numbers into perspective.

It is recognised that comparing statistical data of different countries is problematic not least because of the variation in compilation methods, scope and definitions. However, it is still useful in our case to use them as potential indicators of how economic transformation in China and India has impacted their respective police forces. Table 6 below shows that between the periods of 2000 to 2004 while India suffered more police deaths with an annual average of 818 deaths on duty verse 456 in China, the numbers of police injuries on duty in China (annual average 6,660) was substantially more than those reported in India (3,496).

Table 6: Numbers of Indian/Chinese police officers killed/injured on duty

	India	China	India	China	India	China
Year	Killed (average: 818.6)	Killed (average: 456.4)	Injured (average: 3496.4)	Injured (average: 6660.4)	Total (Average: 4315)	Total (Average: 7116.8)
2000	827	428	4216	5643	5043	6071
2001	828	443	3936	6732	4764	7175
2002	781	443	4005	6963	4786	7406
2003	827	476	2975	6552	3802	7028
2004	830	492	2350	7412	3180	7904

Sources: India - adapted from National Crime Record Bureau Chapter 15 (2004) and China - adapted from Table 2 in Ming, C.X. et al., Public Security Studies, 121, 63-67, 2007

It can be argued that using police deaths and injuries on duty data may support the proposition that the PSB have felt the impact of economic reforms more so than their Indian counterparts. This can be further illustrated by the fact that tables 7a (covering the period 1989 to 1993), and 7b (covering the years between 2010 and 2014) below show that the numbers of police deaths/injuries in India has not been drastically impacted by the country's reforms which commenced in 1991. Indeed, the numbers appears to be roughly similar and if anything the numbers for table 7b shows a potential improvement in comparison to the early nineteen nineties.

Table 7a: Numbers of Indian police officers killed/injured on duty 1989-993

1989	516	4459	4975
1990	779	5788	6567
1991	874	5115	5989
1992	808	6932	7740
1993	617	4569	5186

Source: National Crime Record Bureau Chapter 13 (1993)

Table 7b: Numbers of Indian police officers killed/injured on duty 2010-2014

2010	872	5859	6731
2011	867	3299	4166
2012	812	3375	4187
2013	740	3723	4463
2014	731	3234	3965

Source: National Crime Record Bureau Chapter 15 (2014)

For the PSB the above figures potentially support the case that the increase in negative/confrontational nature of police/public interactions (e.g. policing mass incidents, traffic management, enforcing drugs/alcohol laws and other anti-social behaviours commonly associated with urban living) since economic reforms promotes hostile sentiments between the police and public, “When I first joined the police people used to respect my position and no one argued with me. Nowadays, public are rude and disrespectful and openly challenge police authority” (Insp 25 years of service). As previously pointed out the average annual number of police deaths in the line of duty was low between 1949 and 1978 (averaging 36). However, according to the MPS, police deaths were up three years in a row, increasing from 443 in 2002, to 476 in 2003, and to 492 in 2004. Occupational risk of death and injury may shape officers’ attitudes in interacting with citizens and have a negative effect on police/community relations. Using survey data to compare Chinese officers’ occupational attitudes with those of the US police, a 2010 study found that PSB cadets were more likely than their American counterparts to favour the notion of ‘distrust of citizens’ (Sun et al., 2010). Indeed, Sun et al., (2012, p.89-90) argued “the rise of mass incidents and police deaths may have taken a toll on Chinese policing with respect to officers’ attitudes toward citizens and police/community relations”. For example, in response to my question concerning the impact of all the changes in China made on an officers’ attitude towards work, one respondent noted: “Fear of the unknown when they walk the streets in regards to the risk of potential violence towards police. There are a lot more of it these days than when I joined 30 years ago and because we are unarmed we often have to run away when attacked” (SP 30 years of service).

Moreover, 82% of the PSB officers in my survey agreed with the statement that China’s economic growth has impacted policing by making things more complicated and that people are more challenging of police than before. It is also worth noting that those who disagreed (17%) were all constables with between two to eight years of service, perhaps reflecting the fact that they had only known what the job is like post reforms, whereas, all the officers who agreed were generally much longer serving officers. Additionally, the current state of affairs may have an impact on morale as 62% of the respondents stated that they would not be proud if their children joined the police against only 30% who would be proud if their children joined the police. This conjecture on morale is further supported

by the result that 43% agreed and 56% disagreed with the statement that most officers are satisfied with their job because it has high social status and it is a job for life: “When I first joined the police we were god and king and the eyes and claws of the Party. We had a lot more power and respect back then but I suppose it is still a secure job that provides an iron rice bowl” (Insp 25 years of service); “We have less power these days, and public attitude towards the police has changed in the last 10 years” (SP 22 years of service); “There are now more pressure and less pay compared to others outside the police” (SP 20 years of service). Additionally, even among those who said that they were satisfied with the job one can still detect an element of negativity, “It’s a stable job that can support my family. Today’s society is so competitive it would be impossible to find a comparable job if I leave” (PS 12 years of service).

In the case of India, commentators (e.g. Sinha 2012, p.92) argued that, on the ground, India’s transition from a primarily rural and agricultural economy to an urbanised and industrialised society has led to large-scale migration³⁵, which is gradually weakening the traditional social control mechanisms of the family and the community. As a result, “...the Criminal Justice System deals with increasing conflicts and incidents of crime. Maintaining a balance between ensuring justices to victims of crime and protecting rights of the accused, who quite often are victims of circumstances, becomes a complex challenge. In response, India has continued to rely on penal policies based on age-old principles of retribution. Authorities respond to perceived rising crime levels by introducing harsher punishments and reducing procedural safeguards in order to secure more convictions.” Stretched, stressed, poorly paid, poorly trained, corrupt and carrying on with the “colonial master-servant attitude towards the masses” (DGP K Singh), police responds by “making innumerable arrests with a dismal record of illegal detentions, extra-judicial killings and custodial deaths” (Sinha, 2012, p.92).

³⁵ 1/ According to the 2011 India Census the rural population in 2001 stood at 72.19% and in 2011 this declined to 68.84% and the urban population increased from 27.81% in 2001 to 31.16% by 2011: “For the first time since independence, the absolute increase in population is more in urban areas than in rural areas” (p5). 2/ China too have seen mass rural-urban migration In the 30 years since 1979. China’s urban population has grown by about 440 million to 622 million in 2009. Of the 440 million increase, about 340 million was attributable to net migration and urban reclassification. “Even if only half of that increase was migration, the volume of rural-urban migration in such a short period is likely the largest in human history”. Chan and Bellwood (2011:1-46). ‘China. Internal Migration’ In Immanuel Ness (ed.). *The Encyclopaedia of Global Migration*. Blackwell Publishing.

Sinha's thumbnail synopsis on the effects of urbanisation and economic growth on the Indian policing situation provide a useful backdrop to both Nickels and Verma's 2008 quantitative study between Canadian, Japanese and Indian officers and my own findings from Indian officers' perspectives. Nickels and Verma (2008, p.203) found that Indian officers reported a significantly higher amount of stress where "Dysphoria (i.e. feeling of ill at ease) is significantly pronounced among Indian officers...reflection of the relatively poorer working conditions and more extensive citizen-media criticism of the police". In my own survey, 74% of officers agreed that economic growth and its associated modernisation effects has impacted on their workload, public interactions and increased complexity: "Workload is about 90 hours per week at least, sometimes it is 18 hours a day with no leave and no respect from police ranks or the public" (Insp 30 years of service); "Economic growth has increased wealth and made policing more complicated. Money and what it buys has become much more important to people" (SI 1 year of service); Massive population increase in urban areas and use of technology has complicated police work a great deal" (HC 18 years of service); "People have become more self-centred" (SP 20 years of service); and, "The police department is exploited and is in a state of mental tension" (SI 26 years of service).

Furthermore, 54% of Indian officers stated that they would not wish for their children to follow their footsteps in joining the police, and the majority of the 46% who said that they would be proud if their children became police officers said that this was conditional in them joining via the IPS route. The themes of poor pay³⁶, poor working conditions, political interference, feelings of alienation from the public and neglect by the powers that be, as well as, schisms of distrust between the ranks were often repeated in both interviews and survey responses: "There is a lot of political pressure and job conditions are inadequate. I would not want my children to have a life of struggles and tension" (SI 1 year of service); "Most police work in districts away from their families because of frequent transfers due to political interference. Working away from home means you don't get to see your family sometimes for months or even years. My teenage son said to me recently that 'you have

³⁶ The average salary of a PC is Rs281,976pa; a primary school teacher earns Rs239,756pa; and a bank clerk earns Rs235,245pa. <http://www.payscale.com/research/IN/Job=Constable/Salary>

dedicated yourself to the police for Rs25,000 per month rather than to me – is that my worth to you?’ I was very hurt by this comment” (IG 24 years of service); “There is no working condition, senior officers don’t care and don’t listen to you. Everyone is too interested in making money” (Insp 26 years of service); Nobody cares about the falling morale or poor pay and conditions of police. Public only see the poor image portrayed by the media and don’t appreciate our problems” (SI 19 years of service); “We’re officially entitled to 30 days leave but no one is ever allowed any leave and you have to work even when you are ill. Many officers are stressed, feels fatigued, tired, and pressured all the time. Many are suffering from poor health conditions; most officers I know have high blood pressure or diabetes. Officers simply dropping dead at work are quite common. The workload is high and made worse because you are taken away during the day for VIP duties, guarding events and myriad of other things, so you only have the evenings to do any police work. Is it any wonder that we take short cuts, especially as we only have 24 hours to get the case together before presenting the prisoner to court” (Insp 15 years of service); “Politics is all about money and staying in power these days and less about ideology or building the country. Political alliances need to be built and fed. For example, the equivalent of some £20 million allocated by central government for UP police reforms and modernisation were diverted by the Chief Minister for programmes to keep his supporters happy. Politicians only care about benefiting their supporters to keep them onside. This is especially important in rural areas where 70% of the Indian population still live and voting turnout can be as high as 90% in these areas. The turnout is so high because for the poor it is the only hope they have in changing their situation. This obviously sustain caste and mafia-based politics” (DGP K. Singh); and, “Many senior officers have no backbone they do as their political masters tell them and they do not take responsibility for things going wrong but are quick to take the credit for your good work. It is not unusual to see senior officers decamp from scenes of major crime or disturbances so that they can’t get blamed if things go wrong” (Add SP 25 years of service).

However, surprisingly, in spite of the sentiments expressed about their working conditions and their lack of enthusiasm for their children to follow their footsteps, seventy-seven percent of Indian respondents still said that they were either satisfied or happy in their job versus 23% who said that they were not. When I tested this with interviewees a number of

potential reasons emerged that might explain this result. Firstly, as India does not have a comprehensive and well-functioning welfare system government positions are very sought-after because public servants are hard to fire. Consequently, many officers feel happy in the knowledge that they have a job for life and a pension for their old age. Secondly, many public servants, including teachers, junior clerks and even janitors, pay bribes to secure government positions for the same reasons so job security is an important factor. Officers also mentioned that they like the fact that their office provides them with a great deal of power and security in an uncertain world. Furthermore, the universal parental aspiration of having greater ambitions for one's children to do better than oneself also seems to have had an influence. As many of the longer serving officers, especially among the Constabulary ranks (i.e. Head Constables and Constables), are poorly educated they see the police not only as a means to earn money (both from salary and bribes), to provide a decent living for their dependents but also to provide a good education for their children in private schools. Therefore, whilst they themselves are happy to toil in their allocated lot in life they hold greater ambitions for their offspring.

The idea of paying for a public-sector position may seem alien to those of us in the UK but this practice is obviously widespread in India and it is apparently also a major issue in China. Indian police personnel have to pay a great deal of money in order to secure their position, "Many pay with the intention of recouping their investment from taking bribes. This has become an increasing trend in recent years. For example, in 2005/6 40,000 recruits were recruited into the UP police and most paid a fee that was split between senior officers and their political masters" (DGP K. Singh). Moreover, rank and file (Constabulary) personnel may also have to pay to gain promotion into the gazetted ranks (i.e. Sub-Inspector rank and above). This is even if they have satisfied and passed all the prerequisite requirements for that position. Additionally, the practice of officers paying large sums of monies to secure 'plump' postings is also widespread³⁷.

In the case of China, for example, during one of the focus group discussions with Chinese students one participant stated that a member of her family had "paid the equivalent of

³⁷ Interviewees referred to good money-making postings as 'plump postings'.

£25,000 to get into a county level police college”³⁸, and one Inspector told me during an interview session that, “There are still advantages in having a family member in the police because he can protect the family’s interests and facilitate their business. That is why a few wealthy families with good guanxi pay up to one million yuan³⁹ for their sons to get into the police. On paper, there is very little return on their investment as it would take a long time to earn that sum back in salary. They can achieve high ranks and are competing with graduates from the provincial police colleges and the two national police universities for promotion. Apart from protection, it’s a bit like sending your kids to private schools abroad – for face and status”. However, one needs to question whether the motive for buying a police office⁴⁰ at such a high monetary price is merely for ‘face and status’ rather than for making money and maximising the positional power that the office provides. Moreover, the interviewee emphasised that to be able to buy such a position it was not based on money alone but on strong guanxi. Therefore, it can be surmised that the opportunity to buy a police office is only opened to those already well entrenched within the CCP and wealthy elite. Moreover, even if it is not for making grey money then the need to ‘protect’ family interests through having one of their members in such an office may say a great deal regarding the instability/vulnerability elite families feel in China. It also provides a glimpse of how China really works even with its much-flaunted economic freedom and success. In that, positional power is not only as desirable as wealth itself but an essential ingredient in the nexus.

According to Pei (2016, p.78-79), there is more to the buying and selling of government offices (maiguan maiguan) than just face and status. He argued that this practice is one of the causes of China’s ‘crony capitalism’ and creates the necessary conditions for corruption through vertical collusion, “It can be argued that maiguan maiguan is a contributing cause of crony capitalism since officials seeking promotion through bribery are more likely to

³⁸ There are three tiers of Police Colleges in China – National (Shenyang and Beijing, graduates from these universities are potential future leaders. They are posted across China after graduation and the passing of the national civil service/police exams. Course duration of 4 years); Provincial (Potential future middle managers but can only work in a particular province. Course duration 3 years); and County (Lowest level who can only work in a particular city or county. Course duration 2 years).

³⁹ Approximately £113,690.00 (based on exchange calculation of 1CNY = 0.1136 GBP on 04/06/17).

⁴⁰ Sun and Johnson (2009) also discuss the problem of buying of public offices in China in their comparative study of corruption in China and India.

engage in collusion with private businesses. They need to accumulate sufficient funds to finance their purchases and they use the power granted by the offices they have bought to recoup their investments". Indeed, this situation was recognised by President Xi as being such a serious problem that in October 16, 2014 he said, "Corruption in personnel matters is a prominent problem; the practice of appointing officials in violation of the rules is widespread. Our system of cadre management is for show only. In some areas, the problems of bribing for votes, lobbying for offices, and *maiguan maiguan* are grave" (Ibid, p.78). As one PSB interviewee confirmed, "Money is now at the heart of the CCP, it is intertwined even in the police" (SP 20 years of service).

4.1 (d) Examples of how reforms affected police corruption/malpractice

An example of how China's economic rise has resulted in more temptations for police corruption/malpractices and how the nexus of corruption and power intertwine can be illustrated by the rather unique example of China's attempts to control public fundraising. Unlike the UK where raising money for a business venture is relatively unrestricted where entrepreneurs can approach would-be investors as they wish including, for example, via online crowd-funding, in China raising money for a business venture is more restrictive. Private equity investment is a relatively new method of financing emerging companies in China as previously most enterprises were state owned entities before economic reforms. Under China's financial administration laws and Criminal Law (1997) public fundraising is prohibited if done without government approval. "According to the Supreme Court of China's (13th December 2010) ruling (Fa Shi [2010] No.18) the Judicial Interpretations explicitly state that issuing shares of fund to public without approval would merit the charge for illegal operation of business. According to the Judicial Interpretations, the offense is an act of taking capital from social public including both entities and individuals. It must satisfy all the four requirements: (1) the fundraising must have not been approved by the relevant authority(ies) or was so conducted under a legal cover; (2) the fundraising was published to the social public through channels such as social media, promotion meetings, leafleting, sending SMS to public etc.; (3) the fundraiser promises to repay, after a specific period of time, the capital and interests, or investment returns in other names in cash, properties in kind, shares etc.; (4) the public members targeted in raising fund must be indefinite

members of social public. If the fundraising is targeted to the definite persons or entities, such as family members or definite members within an entity only, the act does not constitute the crime and therefore shall not be punished under the Criminal Law” (Steven Wei Su, Partner at Guo Lian PRC Lawyers).

Another Chinese legal expert I interviewed explained, “Today with the rapid rise of Fintech⁴¹, one of the biggest challenge China faces is with illegal public fundraising . This is because it is still very difficult for entrepreneurs to raise money from the banks which only usually lend to SOEs (State Owned Enterprises) not private individuals, so if you tried to raise money for a business venture from the public you will need either central or local government approval depending on circumstances and the nature of the industry. Basically, if you raise funds from individuals outside of your family or friendship circles without proper approval and a promise of high financial returns then you risk falling foul of the complex rules surrounding business fundraising. This obviously present opportunities for unscrupulous local officials and police to extract money from you. From an enforcement angle it is also quite tricky because it is quite complicated and the police aren’t always that knowledgeable about complex and specialist legislations”.

As an example of how the crime of ‘illegal public fundraising’ and/or ‘financial fraud’ can be used to extract monies from private individuals is in the case of Wu Ying, an entrepreneur from Zhejiang Province, and formerly the sixth-richest woman in China. She was convicted of financial fraud and initially sentenced to death. Wu Ying founded the Bense Group in Dongyang, her sudden wealth and fame caused a sensation in the Chinese media. In 2006, aged only 25, she was ranked by the influential Hurun Report as the sixth-richest woman and the 68th-richest person in China. She was arrested in February 2007 for illegal fundraising and fraud, and was tried in April 2009 in Jinhua. She was initially charged with illegal fundraising, with a maximum sentence of 15-years imprisonment, but the charges were later changed to the more serious crime of financial fraud, which in China is punishable by death. The indictment alleged that Wu Ying had illegally raised 770 million yuan from the public by promising them high investment returns, and only 380 million yuan

⁴¹ Fintech is a term used for online financial services businesses e.g. PayPal

was recovered when she was arrested. Wu Ying's attorney, however, contested that she merely borrowed the money from 11 of her friends and invested the funds in profitable businesses. In December 2009 the court found her guilty and sentenced her to death⁴².

It is worth noting that she did not approach the general public (as one of the criteria required for the charge of illegal fundraising) but had raised money from her close friends and family. I was told about this story when I interviewed a Superintendent from the Economic Crime Division who said that he had personal knowledge of this case which wasn't widely reported in the Western press. "Wu Ying became a very rich woman in a very short time she would not have been able to do that if she didn't have the right connections in the local police and government. She raised funds from her friends and family not the public as claimed by the police. Many of these investors testified to the fact that they had all made investments in her businesses so they were not defrauded. She was kidnapped by a gang, which included the wife of a serving police officer and family members of powerful local officials where they forcibly took monies worth several million yuans from her. She tried to report the matter to the local police twice but no action was taken and when she continued to report the matter she was warned and death threats were issued. She wouldn't let the matter go and continued to complain so the police arrested her and got her convicted even though all the investors said that they were not defrauded. The police and the courts took no notice and she was convicted. Unusually, for this kind of case, the police and a number of local cadres pressed very hard for her to be executed immediately, obviously to shut her up. She was lucky that her death sentence was reduced by the Supreme Court. Nowadays, all death penalties have to be confirmed by the Supreme Court to prevent local abuse. In China if you are arrested and charged then you can be sure that 99% of cases end in your conviction⁴³".

Another example of how economic reforms has impacted the Chinese police in their effort to protect the interests of big business rather than the environment or the health and safety of its citizens is in the Channel 4 documentary aired in Autumn 2016, "China: Between

⁴² https://en.wikipedia.org/wiki/Wu_Ying retrieved 15/05/17

⁴³ Conviction rate in China: 99.93% (2013); 99.92% (2015) according to China's Supreme Court <https://supremepoplescourtmonitor.com/tag/china-court-statistics-2015/>

Clouds and Dream.” A fly on the wall documentary following three groups of ordinary citizens concerned about the effects of industrial pollution. One group of villagers who live near a number of Chemical plants complains of foul toxic emissions and contaminated waste water discharges that are endangering wild life, damaging their crops, affecting the land, water and peoples’ health (there are unusually high numbers of incidences of cancer in households living near the plant). They complain on camera that local officials and police are taking ‘hung bao’⁴⁴ from the ‘mafia’ plant bosses who ignore their calls for cleaning up their operations in accordance to legal standards. Villagers complained that local officials ignored their complaints and called them trouble makers. Furthermore, when they went to the plant to try and meet the management they were confronted by the local police chief who personally beat them for daring to ask for a meeting with the owners. Some of the villagers repeatedly said on camera that they were fearful of not only being beaten but that their lives will be in danger through ‘accidents’ and claimed that they were being followed and filmed by strangers from outside of their village in an attempt to intimidate them.

However, one should have some sympathy for police officers caught up in these types of disputes because one of the aims of police in China is to safeguard China’s economy⁴⁵ but at the same time they are called upon to keep the peace. During a number of my interviews with senior officers the issue of balancing economic, social and political stability with local resident demands on protecting the environment came up, “Deng Xiao Ping said that when you open the window a few flies will be let in. Part of our job is to help local government to protect and grow the economy. With so many new factories there will be environmental damage and when local people complain we have a difficult job of balancing what the factory owner wants, what the government wants and what the local people want. What is our national interest? It is not that easy to decide which flies to leave alone and which ones to swat. We can’t just stand by and let the mobs decide” (SP 25 years of service).

⁴⁴ ‘Lucky money’ given out during Chinese New Year, but here it is used as a euphemism for bribes.

⁴⁵ Local cadres are given targets for economic growth for the areas under their administration (Sun and Johnson, 2009) and as the PSB is part of the local government structure they have a part to play in ensuring economic growth/stability. Some senior PSB officers have dual roles (e.g. deputy mayor) where they are part of the decision-making body in regard to a city’s economy.

The above examples may appear unusual choices in relation to the types of corruption one associate with police officers ⁴⁶. However, I wanted to use them to firstly illustrate how economic modernisation has affected police work in China and secondly to illustrate that the PSB have much more responsibility and involved in many more aspects of people's lives than those of their Western counterparts. Moreover, as we shall explore in more detail in subsequent sections, the police in China is very much intertwined with the ruling elite. Consequently, corruption by local officials would not be able to operate without police collaboration/tolerance. This is because the Chinese police are the eyes, ears, teeth and claws of the CCP. Consequently, they are entrusted with more responsibilities and wield a great deal more power than those given to police officers in the Western world.

For India, the culture of bribe taking/extraction and the use of repressive/unlawful force by the police is well document by many commentators who generally attribute it to its colonial legacy (e.g. Vadackumchery, 1998; Verma, 1999; Dikshit, 2000; Singhvi ,1990; Singh, 2002; Jauregui, 2013; Nalla and Madan, 2012). However, scholars (e.g. Kothari, 2010) argue that economic progress has led to more money being available and therefore more opportunities for corruption in all walks of life. With more money available both central and state governments spend money on numerous well-meaning poverty relieving and infrastructure building programmes, but this has led to large scale embezzlement taking root in the system⁴⁷. For example, construction of roads and other infrastructure are said to be dominated by construction mafias, which are groupings of corrupt public works officials, materials suppliers, politicians and construction contractors colluding to defraud the system⁴⁸. During one of the focus group discussions containing a construction businessman and a politician (with a knowing smile on their face) they pointed out briefly how the scam works, "You pay the public works guy to get the contract then you use cheap materials but invoice for top quality stuff. All the paperwork is correct but as soon as the monsoon hits the road is washed away so you start the process again. The villagers get investment and employment, the road they have may not be perfect, but it is better than what they had before, and we get to make some money, it's a win-win". This also benefits

⁴⁶ I.e. 'petty' corruption e.g., extracting bribes through traffic violations, etc.

⁴⁷ See Kothari (1997); "India aid programme 'beset by corruption' – World Bank". BBC News. 18 May 2011; and "Indian rural welfare – Digging holes". *The Economist*, 5 November 2011.

⁴⁸ "Mulayam Hits Mafia Hard". *India Today*, 16 October 2006

the police because they “have an omnipresence in all localities and have traditionally been called upon by both officials and the public to oversee or prevent disputes or simply to turn a blind-eye, it’s a legacy of the colonial operandi” (DSP 3 years of service).

As highlighted previously, payments for joining the police and for ‘plump’ postings are a well-documented and an often-cited practice within the Indian police (e.g. Dikshit, 2000; Singh, 2002; Vadackumchey, 1998; Verma, 1999). However, with the growth of the economy, the internal market for lucrative postings has also increased both in terms of volume of popular slots and the sums of money involved. Traditionally, popular money-making postings include interstate checkpoints, busy traffic junctions, market places, etc. However, due to increased economic activities previously unattractive positions have now become desirable, “The western side of UP towards Delhi used to be an unpopular posting because you would have to live away from home and it was not lucrative. When economic boom came in the form of increased commercial activities and construction it became a sought-after posting because you can earn lots of money. These days, any area that has construction and commercial activities is a sought-after posting and people queue to go there” (ADG 35 years of service).

Additionally, the sum of monies for sought-after postings is vast. For example, during my research in Lucknow a local politician, a local journalist and a number of police officers of varying ranks all told me independently that, “Everyone knows that whichever Inspector is in charge of the central market place in Lucknow is corrupt because they have to pay a lot of money to get that posting. I know that the current incumbent paid 40 Lakhs (equivalent to £400,000) for that posting” (Politician 1). However, unlike the Chinese system, which is politically more centralized than the Indian system and the Chinese lines of authority are better defined and streamlined (Sun and Johnson, 2009), in India, decision-making authority is often more fragmented, as a result there may be more cases of “multiple veto powers” in operation. Therefore, unlike in China there is more uncertainty around corruption in India in that the bribe-giver is never sure, even after the payment, if and when the job will get done (Bardhan, 2014, p.3). Bardhan’s observation was borne out by the following quote, “Another Inspector had paid 20 Lakhs (£200,000) for that position a few days before but he was outbid by the present Inspector

so not only did he lose his 20 Lakh but he had to thank his boss!” big laugh, (Journalist). Moreover, there seems to be a general acceptance of the culture of buying positions among police officers because they talk about it in a very matter of fact way, “Payment for postings is part of our culture, it is dog eat dog. That position is very lucrative because it has the main market for the city, has many brothels, seedy hotels and the main train station where a lot of trafficking, including human trafficking, goes on. The Inspector there has to maximise his earnings because you never know how long you have before someone else gets that job. The pressure is on him to get as much money as he can to keep his superiors and his subordinates happy, but I am told that he clears the equivalent of £40,000 per week even after he has paid everyone off. Everybody knows that he operates out of the Deep Hotel rather than from the station house” (SP 28 years of service). And, when I enquired as to how a police officer can afford to pay such large sums of money, came the response, “From earlier earnings in other postings of course. This position is worth the investment because previous position holders have bought golf courses, luxury hotels and other assets after having had this posting” (Add SP 25 years of service).

Reforms of the economy also coincided with decentralisation of political decision-making and resource allocation in the late eighties. This meant that “money and the associated corruption now filtered from the top of politics in Delhi down to the villages⁴⁹” (DPG K Singh). It is claimed that ‘with the genie out of the bottle’, many of the traditional certainties and ways of doing things are broken: “In the old days police used to listen and help solve problems but since the nineties they no longer listened and only money speaks. Nothing gets done without money changing hands these days” (Elderly Village Headman); “As a headman we used to sort out disputes based on fairness and what is right and wrong, so the headman is someone the villagers respect and trusted. But when the money came, and the headman was given control of the budget then all sorts of younger and unsavoury people wanted the job so that they can control the money. To stay in that position, they use money to buy loyalty and support. The genie is out of the bottle and no one can control it” (Retired Village Headman); and “The requirements for the village headman has changed

⁴⁹ In India a ‘village’ can contain up to 30,000 inhabitants

since liberalisation. The respected 'old guy' type is no longer suitable, they are being replaced by new younger savvy types who has more influence and contacts because the system is so broken and stretched that it can only be accessed by fixers and middlemen with the politician at the apex who are the 'Maibaap' or god father. Modernisation has increased wealth and more money is sloshing around. For example, the old village barber goes to the city, becomes a bricklayer, and sends money back to the village. His mud house becomes a brick house, small house becomes a large house, one set of clothes becomes three sets of clothes, etc. People start questioning the type of headman they want as they become more aspirational, so they switch loyalties to those who can help them to become wealthier, i.e. someone who know how to get the most out of the broken system. Even police officers now go to the fixer/middlemen types because disputes are no longer resolved on merit but money is the crucial determinant so the nature of privilege has changed in our society. Social and physical mobility has increased; city neighbourhoods are less communal and less personal. For example, in the nineties textile manufacturers moved to Lucknow to avoid the Bombay unions and the city's population increased ten-fold as workers moved to carry on working in these factories. This led to clashes between Hindus and Muslims even though historically these communities had lived side-by-side in harmony for generations. It is an unpleasant fact that the more new people move into an area then there is more agitation and less community cohesion. This uneasy situation between Hindus and Muslims still remains today" (DGP K Singh).

4.1(e) Impact on internal organisation/governance

Finally, another impact on the PSB due to the effects of economic growth and as a fallout from the rise in local government and police corruption is an internal organisation/governance one. The appointment of senior officers had traditionally been the preserve of local cadres. However, this central-local power dynamic is apparently changing. This is mainly due to the CCP's desire to control and to stamp out local corruption. For example, it is noteworthy that in the PSB survey whilst at first glance 56% of respondents believe that local government has more control over the PSB, but on closer inspection, this view is largely held by more junior officers within the sample. Whereas, those selecting Central Government as having more control nowadays (39%) the

respondents include all five of the Superintendents in the sample. It is safe to assume that these senior officers would have better insights into the internal workings and politics of the appointment and promotion machinery than the rank and file personnel, “Central Government is exerting more and more control with sustained efforts to stamping out corruption especially at the local level. In Shenyang and Chongqing, for example, when the police chiefs were arrested for corruption they appointed one of the Party Disciplinary & Inspection Committee members to become the new Deputy Chief for monitoring purposes and they were not even police officers. More and more senior appointments are now being made by the centre to stop local abuse and manipulation” (SP 20 years of service).

In India, law and order is managed within the state, it is unsurprising, therefore, that in contrast to PSB officers only 2.5% of the Indian sample in my survey chose central government in regard to having more say in the appointment of senior officers, with 48.5% opting for state government and 46% stating that politicians have more say. Therefore, my research corroborates with the often-made argument that politicians actively micro-manage police operations, as well as, appointments and transfers from the very senior levels to the lowest ranking constable. The situation regarding political interference in operational matters and politically inspired frequent transfers was seen as such a major issue that in 2006, the Indian Supreme Court, ordered reform of the existing 145-year-old Indian Police Act with emphasis on establishing better rule of law, greater accountability to the public, and helping minimize political interference (Nalla and Madan, 2012, p.281). However, this ruling has apparently never been fully implemented: “The rules state that a DGP should serve for two years but it is never followed. I’ve served under seven DGPs in the space of five years, one lasting only 1 month. The reality is that if you upset a politician you will be transferred to a punishment posting” (Add SP 20 years of service); “I’ve been in the job for 24 years and this is my 150th position” (IG 24 years of service). As a consequence, the organisation lacks continuity and transformational leadership, “Frequent transfers and the resultant short tenures in a posting for senior officers has become so endemic that as a result junior officers now directly build relationships and pledge their loyalty to politicians rather than to their own superiors. That is why as soon as elections are called thousands of police officers throughout India are transferred straightaway. In UP alone we have just transferred well over 300 officers because of the election announcement” (DPG K. Singh).

4.1 (f) Summary

China and India have taken different but equally complex paths to economic modernisation which has yielded material benefits for the masses and lifted millions out of absolute poverty. However, critics continue to argue that despite the lauded economic successes inequality has grown. Modernisation affects traditional societal structures and communal values leading to cleavages between the police and the general population. Rapid urbanisation provides fertile breeding grounds for vice, crime, disorder and disputes. Unsurprisingly, as in other development examples, economic growth has resulted in more capital being available both in the private as well as the public domains. This has not only provided more opportunities and temptation for graft and rent-seeking but the nature, complexity and volumes of crime⁵⁰ and disputes has also increased. This is evident in the heightened crime statistics of both countries. However, it would seem that the PSB is feeling the effects of these developments more so than the Indian police when viewed through the prisms of the increased numbers of injuries on duty.

In both countries increase in wealth⁵¹ has not only whetted the appetite of unscrupulous police officials but has also increased corruption and malpractice opportunities, a potential contributing factor in weakening police/public relations. This is evident by both sets of officers bemoaning of the more challenging and less respectful relationship with the public since reforms. The change in this relationship seems to be more pronounced and impactful on the PSB than the Indian police. This is because (according to Dikshit, 2000) the Indian police has never enjoyed a great deal of public trust and respect as traditionally the Indian masses assiduously avoided interacting with the police because of its 'colonial' attitudes. The PSB, on the other hand, has enjoyed a better level of trust and respect from the Chinese masses. For China, one of the potential effects of economic modernisation is the eroding of legitimacy the PSB had once enjoyed. For example, in the early years of the PRC, the relationship between the police and the public was alternatively described as

⁵⁰[In China] "Getting rich by any means has become a national spirit. Under these social processes, crimes have increased dramatically...there is corroboration between the patterns of expanding economic motivation and the patterns of a faster rate of increase in property crimes" (Jianhong Liu, 2006:128).

⁵¹ See table 3 above for metrics.

“flesh and blood” and “water and fish” (Huang and Yang ,1997) but the situation today has changed, “...the most critical problem is one of widespread complaints about police dereliction of duty, corruption of office, and abuse of powers. The once symbiotic relationship and intimate bond between the police and the masses have been...tested and found wanting...The public expects the police to live the Lei Feng spirit – totally dedicated and completely selfless. Instead, they appear to be corrupt and abusive. From the perspective of the police, the public is not respectful of or helpful to the police. The police expect the public to behave like model communist citizens, who are totally altruistic, completely supportive, and unfailingly respectful. Instead, they appear to be apathetic and antagonistic” (Wong, 2012, p.151).

As for the Indian police, although economic reforms seem to have been less impactful in their relationship with the public in comparison to their Chinese counterparts, Singh (2002, p.63-73) noted that due to urbanisation, increases in crime, housing problems, accidental and traffic deaths, growth in mass-media, transportation, communication has increased complexity of crime, with mass protest movements as well as organised crime groups being better prepared as they can track government and police activities. Increased number of motor vehicles allows criminals mobility and increased difficulties for police to track suspects or to detect crime. Moreover, Singh also argued that India’s industrialisation and urbanisation has led to more labour troubles, more slums, and opportunities for underworld and organised crime activities as well as potential large scale political agitations, thereby, putting even more strain on an already stretched, poorly trained and poorly equipped police service.

For both countries the value of land has rocketed due to economic growth and thus the associated disputes, intimidation and fraud. Moreover, in China, where the authorities still exert a great deal of control over the ‘capitalist’ economy, the example of business fundraising restrictions is perhaps more unique. But, whatever the dispute, the PSB had been tasked with safe-guarding hard won economic growth and ensuring social and political stability. These responsibilities put PSB officers in the direct line of fire as they are often accused of siding with local officialdom and businesses – whether they are motivated by grey money or otherwise.

Furthermore, from the horses' mouth, the effects of modernisation and urbanisation has proved to have caused strain and stresses to both the PSB and the Indian police with 82% of PSB officers and 74% of Indian officers agreeing to this fact. Moreover, these stresses can be seen in the lowering of police morale with 62% of PSB officers and 54% of Indian officers stating that they would not wish for their own children to follow their footsteps. It is also telling that in the Indian case the 46% who said that they would be proud if their children join the police but with the caveat that only if they join under the IPS route. In regard to whether officers are satisfied in their job 56% of PSB officers and 77% of Indian officers said that they were. This might seem contradictory to the other morale responses. However, upon further investigation it seems that both Indian and Chinese officers like the 'iron rice bowl' and the positional power they enjoy for protecting themselves and their families' interests. Additionally, both sets of officers seem to have accepted their allocated lot in life but they hold greater aspirations for their children in the new economic age than they do for themselves.

Paying to becoming a police officer and for career/financially enhancing positions and postings seems to be a common practice in both countries. It seems that this practice has a more corrosive effect for China because of 'vertical collusion' (Pei 2016), with President Xi's promised crackdown as a potential lightning rod regarding the CCP's recognition for something to be done. However, for India, because perhaps due to its long established practice and cultural (both organisational and societal) acceptance, the buying of office and postings has a more commercial transactional flavour where even if a large bribe is paid there is no guarantee of securing the desired position. Moreover, because of the fragmentation of loyalties between superiors and subordinates brought about by the ever-present shadows cast by politicians the effects of vertical collusion do not seem to have the degree of importance placed upon it as they do in the PRC.

How police appointments are made is potentially a good indicator of how internal police organisation and governance is impacted due to the effects of economic modernisation. The appointment of senior officers in China had been primarily within the remit of local government but there has been a shift of power to the centre due to a desire to stamp out

local corruption which has steadily increased since reform. The fact 38% of the survey responders (including all the police managers in the sample) agreed to this development is further supported by the practice that non-police officials from the Disciplinary and Inspections Committee are placed as deputy chiefs after corruption purges in major cities such as Shenyang and Chongqing. In India, the state government has sole responsibility for law and order; consequently, it is unsurprising that 48% of respondents made that selection. However, it is telling that 46% stated that politicians have more say in the appointment of senior officers. What is even more enlightening is that many interviewees and survey respondents testified to the level of interference and micro-management of both police appointments down to constable levels as well as to actual police operations. Indeed, Singh (2002, p.124) noted that due to brazen interference from politicians the “average tenure of SPs (superintendents) and SHOs (Station House Officers) in some states can be as short as 15 days to 3-4 months leading to the complete breakdown of the command structure”.

In short, economic modernisation has affected police workload through increases in crime and disputes, as well as (in China’s case at least) increased police/public confrontations and injuries on duty. Moreover, these factors may also have affected morale and the leadership and management of the respective organisations. However, on the positive side the greater enthusiasm for western style techniques (e.g. community policing and public emergency call facilities) indicate a potential step towards greater professionalization.

Selected summary of my police survey results relevant for this section – see appendix 3 for full results

Subject:	China	India
Economic reforms and modernisation has impacted policing	82%	74%
Would not be proud if own children become police officers	62%	54%
Satisfied with their job	56%	77%

4.2 To what extent are the police trusted by the masses?

4.2 (a) Secondary data comparison on trust:

Nalla and Madan noted as part of their public survey on police trust and satisfaction that “relative to the police research conducted in western countries, there is very limited

systematic scholarly research on police in India. While it is documented that police personnel in India are poorly educated and are notorious for extortion, misbehaviour, and poor services to citizens ...there is barely any research conducted on Indian citizens' perceptions of police" (2012, p.278). This observation was validated when I asked for public satisfaction data and was informed, "It has never been part of police practice to seek public opinion on police performance. The attitude of master and servant remain from colonial days" (DGP K Singh).

Nalla and Madan also found that "On a scale of 1 to 5, the reported mean for this item is 2.4 with a standard deviation of 1.0, indicating that a majority of the respondents do not find that police investigations are independent of the social status of a victim...nearly 56 percent of the respondents do not perceive that police and the public work together when it comes to protecting the public from criminals...Police in India do not enjoy a positive view of the citizens, and thus citizens report a very conservative view pertaining to satisfaction with police services...Almost two-thirds of the respondents do not view police as handling calls for assistance with politeness (mean=2.8). This finding can be quite revealing and is likely to have an impact on citizen-police cooperation. Since citizens do not view that police handle calls for assistance politely, they are rather likely to feel repelled by the police presence...Eighty-six percent (mean=4.26) of the sample view that police officers take bribes in handling traffic accidents or traffic violations. Even when it comes to the handling of criminal cases such as theft, robbery, investigation, etc., police are reported to be taking bribes from concerned citizens. Nearly 81 percent of the people agree that police personnel allow illegal operation of shops and other businesses in areas where they are not supposed to be allowed to operate, and that it is very easy to bribe a police officer these days. Almost 75 percent of the respondents believe that people get away by bribing the police instead of being given a citation. Such is the pervasiveness of police corruption in India, that 71 percent of the sample reports that they are very concerned that a police officer approaching him/her will end up asking for a bribe...When asked about the items measuring police corruption, in all cases, more than 80 percent seemed to indicate their existing view was police are corrupt" (2012, p.284-287).

In China, despite scholars (e.g. Wong, 2012) pointing to the growing and frequent complaints about police abuse and corruption and the lack of effective checks and balances on police powers, extant research indicates that Chinese citizens generally have favourable attitudes toward the police. For example, the findings of Zhang et al. (2014) show that Chinese citizens' rating of police is the second highest in five Asian countries. Moreover, utilising data from the UN's International Victim Survey conducted in Beijing, Zhu et al. (1995) found that over 80% of respondents reported that Chinese police did a good job in controlling crime (Wu et al., 2016, p.3-6). According to the Asia Barometer Survey in 2002, the level of trust in the PSB was 75.4%; in 2007, it dropped to 67.2% and in 2011, it was back up to 80.8%, making the average of 74.4% over the periods covered. This compares favourably to the latest South Asia Barometer Survey for India, conducted with the same methodology in 2005, where only 41.9% of those sampled trusted the Indian Police. The reason for such a favourable response from the Chinese public may be attributable to many factors. For example, although Wu et al. (2016, p.96-101) research found that three-quarters of the respondents (75%) reported that they trust the police "quite a lot or a great deal," they commented that, "Despite the claim that the police are experiencing a crisis of legitimacy (Wong, 2004) and recent incidents of police deviance and malpractice (Sun and Wu, 2010), it seems that many urban residents were either reluctant to acknowledge or simply ignored these problems and showed tremendous support for their local police. ...Citizens' sense of safety exerts a consistently positive effect on their trust in the police. Those who think positively about their property's safety, their personal safety, and traffic safety were more likely to trust the police. The strong link between public feelings of safety and trust in the police suggests that in China the police are seen as the main social institution that is responsible for dealing with crime and disorder problems in society".

4.2(b) Potential factors affecting responses to traditional trust surveys:

In the Chinese focus groups, I found that there were strong suggestions that the above views might be part of the reason for such a positive trust rate in these surveys. Many participants were generally supportive of the PSB and were willing to ignore misconducts because they were seen as doing a reasonably good job in keeping the people and their

properties safe in a rapidly changing and economically successful China. A number of participants made statements such as: “Chinese policemen are normally very polite”; “Yes they make ‘grey money’ but it’s understandable because they are poorly paid compared to many people outside the police”; “I’m not too bothered about them punishing bad people”; “I’m not afraid to argue with a policeman if I haven’t broken the law, which is not always the case in other countries”; and, “Their actions might seem harsh but I much rather see tough punishments than the liberal soft sentences handed out in the West”. However, in general, participants seem to hold more favourable impressions of the PSB than other mainland Chinese that I was able to canvassed during my fieldwork. For example, a 20-year veteran legal reporter working in Shanghai and Shenzhen was more critical, “Three words can sum up the Chinese public’s view of the police they are greedy, corrupt and lazy. People are usually critical of the police because they do not act in accordance with the law; not enforcing the law rigorously; and for using power for personal gain”.

The favourable sentiments expressed by focus group participants may reflect the fact that they are generally from families of the elite. Moreover, Chinese culture may have also played a part in influencing their attitudes toward police. That is, in Chinese culture generally, and in the CCP dominated PRC in particular, deference to authority and avoidance of interpersonal conflicts is at its core. Wu et al., argued that, “Traditional Chinese values emphasize that citizens should pay loyalty and devotion to the state, seek submission to authority, and maintain harmonious relations (Yin, 2003), all of which may contribute to a positive relationship between police and public. Shi (2001) examined variation in trust in government in China and Taiwan, finding that both measures of hierarchical orientation (i.e., support for social hierarchy) and conflict avoidance have strong predictive power of the Chinese population’s trust in government. Additionally, Chinese respondents may be more collectivist and group-oriented, thus, answering survey questions in a more socially acceptable way” (2012:194-195).

Another possible reason one can consider is the nature of trust in police as an integral part of citizens’ political trust, reflecting not only how the police perform, but also who the citizens are, and how they view the broader world (Liu & Crank, 2010). Public attitudes toward police, therefore, are only partially influenced by the police. In other words, “public

trust reflects both the instrumental values of the police and citizens' normative attitudes and affective sentiments toward political institutions in general" (Wu et al., 2012, p.190). From this perspective, it can be said that the high level of reported trust says more about the Chinese citizens' trust and satisfaction with the central government than that of the police per se. For evidence of this trust in the central government one only need to observe the thousands of petitioners lobbying central government in Beijing for redress of wrongs perpetrated by local officials – which reached more than 30 million in 2002 (Sun et al., 2013). The image of the benevolent central government dispensing justice against corrupt local officials is a staple diet in China's state dominated media and it is an image that is regularly promoted by the regime.

Additionally, one also needs to examine these findings from the prism of respondents' cautiousness in not wishing to be seen to be criticising the state. There have been many incidences in recent Chinese history (e.g. The Hundred Flowers Movement leading to the Anti-Rightist Campaign in the 1950s - among other things, the movement demanded multi-party democracy and an independent criminal justice system - and the subsequent Cultural Revolution of 1965-1976) where the public was invited to criticise the government only for the vocal individuals to be ruthlessly repressed. During my focus group sessions, I asked participants who is more respectful of the police, you or your parents. The general consensus was that their parents were "more afraid of the police because they grew up in the Cultural Revolution. They aren't more respectful or trustful but just more cautious". Several participants also stated that they were more "cynical and less deferential towards the police than their parents".

In contrast, the negative responses by the Indian samples may be because India is a democracy where the media⁵² can be more critical of the police and state than those in China. Thus, affecting respondents through the effects of media influence "because most

⁵² Studies (e.g. Chan, A. and Chan, V. "Public Perception of Crime and Attitudes towards Police: Examining the Effects of Media News", *Discovery-SS Student E-Journal* Vol.1, 2012, 215-237; and Edward, B. 2007, "Media: Effects on attitudes towards police and fear of criminal victimization." Electronic Thesis & Dissertation, East Tennessee State University) on the effects of Mass Media on public attitude towards police found a degree of influence but these are mainly on traditional media not Social Media. There is limited research on the effects of social media therefore although it may add a new dimension there is no data on its impact.

people derive their knowledge about criminal justice from media consumption” (Nalla and Madan, 2012, p.291). Indeed, Dikshit complained that, “Indian police is considered as lazy, inefficient and ineffective and lower police functionaries are often painted as stupid fellows without any courtesy and manners. Such attributes have their roots in history when policemen were recruited as unskilled stout men fit only to wield lathis at command – such prejudice continue in movies and media portrayals...no one can deny that corruption has permeated all ranks of police department...painted as crude and brutal and lacking all consideration for the victims of crime” (2000, p.106). Furthermore, this openly critical culture is noticeably different from China as one Chinese student who had studied for two years in India noted, “I found that in India people would say whatever they like about the authorities because they know that it doesn’t matter as nothing will change and nothing will happen to them. But in China we are more cautious about what we say especially if it is politically sensitive and we are mindful of portraying a good national image to foreigners”.

Moreover, concerning the point of political legitimacy, de Guzman and Kumar suggest that, “...dominant groups use the police more often as means to impose their definition on the less powerful groups in society. This means that Indian police had been used as instruments of the dominant class in society. Therefore, police practices will reflect, to some extent, their biases for the dominant class’ views. Thus, when the dominant class is benevolent and upright, the police will uphold such values in their practices. Alternatively, when the dominant class is malevolent, or corrupt, such malignant characters would be manifested in the existing police practices” (2011, p.405).

From this perspective, it is easy to understand how many Indian citizens view both the police and their political masters as being corrupt. Indeed, as people are still more loyal to their kin, caste, clan and community than to the larger secular institutions of the state. “This results in the sacrifice of societal goals for narrower identities, and promotes nepotism, favouritism and corruption” (Gill, 1999, p.34), resulting in the development of clientele democracy where voters seek extra bureaucratic material benefits from political patrons. Where the latter seek power amid weak institutions, intense political competition, and scarce economic opportunities, use patronage to maintain power. “They build personal followings, not broad-based parties, yet find them hard to control and expensive to

maintain; followers, for whom loyalty depends on benefits that may be a matter of survival, shift quickly among competing patrons. Thus, efforts by Indian politicians to create broad organizational support often fail because the ordinary voter has an extremely narrow view of public responsibility and is not willing to give time and effort without the promise of immediate material reward. The Indian electorate is primarily swayed by material and particularistic inducements with people voting for whom they think can give them the most favour. Thus, governments purchase short-term backing, or engineer defections in parliament, through payoffs. Money can even recruit "muscle," that is, through violent or criminal groups that extort contributions, scare off opponents, and intimidate voters" (Sun & Johnston, 2009, p.10-11). Indeed, one interviewee said, "In the current general election, parties are selecting winnable candidates rather than honest candidates because only dirty ones can win as it is all about money. Money and politicians now control the police. Voters don't care whether you are honest or upright; they only care about what you will give them if they vote for you" (Politician 2). Finally, in contrast to the national pride that was so obvious in my interactions with the Chinese students a good many of the Indian interviewees noted that, "There are many India(s), not one. We are a very heterogeneous intersected by caste, class, religion, ethnicity and region. So, we have many loyalties and prejudices" (Development Consultant).

From the surveys highlighted above, the Indian police seems to enjoy less trust and respect from the Indian masses than the PSB does with the Chinese population. But just like China there seems to be an understanding or even a little sympathy for the police taking grey money among the Indian public: "The reasons that the police are not trusted by people is firstly of familiarity, we see them every day; secondly, he might harm you or your interests sometimes in your life; and thirdly, they are biased towards whoever is in power so cannot be trusted if you are not part of that political umbrella. The causes of corruption is financial insecurity, it is because people don't feel financially safe that they need to maximise their earnings when they can to cope with rainy days or their retirement because public services in India are poor⁵³, it's not just the cops all of India is at it. Senior cops get housing and

⁵³ Many interviewees mentioned that public servants (including nurses) will only provide the free services citizens are entitled after a payment of a bribe. According to the World Bank health spending per capita in 1996 for China was US\$26.318 and India was US\$15.94. It increased to \$419.734 (China) and \$74.995 (India) in 2014 (<http://data.worldbank.org/indicator/SH.XPD.PCAP?locations=IN-CN>).

perks but lower ranks do not, they have low pay, work very long hours they are the hardest working public servants in India. Traffic cops are in the sun all day so taking bribes in their eyes isn't doing anything wrong. If Police are better paid, then they would have more skin in the game and would not be so easily bribed" (Documentary Maker 1); "They need to be corrupt to live because most of them have responsibilities for extended families because most likely he's the only one with a secured government job. You must remember that only small numbers⁵⁴ of jobs in India are in the private sector, so government jobs are the majority of people's only hope of getting food on the table" (IT Consultant); and, "Honest cops have a dilemma either family don't eat or go to good schools or they take bribes. 1,000 rupees is a lot of money to the cop but not to the Mercedes driver so they can afford it. It is just another way of spreading the wealth" (Night Club DJ).

In short, a range of broader social-structural, governmental, and cultural factors should be considered when viewing research on public attitudes toward police. The social structural thesis⁵⁵ argues that citizens' attitudes toward police are structured by their demographic positions in the general population (e.g., Weitzer and Tuch, 2006; Wu, Sun, & Triplett, 2009). The institutional performance perspective posits that citizens' perceptions of the police are shaped by their evaluations of police performance in particular, and government performance in general (Larsen & Blair, 2009; Tyler, 1990). In addition, the cultural perspective contends that citizens' trust in police is linked to their cultural orientations, including trust in fellow citizens and adherence to traditional values (Wu et al., 2012). Furthermore, unlike India, in a supposedly 'authoritarian' state such as China the cautiousness adopted by respondents to surveys may not be an accurate reflection of true opinions and feelings.

⁵⁴ It is estimated that in 2014 3.55% of India's work force work in government sectors with 2.3% in the formal private sector (i.e. licensed organisations that are registered and pay sales/income taxes, etc. These include the publicly traded companies, incorporated or formally registered entities, corporations, factories, shopping malls, hotels, and large businesses) and over 94% in unorganised sector (i.e. unlicensed, self-employed or unregistered economic activity such as owner manned general stores, handicrafts and handloom workers, rural traders, farmers, etc.) Ministry of Finance, Department of Economic Affairs. <https://data.gov.in/catalog/employment-organised-sectors-public-and-private>. World Bank Report 2013 estimate 50% of China's total workforce work in SOEs with the remainder in the private sector.

⁵⁵ E.g., In the US and UK, a white middle class person is potentially more likely to trust the police than a black lower class person because of differences in social capital (gallup polling 2014-16 by Frank Newport <http://www.gallup.com/opinion/polling-matters/193586/public-opinion-context-americans-race-police.aspx>).

To put things into perspective, in Hu and Dai's study of the Chinese Criminal Justice System, it was found that the PSB and the Courts were less trusted than the Procuratorate department and that a majority of citizens (55 percent) believed that the system was unfair (49.8 percent) or very unfair (5.1 percent). About a quarter of criminal justice officials considered corruption as a serious problem, but in contrast, 71 percent of citizens believed that corruption in criminal justice was serious or very serious. Additionally, 17 percent of officials selected 'build connections' as the key factor of winning a case, which is the second highest percentage in the sample of officials. Connection in Chinese society often referred to as 'guanxi' not only plays a critical role in citizens' everyday life but also appears to be an important realistic consideration in legal processing. 'Bribe the judge' and 'get a good lawyer' also received relatively high percentages in the citizens' sample, with 10 percent of criminal justice officials rating these two factors as key factors of winning a case. It is also worth noting that criminal justice officials rated 'criminal justice is not independent' (26 percent) and 'flaws in laws and legal system' (26 percent) as the top two reasons for corruption in criminal justice (2014, p.516-517).

4.2(c) Police Trust Survey - a different approach:

Selected summary of my public survey results relevant for this section – see appendix 3 for full results

Subject	China	India
Respect UK police more than own country's police	19%	42%
Home country's police uses more unnecessary force than UK police	42%	100%
Home country's police ignore misconduct e.g. colleague stealing jewellery while on duty	42%	74.8%
In home country, victim of theft by police e.g. store owner would not report police due to fear	64%	42%
Home country's police will ignore beatings committed by a colleague on a suspect in custody	42%	83%
Home country's police joined for job security	48%	46%
Home country's police <i>extremely unlikely</i> to have joined police in order to seek bribes or power	80%	37%
Police in home country are caring and selfless people who genuinely <i>want to help people</i>	19%	0%
Close friend/family member paid a bribe to police in last 12 months	22%*	75%

*75% never paid a bribe

It was for all the above reasons that I decided to explore the level of trust from a different angle. Rather than taking a traditional public survey approach by asking the Indian and Chinese students whether they trusted their respective police or not and by how much, etc. I wanted to find out how they viewed police through using scenarios and vignettes as a proxy to establishing a truer level of trust. Additionally, I hoped that by establishing when citizens would involve the police in their daily lives as either a victim, a witness or merely being a good citizen, we would get a better handle on the real level of trust.

I conducted the survey with the Chinese cohort first and asked the sample to select whether they would (1) definitely involve the police; (2) may involve the police and (3) definitely not involve the police against a range of scenarios (a/ You're a victim of crime e.g. assault with injury, robbery, burglary; b/ You're a victim of a minor assault without injury; c/ You witnessed a crime e.g. assault with injury, robbery, burglary; d/ Rowdy, noisy youths swearing and shouting in the streets late at night outside your house; e/ A street trader tried to cheat you by charging you more than originally agreed and refuses to give you your change or your money back; f/ Your next door neighbour threatens to hit you or damages your property in an argument; g/ You're involved in a car accident where the other driver refuses to give you his details; h/ You see a suspicious looking guy hanging around – you suspect that he's up to no good; i/ You see a man smashes a car window in the street and steals a bag from the car and walks off).

I used the UK police as a benchmark by asking them to make the selections against when they are in the UK and when they are back in China. The result was that the sample would 'definitely involve police' in the UK 135 times in total versus only 98 times if they were in China. It was surprising that more students would definitely involve the police in the UK against all nine scenarios than if they were in China. This is not only surprising bearing in mind the reportedly high level of trust in the surveys mentioned above, but also because one would expect the students to be more comfortable dealing with the police back home where they can articulate their issues better in their own language and in their own culture, and being more certain about their rights. Moreover, 19% said that they respected and trusted the British Police more because they are always fair with only 3% of the sample opting for the PSB. These results are even more significant if one considers the fact that

48% of the respondents said that they “have a close friend or family member serving in the PSB”. It is also significant that 42% of the sample believes that the PSB frequently uses excessive/unnecessary force in comparison to the British Police, with only 19% believing the PSB uses less force.

In regard to police misconduct, a total of 42% of the sample believes that an officer would “turn a blind eye or wouldn’t react because it is normal practice” if s/he sees a colleague stealing jewellery when reporting a break-in at a jewellers versus 38% who believe that s/he would make an arrest; only 19% believe that the matter would be properly investigated if the store owner made a complaint versus 64% who believe that either the owner would not bother to complain because it would get him into trouble, or no action will be taken because senior officers will always protect their men, or no action would be taken because the senior officer will get part of the spoils or, even if the senior officer investigate the matter he/she wouldn’t get anywhere because even honest officers will keep silent to protect their corrupt colleagues; And, in regards to the question of police beating up suspects to gain a confession (which is illegal in Chinese law) 42% believe that an officer would intervene if he walked into the station to find this happening because it is illegal versus 42% who believe that an officer would ignore it with (26%) of these respondents believing that this is “just part of everyday life in a police station” in China.

The Indian students, like Nalla and Madan’s (2012) findings, also showed less than a favourable impression of the Indian police. For example, when asked why they think police officers join the police, 46% believe that it is for *job security*, 33% for *seeking power* and 12.5% to make money from *taking bribes*. Therefore, the sample believes that police officers *did not join* out of a sense of duty nor for altruistic reasons such as a desire to help others or for catching criminals – which solicited zero percent. Indeed, 54% of respondents believe that it is *very unlikely* that police officers joined to catch criminals (25%) or to help others (29%). In addition, 25% of respondents believe that most Indian police officers are “cynical and selfish individuals who are only in it for themselves”.

In comparison, whilst a similar number of Chinese respondents (48%) also believe that people join the police mainly for *job security*, none believe that they joined to earn money

from *bribes* and only 6% believe they did it to *seek power*. These findings are reinforced by the fact that 80% believe that it is *extremely unlikely* that they joined the PSB for the purposes of *seeking bribes* (61%) or *power* (19%). Furthermore, unlike their Indian counterparts, none of the Chinese sample thought that PSB officers are “cynical and selfish individuals who are only in it for themselves”. Indeed, 19% of respondents thought that PSB officers are “caring and selfless people who genuinely want to help the Chinese people” as oppose to the Indian sample with zero percent making this option.

Furthermore, Indian students, in response to the question regarding whom they would trust more - the UK police or the Indian police - 49.5% said the same level of trust, with 42% saying that they would trust the UK police more but zero percent opting to trust their own police more so than the UK police. For the Chinese sample, only 19% opted to trust the UK police more, with the vast majority (64%) saying that they trusted the UK and PSB equally, and 3% trusting the PSB more than the UK police. With regard to having experience of paying bribes to police 75% of Indian students said that bribes were paid at least once versus only 22% for the Chinese sample with 75% stating they have never paid a bribe. 100% of Indian respondents said that the Indian police use more force when compared to the British police. Whereas, 48% of Chinese respondents said that they believe that excessive force was used either at the same level (29%) or less frequently (19%) than in the UK with 42% believing that more force is used in China.

4.2(d) Perception of how officers react to malpractices:

This unfavourable public perception of the Indian police continues regarding misconduct. Firstly, 75% of respondents believe that an officer would turn a blind eye (50%), join in the theft (17%) or not react because it is a common practice (8%) if they see a colleague steal property during the reporting of a jewellery store break-in, with only 25% believing that an officer would make an arrest. In contrast, 38% of Chinese respondents believe that an officer would affect an arrest with zero percent of respondents believing that a PSB officer would join in with the theft. As to the storeowner's actions, 50% of the Indian sample believes that he would not report it in fear of retaliation or that he would be met by a blue-

wall of silence even if he does report it, with the other 50% believing that the matter would be dealt with properly if reported as a complaint. In contrast, only 19% of the Chinese sample believes that the matter would be dealt with properly if reported. 64% believing that either the storeowner would not report it or that the matter would be covered up. This finding may reflect the fact that there is a lack of transparency or public accountability within the Chinese system as opposed to the Indian system – however notoriously ineffective it is said to be.

Secondly, in response to the unlawful use of force, 83% of Indian students believe that if an officer sees a person being beaten by colleagues they would either walkout of the station pretending they didn't see it or that they would simply ignore it because it is common practice, with only 8% saying that he would stop it because it is illegal. For the Chinese sample, 42% believe that a PSB officer would step in to stop it, with 42% believing that a PSB officer would ignore the beating. This response may reflect the fact that there seems to be a degree of intolerance toward the use of force among Chinese citizens versus the general Indian population judging from the frequent outcry in the Chinese press and social media as opposed to the prevailing attitude of cultural acceptance that “this is what police do day in day out, it is useless to complain because there will be no change. Life is cheap here in India and police carry on the old colonial behaviour” (Journalist).

4.2(e) Willingness of respondents to involve police at home:

In response to the question regarding Indian respondents' actions in the various scenarios listed and whether or not they would involve police, overall, as in the Chinese students' responses, Indian students would involve the UK police (total score of 164) more versus the Indian police (total score of 102). However, apart from the first scenario where they are victims of a serious crime where they would involve the Indian police as much as the UK police, in all the other scenarios, especially dispute resolutions and good citizenship scenarios, respondents would be reluctant to involve police. However, this might not be so surprising bearing-in-mind that dispute resolution in India is based more on bribery and social/political connections than on merit.

However, the sample also showed a reluctance to act as witnesses to crime and other anti-social behaviours. This reluctance seems to support Gill's assertion that, "Our culture and social mores have something to do with this public apathy and individual indifference" (1999, p.9), as well as some of my own fieldwork observations regarding the potential lack of civic pride and sense of social responsibility in Indian society. On my many visits to India, I cannot help but to notice the amount of filth and rubbish littering both urban centres and rural villages. This is in stark contrast to China where little old ladies with facemasks armed with a broom and pan is a ubiquitous sight⁵⁶. When I enquired my interviewees and focus group participants over why residents and shopkeepers do not simply clean the rubbish outside their homes and businesses if public services were so broken/corrupt, the common response is, "The prevailing attitude is that it's not their job or it's beneath them and no one will do anything unless someone pays them. If you think that public servants like nurses and doctors in government hospitals won't attend to you unless you pay them even though it is supposed to be free, then you get the measure of the attitude in our society" (Barrister 3).

Moreover, during one discussion with a group of young professionals and NGO workers one of the members said, "If I witness an accident or see a crime being committed I would not call the police let alone offer myself up as a witness" (Documentary Maker 2). All the other participants agreed citing that, "If you act as a witness then you will be harassed by the police and you will not get any protection if the criminal hire goons to intimidate you" (Son of a Senior Police Officer). Another participant, an NGO worker who had studied for many years in the UK, explained by providing an example, "When I first returned to India, I saw an old beggar woman looking very ill outside a public hospital. Fearing that she was dying I tried to be a good citizen by asking the doctors to go and help her. They were very reluctant to even come outside to look at this woman. I insisted, and they eventually went out, took one look at her and said that 'she's still alive so what's the problem' and went back into the hospital without examining her. I was determined to get her proper treatment, so I helped her into the hospital. Instead of examining the old woman, they called the police

⁵⁶ When I used to patrol London's China Town I observed that many of the Chinese businesses would clean their shop front's pavement each morning even though they had already been cleaned by the authorities.

and security and I was interrogated as if I was a criminal. They were trying to accuse me of attempting to dump off my ill destitute grandmother. They just cannot imagine a person being concerned for a total stranger. Now I would not get involve, in India no one trust anyone because everyone has some sort of scam going on”.

Furthermore, it is noteworthy that this unwillingness to act as a witness is so pervasive and distrust runs so deep that it also applies to police officers: “Indian police officers will never get involve as a witness. This is because the fear of harassment from fellow officers runs so deep that it is an instant reaction of the self comes first. As an example, when I was seconded to the UN in Bosnia after the Balkan war one of my fellow Indian officer was sent home because when he was driving into work one day he witnessed a major car accident on the motorway. If he were in India, he would have simply driven on without doing anything but because he was in Europe, he felt that he should at least call it in on the car radio. All the European officers were outraged that he didn’t stop to help but to my mind and to the other Indian officers’ minds he didn’t do anything wrong because we wouldn’t even have called it in if we were in India. In India a police officer will always start from the position of suspicion when dealing with witnesses because there is so much scam going on” (Add SP 35 years of service); “Unfortunately, the general public view is that police lie and you cannot trust what a policeman is saying, this is also the case between police officers too so if they act as a witness your fellow police officers will think that you are doing it for an ulterior motive” (SP 25 years of service); and, “I’ve seen so much distrust in my many years of service among police officers including when a policeman was shot none of his colleagues wanted to get involve to help him or to act as a witness. I’ve even seen senior officers jumping into their jeep leaving their men to face the angry mob” (DGP K Singh). Additionally, Jauregui noted that “Even among police themselves there is widespread lack of faith in the institution and the individual actors who populate it (Ghosh 1981). This structure of feeling emerges strongly in cultural expressions by police themselves. One such expression is the mythical tale that many police told me about a self-styled “honest cop” who one day asked a group of his colleagues to indicate if they would trust their co-workers to take care of a family member (usually a female) who was in trouble. According to the story, no one raised his hand affirming his trust in fellow police. Police would tell this

story when trying to illustrate how degenerate and indifferent the institution has become” (2013, p.645).

To do a comparison between how the Indian and Chinese sample would respond to the various scenarios in their respective countries, I took a random sample of 24 Chinese student responses (as shown in table 8 below) to make the numbers equal to that of the Indian sample. I then added up the scores from each scenario of both items of when they would ‘definitely’ involve the police and when they ‘may’ involve the police when they are back home. It would appear that on most measures the score for both samples is within the range of 2 points. Out of the total of nine items, the Indian sample scored higher on two items (f/ threats by neighbour and h/ suspects loitering). The Chinese sample scored higher on six items (b/ victim of minor assault; c/ witness to a crime; d/ witness to anti-social/rowdy behaviour; e/ dispute with street trader; g/ involved in car accident; and i/ witness to theft from a motor vehicle). Both sets of samples scored equally on item a/ victim of crime. The similarities in items with no range difference or a difference of within 2 points may be explained by the fact that these are Cambridge students who are currently studying in the UK and may have assimilated similar outlooks during their stay. However, there is a sizable difference (the Chinese sample scored higher) on items d/ witness to rowdy/anti-social behaviour and e/ dispute with a street trader. We can only speculate as to why there is more of a difference in attitude between the samples on involving the police in their respective countries, but it raises questions regarding tolerance levels for such activities. Overall, the Chinese sample with the total score of 191 versus the Indian sample score of 174 indicates that the Chinese are more willing to involve their police than their Indian counterparts generally. Moreover, the Indian sample scored lower in all items on attitude towards being a witness to various scenarios. It can be suggested, therefore, that this finding raises further questions on level of police trust and further reinforces the thesis that Indian citizens are potentially less likely to be willing to become witnesses than the Chinese. If true, then, this may have potential consequences for police effectiveness and community safety.

Table 8: Aggregated score for 'definitely' and 'may' involve police. Total Score: China (191) and India (174)

Types of Incidents	China	India
a/ You're a victim of crime (e.g. assault with injury, robbery, burglary)	24	24
b/ You're a victim of a minor assault without injury	21	20
c/ You witnessed a crime (e.g. assault with injury, robbery, burglary)	24	22
d/ Rowdy, noisy youths swearing and shouting in the streets late at night outside your house	14	8
e/ A street trader tried to cheat you by charging you more than originally agreed and refuses to give you your change or money back for defective goods	19	12
f/ Your next door neighbour threatens to hit you or damages your property in an argument	22	24
g/ You're involved in a car accident where the other driver refuses to give you his details	24	22
h/ You see a suspicious looking guy hanging around – you suspect that he's up to no good	19	20
i/ You see a man smashes a car window in the street and steals a bag from the car and walks off	24	22

4.2(f) Perception of police esteem/respect held by respondents:

Another perspective on examining trust is by gauging public esteem/respect towards police through perception of social status of police officers held by research participants. Many of the social theories on policing portray the police as merely protecting the interest of the rich and powerful i.e. low status individuals as hired muscle. This is certainly the image portrayed by commentators (e.g. Dikshit, 2000; Yui, 2015; Sharma, 2006; Singh, 2002; Vadackumchery, 1998 etc.) for the situation in India. In China, however, it is worth noting that the police are more of a member of the country's ruling elite than many western scholars realise. As an ex-UK police officer, my experience of the social status of a police officer walking the beat in the UK is that s/he is regarded as a blue-collar worker, that is, equating to the status of a skilled manual worker rather than a professional such as a doctor, lawyer or accountant, and s/he would certainly not be regarded as being on the same status level as a judge.

However, the social status of the PSB officer appears to be much higher than that enjoyed by law enforcement officers in the West⁵⁷ or India. For example, in the Student Survey all the respondents classed police officers in the white-collar profession category that I drew up, with most respondents selecting the police as equal in status to that of a School

⁵⁷ E.g., UK and USA

Teacher (35%) – in the Chinese culture, a teacher is a highly respected profession – and 29% equated them to lawyers or doctors. In my interviews with subject matter experts and other Chinese legal professionals it became apparent to me that not only do PSB officers enjoy a higher social status than their western and Indian counter-parts, but they enjoy one of the highest statuses within the Chinese Civil Service itself. We should also note that working for the government in China is still very sought after⁵⁸, “recently there were over one thousand applicants for a security guard job in a government department” (Chinese Lawyer). To add some validity to this quote, according to Durden (2013), “A total of 1.2 million candidates took the National Public Servant Exam according to figures from the State Administration of Civil Service and according to Global Time for only 19,000 government jobs”⁵⁹.

The three main professional categories that the Indian sample classed Indian police into include lawyer (25%), teacher (25%) and shop assistant (17%). Whilst it is obvious that the shop assistant is firmly in the blue-collar category, at first glance one can be forgiven for believing that the equating of police officers to lawyers and teachers means therefore that the job is highly regarded. However, unlike China, in India today public-sector teachers and lawyers generally are regarded as being low-grade professionals⁶⁰. This is because “most public-school teachers are either poorly qualified or have false qualifications but either way they usually paid bribes to get a public-sector job and like most public servants, including janitors, they draw their salaries without performing their duties or simply don’t even go into work. Lawyers in India are mostly self-employed because they are either unqualified or uses false qualifications and because they do not get much legitimate work many acts more like fixers and middlemen. They are viewed by most people as unscrupulous. As for the constabulary ranks they are viewed as extremely low class by most Indians, even a public-

⁵⁸“In China...job attainment in the state sector was a major indicator of status attainment before the mid-1990s since it was associated with a good wage, housing benefits, health care, pensions, *etc.*...Today, employment in the state sector is still a treasured achievement given the cut-throat competition in the labor market...It offers more job security than the private sector. A job in a government agency or public organization has continued to be a major avenue of upward mobility in urban China (Zang, 2008:2341-2342). “Market Reforms and Han-Muslim Variation in Employment in the Chinese State Sector in a Chinese City.” Zang, X. World Development, 2008, Vol.36 (11), P2341-2353.

⁵⁹ <http://www.zerohedge.com/news/2013-11-25/china-12-million-candidates-apply-19000-government-jobs>.

⁶⁰ The IPS (Indian Police Service) and the IAS (Indian Administrative Service) are held in high esteem in India.

school teacher or a foot soldier in the Indian army enjoy higher status nowadays than a constable” (DPG K Singh).

Moreover, police officers in China sit the same civil service entrance exam⁶¹ as other civil servants – i.e. the same as judges, Prosecutors, Tax & Revenue Inspectors, etc. - before being appointed as police officers. This is in addition to having to graduate from one of the approved police universities/colleges. Consequently, the “police officers' status is on a par, if not higher than, some judges. They are about 40% better paid than their peers in other government departments. This is because they are the teeth of the CCP, you have to be trusted by the party to be a police officer in China” (Chinese Lawyer and Legal Expert). A Chinese judge that I interviewed reinforced this view by saying that, “Even the most junior police officer is a Ke Ji (科级) - a Sectional Level Civil Servant within the government hierarchy of: Ministry/Department/ Division/ Section/Staff – and they are all Gao Su Zi (高素质) – i.e. individuals of high quality”. When I asked how trustful the Judge was of police officers, he said: “If I was to rank 1-10 and 10 being the highest then it is at least 8...I will always believe a police officer’s word more than any defendant standing before me”. This is in stark contrast to the fact that distrust of the Indian police is actually built into the system, “Our colonial masters didn’t want police officers to be able to take one of their own to court on the basis of confessions or statements made to the police during the investigation. All confessions have to be taken in court in the presence of a magistrate before it is admissible as evidence” (Barrister 3).

In the PSB case, I personally witnessed this higher status in action both in China and in the UK when I was invited to present to a large delegation of Beijing Municipal officials on the subject of ‘How to achieve City resilience’ in October 2016. Among these groups of delegates, I noticed that a greater level of deference was offered to the senior police officers present by the other delegates who included prosecutors and judges and even though their business cards all indicated them to be roughly of the same ranks i.e. Directors or Deputy

⁶¹ China has had a long tradition of civil service examinations. It is said to have been formalised in 165BC during the Han Dynasty based on the principle that appointment to public office should be made not on the basis of inherited privilege but on the grounds of an individual’s proven abilities (p109 in Hook et al., 1991, The Cambridge Encyclopaedia of China, Cambridge University Press).

Directors of various government departments. It was obvious that whenever the police officers spoke then the other delegates listened and agreed.

4.2 (g) Summary:

The traditional public surveys on trust for the Chinese and Indian police indicate that the PSB enjoys a substantially higher level of trust than the Indian police. But, factors such as national pride, willingness to criticise state authorities, political legitimacy and level of citizens' trust of those in power, as well as, influence of the media all may play a part in the survey results. However, from the data available, it can be argued that even with all these factors taken into consideration the frequency and size of the sampling in favour of the PSB versus the Indian police points to potential evidence that, in contrast to the Indian police⁶², the Chinese police are held in higher esteem and are trusted more by their citizens.

Moreover, my research further points to this position as well as revealing evidence to support the proposition that the corrosive effects of corruption at every level and in every walks of life in India has eroded trust both citizen-to-citizen and citizen-to-state generally, as well as, trust and respect for the police in particular. The resultant situation of citizens' unwillingness to interact with police or to act as witnesses can have potentially serious consequences for police effectiveness and community safety. For China, my research indicates that there are questions that need to be answered in regard to the lack of willingness on the part of those participating in the research (who, according to Conflict Theory at least, are more likely than other members of the Chinese population to have a favourable impression of the PSB because they are part of the privileged elite) to engage with the PSB verses the UK Police and their sober assessment on the level of PSB misconduct.

4.3 Do the police carry out their duties in a fair and unbiased fashion?

⁶² I conducted my Indian fieldwork in UP during the winter of 2017 and as the weather is relatively colder in northern India than in the south. The UP police were wearing their own overcoats as these were not provided. During my police career it was said, "If you look smart, you'll feel smart and you'll think and act smartly". The wearing of non-uniform may reinforce police personnel the feeling of neglect and may not be conducive in creating either a professional attitude or a dignified image.

4.3 (a) Class stratification - China:

In China, according to Nee (1996), there is a nearly complete fusion of political and economic powers. Party leaders and governmental officials tend to enjoy substantial power in all state-owned enterprises, civil service institutions such as schools and hospitals, and self-governing committees in villages. Zhang and Liu (2004) argued that China's newly rich, mainly entrepreneurs and investors, also start to have more political power. They highlight that many successful businessmen were invited to join the Communist Party, a growing number of entrepreneurs became appointed or elected representatives of the Chinese People's Congress, and the Chinese People's Political Consultative Conference at all levels. Some extreme cases surfaced where rich entrepreneurs were actually rewarded with official positions for paying a substantial amount of taxes.

The economic and political power spreads its influence into the legal system too. Galanter's (1974) classic study illustrated that powerful groups of people, or the "haves," managed to come out ahead in the criminal justice process including adjudication in the United States. There is no similar empirical research for China, but it would be safe to speculate that such patterns exist because the country has a weak tradition of the rule of law and a strong emphasis on the role that connections (Guanxi) play in every aspect of social life, including police-citizen relationships. There are ample anecdotes and media stories on how rich and powerful people can get advantages in the criminal justice process as their money and power help them build connections with police officers, prosecutors, and judges.

On the other end of the spectrum are the Chinese migrant workers who are attracted en-masse to cities to meet the labour needs of China's economic expansion. Loosening of internal restrictions has resulted in millions of Chinese peasants migrating to newly created mega cities⁶³. Chan (1996, p.147) argued that, whilst there had always been privileged classes in China even under Mao (e.g. cadres, urban residents working in industries, etc.)

⁶³ Siham. G. (2015:2) Highlight that the largest numbers of migrants are the unskilled rural-urban 'floating population' (non-Hukou) who are classed as "permanent temporary". Rural-urban migrant numbers jumped from 30 million in 1980 to 262.61 million by 2012.

when compared to the rural peasants, the mass rural-urban migration has brought about a “two class urban society”. This is because “opportunity structures in China are not only determined by wealth, education, skills and connections as is typical of other modern societies, but also by one’s household registration status defined by birth and cemented by law. This has greatly aggravated the disadvantaged position of migrants”. According to Siham’s (2015, p.1) study, migrant workers suffer from irregular employment, lack employment contracts, possess low wages, wage arrears, low social security coverage, poor housing conditions⁶⁴, and difficulties in accessing public services⁶⁵. Han (2010) argued that though migrant workers have been working and living in the cities for years, they are still rigidly marked by the Hukou system as forever “temporary” urban residents, who are taken advantage of for their cheap labour while being denied urban citizenship. He also argued that lives of migrant workers in cities are extremely difficult and that the lack of an urban Hukou ‘prohibits’ migrant workers and their children from receiving social welfare, such as housing, medical care, and education.

However, due to recent relaxations by the central government, access to these provisions have become less restrictive for some migrants but it remains the case that lives for migrant workers and their families are still challenging. For example, reflecting on my own experience as an immigrant living in a neighbourhood full of racial prejudices and poor housing in the poorest part of the city it is generally the case that public facilities such as education and health care are not as good as those in richer neighbourhoods. Consequently, as “most migrants live in the most deprived part of the city where access to schools are based on distance from your home⁶⁶ it is inevitable that children from wealthy

⁶⁴ 32.3% live in dorms; 10% at construction sites; 6.1% at sites of production or business operations; 19.7% share rented housing (Siham, 2015:4).

⁶⁵ Goodburn has written similar observations in her various works on migrants in China/India. She note that children (especially girls) of rural-urban migrant workers in both China and India finds it more difficult than other residents in accessing health and education services due to administrative, financial and discriminatory barriers. See: Goodburn. C. a/ (2010) Poverty among rural migrant children in India and China: A comparative study of two cities. PhD Thesis. University of Cambridge. Department of Land Economy; b/ “Learning from migrant education: A case study of the schooling of rural migrant children in Beijing” (September 2009) *International Journal of Education Development*. Vol. 29, Issue 5, p495-504; and, C/ “Rural-urban Migration and Gender Disparities in Child Health Care in China and India.” *Development and Change*. Vol. 45, issue 4, (2014 Jul) 201407:631-655.

⁶⁶ Many migrants cannot afford to live within the city and have to live in cheaper villages outside. This disadvantages them and their families in terms of access to health and education services. However, a study conducted on the commuting patterns and durations of migrants residing in these villages indicates that they

families are first in line and prejudicial against the life chances of migrant children. Also, you will find that relaxations on access to public services are rather patchy because it is left to local governments on how to implement it. In some locality these relaxations only apply to migrants who migrate to cities within the same province” (Shenzhen Journalist). Furthermore, Goodburn (2010, p.58-59) noted that, “Despite recent much-publicised reforms of the system, rural migrants’ situation has not improved. Although many city governments now set their own admission criteria and Hukou quotas, most grant local Hukou to wealthy investors and the highly educated or family members of existing urban residents...Since decentralisation, large cities with more state benefits put up the most stringent Hukou transfer conditions... [Consequently] migrants are still discriminated against for access to schools, health insurance schemes, unemployment benefits and pension. Although in 2004 state council regulations abolished restrictions on non-local residents in various types of work, many employers continue to discriminate against those with non-local Hukou”.

Commentators (e.g. Tan, 2015) highlight that, low skilled rural migrants make up the majority of the urban poor living in [relative] poverty who suffer from class discrimination. Bian (2002, p.91) commenting on class stratification in China argues that “In China...the egalitarian rhetoric of communism, mass grassroots campaigns against elites and genuine redistributive land reform has meant that the *morality* of egalitarianism is generally accepted in society. This does not mean that deep social stratifications did not and do not exist. In post revolution times powerful status hierarchies between cadres and workers; between red (or propertyless classes) and black (or land owning) classes; and between the rural and urban populace evolved. It is this last division that presents the most persistent fault line, stretching well into the post economic reform period. It is also the stratification that underlies the category of internal migrants, a group that is one of the most institutionally and socially discriminated against in contemporary China”.

still had good access to jobs. (Zhu. P. Zhao. S. and Al Yammahi. S. “Residential Segregation and Commuting Patterns of Migrant Workers in China. Transportation Research Part D”: *Transport and Environment* Vol. 52, Part B, (May 2017) p.586-599

Moreover, it is not only in social stratification discussions that migrants come off worst in China, but official statistics indicate that migrant workers are heavily involved in the criminal justice system as both offenders and victims in such major migrant destination cities as Shanghai and Guangzhou (Xu, 2014). Scholars highlight the rates of crime by rural migrants are generally overestimated, whereas their victimization is frequently overlooked (Xu and Song, 2005). Migrant workers' marginalised class status has made them primary targets of urban policing. That is, "similar to racial profiling in the U.S., police control of migrant workers also involves discriminatory policing practices based on the physical look of people" (Han, 2010).

In short, far from being a class-free society, China today is divided by social strata based on wealth and connections (Wu et al., 2009). Despite economic prosperity and international standing, "China remains a high-power distance society, where an uneven distribution of power and weak public participation in government decision-making are commonly anticipated by the less powerful people (Hofstede, 2001)" (Wu, Sun and Hu, 2016, p.185-6). As a small example from my research on what the effects on the in-group and out-group experiences look like on the ground in regard to police service can best be illustrated from the horse's mouth: "The CCP is maintained by money so its members will mix with business people" (PS 10 years of service); and, "It is a fact of life, rich people will get better treatment because if you report an economic crime you're expected to pay all the police expenses such as air tickets, hotels, food, car hire, etc. so that we can investigate the matter. If you can't pay then you go to the back of the line" (SP Economic Crime Division, 20 years of service).

4.3(b) Class stratification – India:

Nalla and Madan (2012, p.288) argued that, "Similar to any modern society, India has a population that can be broadly classified as a high social class versus a low social class. In this context, the social class of an individual is likely to largely influence the behaviour or attitude of a policeman in India. For instance, the likelihood of a victim's complaint/ report being followed up by a police officer can be influenced by whether or not they are bribed by the victim or whether or not the officer recognizes that the victim may have social/political

influence. For instance, a large percentage of the respondents agree that police are more likely to follow up the victim's complaints only if they are bribed (67 percent) or if they have social or political influence (79 percent) ...In order to assess police fairness, citizens were asked their opinion on whether police are concerned about respecting a citizen's individual rights...51 percent did not believe that police are concerned about respecting a citizen's individual rights. Assuming a likely relationship between social influence and police attitude, citizens were also asked if the police officers in their neighbourhood investigate in a fair manner regardless of the difference in social status of the victims, to which only 15 percent of the sample respondents answered in agreement".

In addition to the above disadvantages of being in the lower classes, the internal rural-urban migrants of India⁶⁷ have to contend with other challenges such as the lack of job security and protection ⁶⁸(Breman, 1996). Moreover, many have very little choice in adopting a "labour nomadic" life-style in order to survive (Breman, 2013). Many of the migrants are from the north eastern regions⁶⁹ of India migrating in search of work in megacities such as Mumbai and Delhi. However, unlike China, free movement of Indians to settle and work anywhere inside the Indian Union is guaranteed by the constitution of India. Nonetheless, according to numerous press reports rural-urban migrants in India not only suffer from poor living conditions one associates with the urban poor in Indian cities but that they are also subjected to further difficulties that come as victims of xenophobia⁷⁰, racial discrimination⁷¹, Prejudice and violence⁷². This is because anti-

⁶⁷ Internal migration statistics in India is unreliable due to the fact that there is no registration process for rural-urban migration, but it was estimated that in 2009 the figure was over 100 million. Goodburn (2010)

⁶⁸ Breman argued that: a/ while there are lots of horizontal mobility within the informal sector, there is a distinct lack of vertical mobility into the permanent/organised sector; b/ Urban migrants hiring tended to be clustered around workers from the same village/caste thus making it difficult to organise (e.g. forming unions) with other workers; and c/ half of those working in the informal sector are on daily contracts or are daily casual workers. Breman, J. (1996) "Footloose labour: Working in India's informal economy". *Contemporary South Asia*, vol. 2. Cambridge University Press.

⁶⁹ E.g., Bihar has had slower economic growth than the rest of India in the 1990s, and as a consequence many Biharis have migrated to other parts of India in search of work. Bangladeshis, Bengalis, and Marwaris also make up large part of the migrant population in India.

⁷⁰ Vir Sanghvi, The Bhaiyya Effect, *Hindustan Times*, 27 September 2008 "The roots of Raj Thackeray's attack on the Bhaiyyas [migrants] lie in India's economic transformation".

⁷¹ *Calcutta Diary*, *Economic and Political Weekly*, July 21, 2001. How come Bihar has such a negative image in the rest of the country?

⁷² K P S Gill, 'Outsiders' must be welcomed, *Sinlung*, 22 March 2008, "But Manipur is not alone in these isolationist excesses. In neighbouring Assam, six migrant workers have been killed in two attacks this year, and as

migrant feelings in India are common “due to strong nativism” and local “states championing rights of ‘bhumiputr’ (Sons of the soil)” Goodburn (2010, p.56).

4.3(c) Caste – unique Indian phenomenon:

However, one must also note that India is a caste-based society which influences and controls most segments of Indian society. The racial discrimination and violence faced by migrant communities may reflect discriminations against caste⁷³ rather than towards migrants per se. Consequently, in addition to the usual consideration of social class based on wealth and inherited privileges, when discussing fairness and police bias in India it would be extremely negligent not to touch on the issue of caste⁷⁴. The ancient system of differentiation known as Varna, divides Indian society into four broad castes (Varna): Brahmins (priests, scholars and teachers); Kshatriyas (rulers, warriors and administrators); Vaishyas (merchants); and, Shudra (untouchables, consigned to work as labourers – denied all privileges enjoyed by the others. Regarded as polluted hence prohibited from learning Vedas - Sanskrit literature -, denied access to education, segregated and made to live on outskirts of villages. They are also commonly referred to as Harijans, Dalits and Scheduled castes).

Moreover, according to Sengupta (2010, p.723) “in the reconstructions of caste hierarchies over time, the system would become effectively five-fold, while encompassing a complex range of hierarchies that included the categorizations of jati or community. Gupta, in fact, asserts that the process of interrogating caste implies understanding it as discrete categories with multiple hierarchies, as each caste tends to overvalue itself in relation to others (Gupta 2000). Regional diversities in the caste hierarchies made it possible for groups to undergo Sanskritization, while constitutional innovation created the Scheduled

many as 88 were killed, and 33 injured in 12 such incidents in 2007. Indeed, waves of xenophobic violence have swept across Assam repeatedly since 1979, variously targeting Bangladeshis, Bengalis, Biharis and Marwaris." Archived 5 October 2008

⁷³ Racial Discrimination Against Migrants From North East India. By Madhu Chandra. 28 November, 2011Countercurrents.org

⁷⁴ Aiyar suggests that it might be more relevant to compare the situation faced by internal Chinese migrants with India's lower castes because they are “co-numerous” in size. INDIA'S UNTOUCHABLES AND CHINA'S INTERNAL MIGRANTS: Social Stratification and mobility as factors in explaining differential outcomes in governance across the Himalayas. Pallavi Aiyar. Reuters Fellowship Paper, Oxford University. Michaelmas 2007.

Castes and Tribes, and electoral politics seemed to reinforce the dominance of caste, not dilute it. According to Kaviraj, historically there has been a sort of class-effect of caste, whereby caste has taken over some of the political functions of class (1997, p. 18), although the opposite has also occurred: amongst the metropolitan middle class, for instance, caste tends to be an idiom for status distinctions along class lines (Fuller 2000)".

Kumar estimate that there are roughly six thousand castes in India (2014, p.29). From my field observations I found that there are so many categories of sub-castes within each caste that: "You will always find that there is a caste lower than you so no one can say how many castes exists. You should also disbelief government officials who tell you that caste no longer matters. You only have to listen to how strangers interact; the first thing an Indian would ask another Indian when they first meet is to ask for their family name or what part of the village they live in. This would tell them what caste you are from and once they have established that they will then behave accordingly. Discrimination still exists in all walks of life and you only have to point to the overrepresentation of dalits⁷⁵ in the criminal justice system to see that police are bias" (Barrister 1). Another participant in the focus group (a bank manager) continued: "It is generally accepted that 80% of deaths in police custody are from the lower classes that are usually also from the lower castes. I've not heard of a rich person dying in a police cell". The senior police officers in the group (an SP and ADG) both nodded in agreement without challenging these statements.

Kumar (2014, p.29-30) noted that caste is a division of 'labourers' rather than 'labour'. This is because an individual has the capacity and choice to choose an occupation, whereas caste is based on collective identity and thus is no an individuals' choice. Moreover, the lower castes continue to be exploited and discriminated against as evidenced by the fact that although they make up approximately 85% of the Indian population, they only make up approximately 10-15% of India's major institutions such as polity, judiciary, industry, bureaucracy, university, etc. where the minority castes (Brahmins, Kshatriya, and Vanishya) which only makes up 10-15% of the population dominate.

⁷⁵ According to Subodh Varmall *The Times of India* 24/11/2014 '*Muslims, dalits and tribals make up 53% of all prisoners in India*': "The three most vulnerable section of Indian society makes up 53% of total prison population when they make up only 38.6% of the total Indian population".

4.3(d) Muslim minority - India:

Religion has been the other 'traditional identity' in India and "while there is no existing data to demonstrate the levels of actual representation of different castes and communities, there is a tacit acceptance that Lingayats and Vokkaligas are numerically dominant within the police as well, with a growing number of SC/ST officers through the reservations process, while Muslims are numerically insignificant⁷⁶..." (Sengupta, 2010, p.723). Jauregui (2013, p.646) noted that "police in India are widely known for mass-level misconduct. This usually takes the form of discriminatory treatment of social minority groups—especially Muslims and persons of lower castes". This mistreatment can be gauged during communal riots where according to Yui (2015, p.865) "During Hindu-Muslim riots, Indian police have historically been unable to effectively deal with illegal detention and indiscriminate shootings against citizens and participated in arson and looting with the rioters". Yui identified the colonial police model with a repressive culture and the "Hindu domination in the composition of police personnel" as the main causes of these bias acts. Yui also noted that "Hindu personnel (110,536) are predominant within the Maharashtra state police force. Muslim personnel (5,758) are underrepresented compared to the 11% of the general population identified as Muslim (10,136,567) in the 2001 Maharashtra state census. We can point out similar problems in most states in India as well as Maharashtra. So, Rai, Additional Director General of the Police in the Uttar Pradesh state, conducted interviews with riot victims, 200 Hindus and 200 Muslims...For 97% of Muslim victims, the police during Hindu-Muslim riots are more like an enemy than friend. On the contrary, 71.5% Hindu perception for police is friend in riot situation. And the appreciation of police behaviour is neutral for Muslims is just 1.5% against 22% Hindu's. Namely, we ascertain biased Indian Police has acted hostilely for Muslim and friendly for Hindu during riot situation on victims' perception. Therefore, Hindu dominated police have acted violently in prejudiced illegal detention and indiscriminate shootings. Local police have been isolated from the [Muslim]

⁷⁶ India's National Crime Record Bureau 2012 figures indicate there were 108,000 Muslim police officers out of the total strength of 1660,000 i.e. approximately 6%. But a majority of these were in the Islam dominated states of Jammu and Kashmir. If these were stripped out, then the average across the other states stood at only 4%. According to 2012 Population Census, the total number of Muslims in India is approximately 172 million i.e. 14.2% of the total population.

area because local residents have felt increasing dread and mistrust toward local police” (2015, p.865-867).

Furthermore, Ali and Narang (2007, p.122-123) found that, “...the ordinary constabulary is heavily prejudiced against the Muslim minority community. This is rooted in stereotypes perpetuated by Hindu nationalists. They draw especially on the memory of Partition and the existence of Pakistan as a hostile "other" through which to demonize the Muslim population. Poorly paid and lacking in professional training, policemen vent their frustrations and enmity on innocent victims in riot-torn situations...these actions can be undertaken with impunity. Officers share the prejudices of their men. Moreover, they are under political pressures when riots occur. Those officers who seek to act impartially are liable to transfers and may have their careers blighted. The contributors see police prejudice not only in terms of the treatment of different communities at the times of violence, but in the tardy investigations of killings and in their frequently callous attitudes to riot victims. Failure to prosecute known perpetrators, especially when they are political figures, reinforces the sense of impunity”.

Indeed, DGP K Singh admitted that, “I was told by senior ministers on numerous occasions throughout my police career to go even up the scores especially after communal riots or whenever a Muslim kills a Hindu, if you refuse then you would be transferred to a punishment posting. The constitution says that we are a secular state but you will find Hindu shrines in most police buildings and officers openly celebrate Hindu festivals when officially on duty. Even today, there are sporadic atrocities against Muslims, for example, police have entered Muslim households to beat up, kill or even commit rapes but not a single officer has been punished in all my years in the police”. Furthermore, a number of focus group participants also made similar claims, “Hindu newspapers usually blame Muslims for crimes or disturbances even though it isn't true. I've heard many horror stories of police making barbers shave off the beards of Muslims while they standby laughing, or a crowd has lynched a Muslim for allegedly eating beef and the police took the pot away to check whether the meat inside was indeed beef rather than investigating the murder. India is a nation in disguise there is a lack of civil society and we still have a feudal mind-set” (Cambridge Indian student).

4.3(e) Muslim Minority – China:

There are 55 nationally recognized minorities in China, comprising just less than 9% of China's total population. These 55 groups were first formally recognized by the government following a country-wide study that began in the 1950s. The government sent tens of thousands of researchers around the country to survey the population in order to identify the various unique histories, customs, languages, and religions of the people (Wang, 2005). Among these minorities are 9.82 million Hui (Muslims)⁷⁷ living throughout China⁷⁸ among the Han majority and 8.4 million⁷⁹ Uyghur Muslims⁸⁰ within the Autonomous Region⁸¹ of Xinjiang Province to the west of China among the Tianshan Mountains.

Myer et al., (2013, p.236) argued that, "Autonomy generally amounts to the preservation of language and customs by the local minority, as well as local representation in the autonomous government. The constitution requires regional representatives to be members of the local minority, though they are always under the unified leadership of the central government. The idea is that minorities can craft policies that fit their lifestyles". However, when these regions are viewed from the perspective of border security⁸² and the management of natural sources then their strategic significance for the central government becomes clear. For example, Uyghurs, Kazaks, Kyrgyz, and Tajiks, share religion and language with Kazakhstan, Kyrgyzstan, and Tajikistan; and, Xinjiang province has China's largest oil and gas reserves. Therefore, the PRC's nervousness and subsequent "strike hard" response in the face of Uyghur Muslims'

⁷⁷ They have their own autonomous region, the Ningxia Hui Autonomous Region. The earliest Hui were descendants of Arabs and Persians who came to China to trade in the seventh century (Wang 2005)

⁷⁸ Many Hui also resides within their own Ningxia autonomous region.

⁷⁹ Samuel L. Myers Jr. & Gao Xiaoyan & Britt Cecconi Cruz (2013).

⁸⁰ The Uyghur have a distinct religion, language, and culture (Zhu and Blachford 2006). Historically, the Uyghur had independent status and were only brought under China's rule after the fall of the last feudal empire in 1911 (Zhu and Blachford 2006). Unlike the Hui Muslims, Uyghurs are of Turkic origin.

⁸¹ Today there are five autonomous regions, supported by a constitution that recognizes their presence. The five regions are Inner Mongolia, Xinjiang Uyghur, Tibet, Ningxia, and Guangxi Zhuang. These five areas occupy approximately 45% of the land area of China (Wang 2005).

⁸² Almost all of China's borders have been disputed (Myer et al., 2013).

separatist activities may be difficult to condone but easier to understand. For the most part, China's ethnic minority policy has resulted in a relatively peaceful coexistence with the Han majority, especially with minorities residing in the southwest and central regions. However, Myer et al. (2013, p.238) argued that, "the clear exceptions are Xinjiang and Tibet where there are strong calls for independence". But, contrary to the Tibetan case,⁸³ the Uyghur independence movement has received much less international media attention (Terhune & Matusitz, 2016; Marquand, 2003). Terhune and Matusitz (2016, p.139) arguing from a Realistic Conflict Theory perspective propose that the Uyghurs have resorted to terrorism because of their "disagreement over objectives and competition over limited resources leading to intergroup conflict [with the Han majority] ...By the same token, as an "in-group" mentality emerges, a great amount of discrimination and negative stereotypes are the consequences for the out-group. The Uyghurs (a Muslim people) have had complicated relations with China, so much so that they are increasingly bent on creating their own independent state. As the People's Republic of China grew more powerful, its stance toward the Uyghurs was reflected through a shift from mild hostilities to more acute persecutions".

Chuah (2004, p.155) argued in broader terms regarding Hui Muslim's relationship and response to the PRC's assimilation efforts proposes that Muslims (including Uyghurs) respond in three phases, "First, there is peaceful co-existence between the two groups while the Hui resist the great force of assimilation and acculturation of non-Muslim ways. In the second phase there is intensification of discrimination and persecution of the Hui by the non-Muslim Chinese who perceive them as a threat, and both parties entertain mutual stereotypes, suspicion and hostilities. In the third phase, the Muslim Chinese cannot take the pressure of the intensified prejudice, persecution and discrimination, and so they revolt against the Han. These three kinds of relationships continue to exist

⁸³ "Tibetans are not a dominant ethnic minority because of their size (only 5.41 million), but due the controversy surrounding their independence. They live on the Qinghai-Tibet Plateau. Like the Uyghurs, Tibetans have a very distinctive religion, language, and culture. They have a relatively exclusive 'homeland', of which they comprise 95% of the population. Tibetans also spill into the neighbouring provinces of Sichuan, Qinghai, Gansu, and Yunnan. During Imperial China, Tibet had independent status" (Myer et al., 2013:234). Due to wide publicity because of the support from various celebrities and the high international profile of the Dalai Lama the Tibetan independence movement has become a cause célèbre in this field.

between the Muslim Hui and the non-Muslim Han in China depending on the delicate and complex situations of the two groups in various parts of contemporary China”.

It is perhaps debatable whether these descriptions and theories are accurate and represent the whole reality but what is apparent is that like many other minorities in China the Uyghur Muslims lag behind in terms of education and other socioeconomic measures vis-à-vis the Han majority. For example, in Rong and Shi's (2001) study they found that minorities had nearly twice the level of illiteracy as the Han (30.8% and 17.8 %, respectively) and suffered from lower educational attainment. Of particular concern were illiteracy rates among women of ethnic minority groups, eight out of 10 women were illiterate and in some ethnic minority groups, all rural women were illiterate. The gap in achievement between minorities and Han exists despite a Chinese law, enacted in 1986, that mandates nine years of schooling for every Chinese child (Myer et al, 2013, p.238). Reasons for this education gap in spite of the various well intentioned positive discrimination policies and measures that have been put in place by the PRC to help minorities to progress put forward by scholars are that while national examinations beyond primary education are in Chinese, many minorities educate their children in their own language at primary schools thus creating a barrier to entry and progress into top institutions (e.g., Myers et al., 2013; Thakur, 2005; Zang, 2008; Fischer, 2014; Kaltman, 2007). Moreover, scholars (e.g. Fischer, 2014; Thakur, 2015) argue that some minorities with strong separatist movements (e.g. a number of Tibetans and Uyghurs) choose not to learn Chinese as a passive form of resistance to the forces of Han assimilation. Zang's (2008, p.2341) study into the effects of economic reforms on ethnic minority employment in the state sector showed that due to the increased competition based on merit and “survival of the fittest” in today's China many of the positive discrimination policies designed to reduce inequalities are having a limited effect in helping minorities to achieve social mobility. Indeed, Zang conclude that “Minority ethnicity is the main determinant of labor market discrimination”.

In addition to the above situation faced by minorities generally, the Uyghur Muslims also face a high rate of “Hanization” where Han Chinese are given incentives (e.g. tax breaks) to migrate to the region thus it is easy to understand how the influx of Han

Chinese⁸⁴ who are better educated and qualified than the Muslims are seen as a threat by many Uyghur who are already feeling vulnerable because of their human capital deficit.

Moreover, other factors add to the feeling of discrimination among the Uyghur. For example, “anyone joining the army or police or governmental institute for training will not be provided the facilities to practice their faith, and even the food provided by the training institute may not be *halal*” (Chuah, 2004, p.161). These perceived discriminations seep beyond the Xinjiang border and reinforce stereotypes and prejudices between the Han and the Uyghur population. For instance, Kaltman’s (2007, p.137) study observes that “a striking 99 per cent of the Han respondents claim that they might be victims of a Uighur-committed crime, while an even more striking 100 per cent of the Uighur respondents in Shanghai claim that they might be the victims of a Han-committed crime”. To the author, these findings serve to explain what he coins as “criminal stigmatization regarding the Uighur” (Ibid., p.73). Moreover, Kaltman also argued that “the Uighur believe that the Han discriminate against them in almost every aspect of their lives, and this perception of racism provides impetus for the Uighur to harbor their own prejudice against the Han” (back cover Ibid.).

As a consequence, some Muslim Uyghurs view themselves as second-class citizens who are economically disadvantaged, and their culture threatened by a steady influx of Han Chinese. “The result: resentment and unrest. The past decade has seen bombings by suspected Uighur separatists and crackdowns by the Chinese authorities. At the time of last year’s Beijing Olympics, an attack in the Xinjiang town of Kashgar killed 17 Chinese police officers” (Elegant and Ghosh, 2009, p.20-20); And, in July 2009, one of the deadliest riots in recent years erupted in Urumqi, the Capital city of Xinjiang. “Uyghur demonstrators clashed with police forces and attacked innocent Han bystanders, followed by Hans’ retaliation, resulting in the deaths of 197 people” (Wu, Sun & Hu, 2016, p.184-5) and over 1,000 wounded (Elegant et al., 2009). Although western media

⁸⁴ Elegant; Ramzy; & Ghosh. Time. 7/20/2009, Vol. 174 Issue 2, p20-20; According to the Xinjiang census 2010 the total population in Xinjiang was 21.82 million. 45.84% are Uyghur Muslims; 40.48% Han; 6.50% Kazakh; 4.51% Hui and 2.67% Other. Stanley Toops, Nottingham University, Spatial results of the 2010 census in Xinjiang. Uyghur Human Right Project, March 7th, 2016.

reports usually only highlight discrimination by the Han dominated state security institutions towards the Uyghur Muslims, it is worth noting that “China has an avowed policy of positive discrimination towards its 50-odd minorities and appears quick to tackle insensitivities displayed towards Uighurs. It banned a popular book last year called "Weird Sex Customs", which gives a rather imaginative description of Islamic sexual life. In an unprecedented case, the government investigated and publicised the sexual harassment of a female Uighur soldier by a Han general” (*The Economist*, 1997, p.33-34).

In short, to promote ethnic relations and regional development, the Chinese government has provided economic, political, and social privileges to ethnic minorities, such as less tax, more governmental subsidies, relaxation of the one-child policy, and lower requirements in admission to schools, universities, and state and public work positions (Han, 2010). One such notable group are the Muslims, especially those from Xinjiang. According to Hillman (2006), compared to the Hans, many Uyghur Muslims do not speak Mandarin, have less education, and consequently, have to work in jobs with lower pay and live in older and less well-off neighbourhoods. Han people also hold some negative stereotypes about Uyghur, portraying them as aggressive, violent, and unreasonable. It was evident that many of the Chinese students in my focus groups held resentments⁸⁵ against the ‘privileged’ minorities, “Tibetans and Muslims in particular get a lot of benefits that we don’t and yet they are always causing trouble and are unappreciative of their advantages”. It is hard to obtain insights into the policing of the Xinjiang region due to political sensitivity. However, from my personal experience of how police officers operate, it is reasonable to surmise that against the above backdrop (coupled with the widely publicised global Islamic extremist terror) it is inevitable that many Han PSB officers would be highly suspicious of Uyghur Muslims.

To elaborate further, as discussed in the literature review section, the police culture⁸⁶ is generally morally and socially conservative in nature. Police officers usually identify themselves with society’s in-group (i.e. people with similar characteristics: the same

⁸⁵ See China’s race problem, Gray, T. *Foreign Affairs*. May/Jun2015, Vol. 94 Issue 3, p39-46

⁸⁶ See Banton 1964; Skolnick 1966; Wilson 1969; Westley 1970; Bittner 1970; Van Maanen 1974

nationality, religion, politics, sex, and/or the same righteous cause). Police officers, in my experience, generally view those who seek to challenge or protest against the status quo as the out-group (i.e. consists of those people who do not share these characteristics and, therefore, are given labels: stupid, lazy, inferior, aggressive, violent, freaks, scums, criminals, terrorists, trouble-makers, etc.). The in-group will often label the out-group negatively even when the out-group is not doing anything that a neutral party would consider bad (e.g. a typical British Bobby in the 1970s and 1980s may readily regard a Rastafarian's rhythmic walk as a "disrespectful chip-on-the-shoulder strut and must be as the result of him smoking too much ganja"). In the process it reinforces and underscores their differences, their less human qualities, their evilness, their opposition to what is good and what is right⁸⁷. For some officers in the frontline such people are the enemies and they view the out-group as the cause of their problems. Many in the police may view the out-group as disrupting the peace, causing mayhem, damaging property, and wasting tax payers' money. They see these people as having the potential to injure or kill them, causing them to lose their days off, and forcing them to be away from their families. Those acting with violence due to separatist motives are ranked at the top of the out-group for this is the ultimate betrayal and challenge to the status quo, therefore must be treated with extreme prejudice. As an example, the UK (a country that prides itself on upholding human rights and for being fair and transparent) there were strong suggestions that IRA suspects were deliberately shot dead instead of being arrested in the notorious shoot-to-kill-policy allegations of the 1980s which led to the scandal regarding the removal of the Deputy Chief Constable of Greater Manchester (John Stalker)⁸⁸ at the eve of him announcing the findings of his investigations into these allegations – which were never officially made public. It is not suggested here that this is the case for Xinjiang but it is reasonable to speculate that there would be proactive patrolling and stop and search of suspects and sympathisers by police. The frequency and the communicating of suspicion of illegal activities as well as the likelihood of abrasive conduct in these encounters could have the potential to negatively

⁸⁷ See In-Group, Out-Group: Two Sides of a Hot Issue. Loren W. Christensen, December 5, 2011
<http://legacy.ymaa.com/articles/in-group-out-group-two-sides-of-a-hot-issue>

⁸⁸John Stalker claimed in his memoirs and in newspaper interviews (e.g. in *The Times* 09/02/88) that while the policy was never written down but "There was clear understanding that the officers were expected to enforce it"
https://en.wikipedia.org/wiki/Shoot-to-kill_policy_in_Northern_Ireland

impact trust⁸⁹ of police by the Muslim population and the reinforcing of the in-group mentality of Han officers.

4.3(f) Police prejudices against out-groups and favouring in-groups:

In my research I tried to gain some insights into how police would favour or bias in-group and out-group segments of both China and Indian society. The result showed that being a member of the elite, wealthy and connected means that you are more likely to be treated favourably than if you were from the poorer or less well-connected section of society.

In the Chinese Survey, I listed Government Official; Wealthy Businessman; Factory Worker; CCP Member; Peasant; and Migrant Worker. I placed them in various comparative combinations and asked the sample to circle the person whom they believe would be better treated by the police during a dispute (see table below). The result showed that the Government Official came top with 53; second was the Wealthy Businessman (45); third was the Factory Worker (36); fourth was the CCP Member (29) and the Migrant Worker came last with only 12. I then asked the PSB officers during interviews whom they believe their colleagues would treat better in a dispute. All of the PSB interviewees stated that the government Official would come first, then the Wealthy Businessman and then came the ordinary CCP member. However, most went on to say that, it would be very unlikely for a government official or a wealthy businessman not to be also a CCP member especially if they were middle-aged. Therefore, the idea that there was an 'ordinary' CCP member who has no other status would simply be unlikely.

⁸⁹ See effects of frequent stops/search of out-groups by police Tyler et al., "The Consequences of Being an Object of Suspicion: Potential Pitfalls of Proactive Police Contact," Volume 12, Issue 4 December 2015:602–636, *Journal of Empirical Legal Studies*

Survey Result on who would be favoured in a dispute - China

Government Official	53
Wealthy businessman	45
Factory Worker	36
CCP Member	29
Peasant	16
Migrant Worker	12

Survey Result on who would be favoured in a dispute - India

Local government official	56
Wealthy Businessman	48
Factory Worker	20
Brahmin Caste	16
Peasant	14
Scheduled caste	16

Getting hold of the percentages of CCP membership among PSB officers is virtually impossible and it appears that the Chinese public themselves are not sure of the situation either. For example, the Student Survey showed that only 13% believe that it was below 50%, with the majority opting for 100% (26%) and 80% (19%). Estimations given to me by a number of PSB interviewees puts the number at approximately 90%, “Students from the two national police universities will be granted CCP membership upon their graduation. Those from the provincial colleges will have to wait a couple of years and those from the county or city colleges will have to wait a little longer. It is very difficult to become a CCP members before you are thirty so joining the police is seen as a fast track to getting into the party. If you are in the CCP you can build up your guanxi quicker and get into personnel department, so you get to know how things are decided and build up your guanxi. You won’t get promoted if you are not in the CCP and if you don’t get promoted by the time you are thirty then you’re very unlikely to get very far in the organisation. Being a CCP member in the PSB is important not only for promotion but also for protecting your family and friend’s interests, it gives you more power than those who aren’t party members. If you have a rival who is also a CCP member then there may be a bit of tit-for-tat to stop your rival from getting ahead of you and your clique” (Insp 10 years of service). This information supports Bian’s proposition that CCP membership is an “...imperative and survival strategy [emphasising] the importance of guanxi network for securing jobs and promotion” (2002:107).

In comparison with the Indian Student Survey (see table above), as noted regarding the CCP identifier of never being an item by itself, that is, you are a CCP member plus being an official, a PSB officer or a wealthy businessperson. The same can be said in regard to the identifier for Brahmin and Scheduled/Dalit caste. Therefore, whilst in the Indian survey as in the Chinese survey the government official (Chinese score was 53 and Indian score

56) and wealthy businessperson (Chinese score 45 and Indian score 48) came out on top as being treated more favourably by police. In the case of the scheduled caste for India although it acquired the same score (16) as the Brahmin but when aligned with the category of 'peasant' or 'factory worker' (categories that are more likely to be associated with the Scheduled or Dalit caste) then the combined score is much lower (Scheduled+Peasant = 30 and Scheduled+Factory Worker = 32) than if one combined Brahmin with either government official or wealthy businessman (Brahmin+Official = 72 and Brahmin+Businessman = 64). Similarly, it can be said that a Brahmin is more likely to be a government official or a wealthy businessperson than a Dalit even with the advent of positive discrimination policies introduced in 1995. This is because access to better education and social/professional network improve their life chances in comparison to a majority of people from the lower castes. It is still a general truth that whilst the scheduled castes have made some progress the fact remains that the higher echelons of the police (IPS) and civil service (IAS) is still overrepresented by the upper castes (Sengupta, 2010, p.723).

Furthermore, I asked Indian police interviewees who would be treated more favourably a Brahmin or a Dalit by the police. Although most interviewees reminded me that it was against the law to discriminate against a Dalit, the majority of interviewees privately admitted that a Brahmin would be treated better, "The majority of police will treat a Dalit less favourably during interactions. In my experience, decision-making at the street level caste is always a factor. For example, when I was a Deputy Superintendent responsible for an area with Thakur (Warrior) caste cart pullers who beat up one of my Dalit inspectors badly when he tried to clear them off the highway because they were causing a traffic jam. I went in and arrested 54 suspects who were responsible but had to let them all go because the SP and the local BJP politician, who were both from the same caste as the cart pullers, told me to do so" (IG 24 years of service). This example is telling because in my policing experience the camaraderie between police officers is usually very strong and if a suspect is arrested for seriously injuring a police officer then (even in 1980s Britain) he is very unlikely to escape retribution while in custody and the most serious charges possible would be brought against him. Therefore, the fact that this senior officer was told to release those responsible for seriously injuring a gazetted officer by a superior because of caste loyalties

provides a potential indication of how deep rooted and powerful caste identity remains in modern India.

Indeed, “senior officers tended to view internal caste politics as the biggest problem for the effective functioning of the police system” (Sengupta, 2010, p.723). This is because caste values affect judgement and action where “higher caste policeman might not accept an equal position for the Harijans; or unwilling to go against the dominant caste in the area as it will affect his career” (Mehra, 1985, p.42). It is noteworthy that in addition to maintaining law and order, and the prevention and detection of crime, the Indian police is also charged with the implementation of social legislations such as “preventing discriminations of untouchables or Anti-dowry act and dowry death probes when the police are themselves steep in these traditions, and whom are India entrusting to get rid of these feudal values – almost illiterate constables or semi-literate ASIs, SIs and Inspectors in whom these values are deeply entrenched”. Consequently, not only is the “Indian police failing to enforce the untouchability (offence) act 1955...but police turn a blind eye when upper caste Hindus attack untouchable settlements... because their view is that they should not complain against upper castes who provide them with a living therefore never take Harijan complaints seriously. In certain cases, the police also indulged in acts of violence against Harijans, going to the extent of raping their women” (Mehra, 1985, p.90-91).

4.3(g) Police stereotyping of out-groups reinforcing prejudices:

The PSB like many other police forces around the world uses stereotypes in order to make sense of the world (e.g. in my time in the Metropolitan Police, inner city black youths were targeted for stop and search because many officers shared a common prejudice that they were more likely to carry drugs or weapons and to engage in criminal activities) and to guide them in the performance of their duties. In China, a good example of how some of the ‘out-groups’ are given special attention by the authorities is in the PSB’s twenty-four-seven operation in Tiananmen Square to prevent potential protests, demonstrations or petitioning by “Tibetan Separatists, Muslim Terrorists, Extremists and other Nutty Religious Cults like the Falun Gong⁹⁰ means that all thirty of China’s police forces has to send teams

⁹⁰ 1/ Practitioners of Falun Gong aspire to eliminate attachments, and ultimately to achieve spiritual enlightenment. It is widely speculated by western press that this organisation was branded as a religious cult and

of officers to Beijing. This is the most hated duty because it means that you are away from home for three whole months at a time. Our job is to patrol in plain clothes, look out for people who are obviously not local by listening out for regional accents, especially Muslims because they are extremists and violent. There are many animosities towards Xinjiang Muslims because they are terrorists looking to kill Han Chinese. If we hear anyone talk about protest, demonstration or petitioning, etc. we pull them out straightaway and they are taken back to their home region by the local teams from that force and dealt with. We have a song for the Falun Gong to help identify them. The lyric goes like this, 'They wear traditional Chinese clothes, cloth shoes, carrying a plastic bag, standing there with a distant gaze'. We have sympathies for petitioners especially if they had lost their jobs, etc. but the religious cults are weird – who would set themselves and their child on fire just to make a point?" (Insp 15 years of service).

Similarly, in India, Singha (2012, p.96) argued that there is clear "evidence of institutionalised prejudice and stereotyping, insensitivity to cultural differences, unfair harassment and use of excessive force with marginalised communities". An example of how these stereotypes are institutionally reinforced is the VCNB (Village Crime Note Book) held at police stations. It is very similar to what in the Metropolitan Police we used to call the 'Collator's or Local Intelligence Officer's Book'. This book contains daily comments/rumours written by officers to inform colleagues on what they have heard on their patch because it is not of good enough quality to be classed as intelligence and entered into the official system. Unsurprisingly, I was told that the VCNB is a legacy of the colonial system. Although the VCNB is used in a similar fashion to the British example, there is one very clear difference in that it contains commentaries on the history of the locality and its village inhabitants to the point of describing their tribes and wholesale classification of the village area as Thieves, Dacoits, Rustlers, Moonshiners, etc. This has the potential to reinforce traditional stereotypes and prejudices of certain castes and religious groups in a particular locality, thus, affecting police attitudes and behaviour toward the inhabitants.

band because it was seen by the CCP leadership as a potential threat due to its ability to mobilise large numbers of its members to protests; 2/ Observations made earlier regarding the effects of police treating some Uyghurs as 'out-group' also holds true for other out-groups such as the Falun Gong.

It is also worth noting that similar resentments of perceived preferential treatment for minority groups in China held by the Han majority also seems to hold true for the Hindu majority in India. DGP K Singh showed me a police WhatsApp⁹¹ group that circulate hate contents regarding Muslims and Dalits out of resentments against these groups for what police officers see as favourable treatments since the rise of caste-based politics. Apparently, derogatory terms (e.g. 'Musalle' – similar to the term 'Paki' in the UK or 'Katuwa' – 'castrated Jew' for Muslims; and 'Chamarwa' for Dalits) are frequently used to describing Muslims and the lower castes. This group is said to have chosen to use WhatsApp instead of the social media site Facebook because it "cannot be shut down as it is not in the public domain" (DGP K Singh). He then went on to state that "no training is ever given to police regarding how to properly treat the lower castes or the Muslims, which is a good indication of how little regard we have for their needs as an institution".

4.3(h) In-group/out-group classification effects on police:

Moreover, not only does an organisation dominated by majority Hindu police personnel discriminate based on caste and religion against the public but there are prejudices perpetrated against its own members. For example, Sengupta (2010, p.728-29) proposes that, "The more obvious politics of caste and ethnicity, however, are exemplified by the processes of transfers and the actual authority of officers in different positions; these are forms of 'control' over the police department that tend to be immediately established by new governments. In the first two months of the new BJP government coming to power in Karnataka, for instance, over four hundred transfer orders were given for officers from Sub-Inspectors to Additional Director Generals...there is always resistance to positions that are not seen as 'important' or 'good', euphemisms for relative power and authority, as well as money-making potential. While corruption has always tended to accompany the transfer processes within the Indian state (see Wade 1982; de Zwart 1994), and different governments with different caste and community constituencies have also manoeuvred their ethnic preferences...The transfers involved shifting officers who had been in a largely

⁹¹ An instant messaging application allowing smartphone users to communicate for free.

Vokkaliga-dominated government of the BJP and Janata Dal coalition, which was later headed by the Governor, under President's Rule (imposed in November 2007), to what was ubiquitously perceived as a Lingayat-dominated department...As officers at different levels told me, the most significant moves were the appointments of Lingayat officers to the positions of the Commissioner of Police, Bangalore, bypassing strict seniority in the process, as well as the officer in charge of State Intelligence, a position which is commonly seen as being the most critical position in the police department, even more than that of the nominal head (the Director General and Inspector General); he is considered to control the hotline to the Chief Minister. In fact, the nodal officer for State Intelligence is normally the rank of an Additional Director General of Police; in this case, the position was downgraded to Inspector General to conform to the existing rank of the Lingayat officer...Throughout my fieldwork, I observed that the most important positions in a police station, apart from that of the Inspector or Sub-Inspector, are the police 'writer' (who documents the cases) and the officers in charge of intelligence gathering, courts summons and warrants. These are all considered powerful and lucrative roles for station-level officers. Depending on the inclinations of the Inspector, these positions are normally given to officers of his/her own caste and community, while others are given less important and often more arduous duties”.

For China, Wang (2014) argued that the PSB Leadership has been incorporated into the core of CCP leadership in order to ensure regime resilience leading to the PSB having stronger budgetary bargaining powers and influence. Incorporating PSB leaders into party core by increasing their rank and associated benefits aligns the interests of both the CCP and the PSB leadership. Consequently, PSB officers enjoy higher status than their other government officer peers. For example, in theory, only provincial/ministerial-level (buji/fu buji) cadres are included in the provincial leadership teams. Provincial public security chiefs are de jure bureau-level (juji) leaders. However, in most provinces at most times PSB chiefs are the de facto provincial level-leaders and serve as members of the provincial leadership teams, whereas, Presidents of provincial courts and Procuratorates are rarely included in provincial leadership teams. This is where issues such as budgets, security, economic plans, law-making, personnel decisions and urban planning are discussed by leadership

team members (non-members are excluded even when the subject being discussed is in their jurisdiction).

Additionally, this allows PSB Chiefs to have access to classified information beyond those enjoyed by their peers. Being members of the Provincial Leadership team, PSB Chiefs enjoy better benefits including salary, pensions, VIP rooms in hospital, bodyguard, etc. that their peers in other departments does not. PSB chiefs' presence in leadership teams was informal until 2003 when Central Committee made it formal "to make sure that public security organs better enforce the Party and government's policies and decision because Western powers never give up westernizing and sabotaging our country...At present, we are at a critical stage of reforms, some deep contradictions constantly emerge, criminal offences and economic crimes are detrimental, mass incidents and emergent events are affecting social stability, the problem of the internet influencing stability looms large. To maintain social stability at this strategic stage is a daunting task that is extremely important (People.com.cn 2003. 'CCP's Central Committee's decision to further strengthen and improve security work' 18/11/2003)" (Wang, 2014, p.625-636). It is also worth noting that many PSB Chiefs also hold other important governmental positions, for example, the Deputy Mayor of Hangzhou is also the local police chief.

Conflict theorists argue that the "dominant groups in a society use the law and law enforcement to preserve a social order that can maximize the protection of their own interests and control those groups that are considered threatening and subordinate, including the poor and racial minorities, among others (Chambliss and Seidman, 1971). Members of the dominant group (i.e. the in-group) tend to share a sense of superiority, viewing members of the subordinate group (i.e. the out-group) as intrinsically different and alien as well as significant competitors for political and social prerogatives (Bobo & Tuan, 2006). Consequently, they are more likely to think positively of the police because they perceive legal authorities as protectors of their interests and superiority" (Wu, Sun & Hu 2016, p.181).

For example, Sharma's (2006, p.62-63) review of India's community Policing Initiatives found that, "There is hardly any patrolling in the low-income group localities such as JJ

clusters, resettlement colonies or slums. The beat officers pay more attention, within the available time, to the areas inhabited by 'powerful/influential persons' such as retired civil servants, high-level businessmen/industrialists, politicians, the well-educated class, members of the advocacy groups or the press. Explaining such behaviour, they stated that it was the fear of such people lest they should complain to the SHO or some other senior police officer even higher in the hierarchy against the non-visible beat police. Such a class of persons is given immediate attention by the officer-in-charge consequent upon which the constable or head constable of the beat may be issued with a censure or even suspension. On the other hand, if the resident/s of the low-income localities do(es) the same, the attitude of the senior ranks is different. The SHO is generally dismissive of the complaint and the complainant and often may defend the absence of the officers from the beat. Such attitudinal difference on the part of the SHO is a clear behavioural signal to the patrolling staff, which leads to the neglect of the areas inhabited by the poor and the weak...Their views remain unsolicited... a state of alienation between the police and the poor on the one side and an attitude prohibitive of an empathic and sympathetic treatment by the police of the deprived and marginalised sectors of Indian society. In turn the police acquire a pro-rich tag from the public".

Furthermore, commentators such as Mehra (1985, p.42-97) point to the fact that the "British had carefully designed a police force which was repressive in nature. Not only that, they carefully assigned an oppressive role to the police and successfully created a fear, suspicion and distrust syndrome regarding the police among the people...Due to improper political influences the police in India have been known to become the tool of 'self-serving elites' (Bayley 1969:369). They have successfully helped government to suppress popular movements and other social disorders...conflict arises because of the proclamation of an egalitarian social order and the unpreparedness of the groups who are higher in social status to accept the constitutional proclamation of equality for all social, religious and ethnic groups. While these people are not prepared to acknowledge an equal status for the traditional intermediate or lower castes, the people belonging to the lower castes and minority groups are also not prepared to accept an inferior position in society. The feeling of self-assertion and competitiveness take a serious turn at times and leads to serious conflicts". In consequence, the "indiscriminate use of force, discrimination on the basis of

caste, religion or status are not uncommon with the police in India. Public meetings organised by political parties inciting people over petty affairs, organised demonstration which most of the time go out of the hands of the organisers and pose law and order problems have become an everyday affair” (Singha, 2012, p.87).

4.3(i) Summary:

Social stratification has always existed in China⁹² but it can be said that it became more formalised during the Mao era where the masses were segmented into peasants, industry workers, cadres, intellectuals and rural or urban, etc. and people were allocated places to live based on their Hukou designation. The liberalisation of the economy leading to increases in rural-urban migration has brought the disadvantages for those with a rural hukou designation to the fore if they moved to the cities in search of a better future. Internal Indian rural-urban migrants similarly experience discrimination and harassment from the locals but the unique Indian phenomenon of caste may also play a part for the experiences of migrants. However, unlike China where one’s Hukou designation can be changed in India one can never change one’s caste. Moreover, in terms of discrimination, even if you are not a migrant your low caste status will always present obstacles in every aspect of both yours and your children’s lives.

Moreover, race and religion also play a part in both China and India in regard to social justice. In both countries Muslims are seen as both a racial and a religious minority and the potential enemy within. This is because in China “the religion of Islam as a complete way of life has a great impact over the lives of Chinese Muslims, which makes them different from the Chinese non-Muslims. Because of these differences, social conflict, prejudice, discrimination and stereotyping occur and various degrees of acculturation and assimilation determine the nature of their relationship” (Chuah, 2004, p.155).

⁹²The ideal Confucian social hierarchy places the degree-holding literati at the top, acclaims the high standing and worth of the large farming population, and groups below them artisans and then merchants. Both in pre-modern times and in the communist era the Chinese have professed a remarkably egalitarian ethic. Although they have acknowledged the leadership of an elite, its justification rests on dedicated preparation and individual performance rather than on privileged birth or material standing (pp93-94 in Hook, B. and Twitchett, D. (Ed), 1991, *The Cambridge Encyclopaedia of China*, New Edition. Cambridge University Press.

Additionally, with the rise of global Islamic extremist terror coupled with the call for independence by Uyghur separatists and the PRC leadership's desire to maintain its strategic military and energy assets the dual approach of striking hard and positive discrimination are the carrot and stick to maintain order and control. Sectarian violence and police brutality against Muslims in India are well documented throughout India's history. However, the memory of partition and the continuing tit-for-tat between India and Pakistan has solidified the distrust and prejudices between the Hindu majority and the Muslim minority.

In regard to the police, it can be said that both in China and India the police are not always fair and unbiased when it comes to the execution of their duties, especially in relation to the groups highlighted above. In India, the "police strongly favour the rich and powerful including organised criminals but are discriminatory against the poor, needy, and down trodden in society" (Dikshit, 2000, p.87-88). They are "rude, selective and partisan in their enforcement of laws, are in the pockets of politicians, criminals and the rich with no cognisance of grievances of the poor or the uninfluenced so there is no redress for wrongs done to them" (Singh, 2002. p.117). This state of affairs has led to what "many within the Indian police call the 'snake reflex' where the instinct of the masses acquired and engrained into their psyche over time is one of distrust and avoidance of the police" (Add SP 25 years of service). In China, the police profile the out-group just like police forces all over the world in order to do their job. However, the PSB does not only patrol the borderline between the in-group and the out-group but they are in fact very much part of the in-groups' ruling elite – as illustrated above by their high CCP membership and the special status assigned to senior officers within local governments. This makes them not merely tools of the ruling elite, as in the case of the Indian police, but also they are in fact at the very core of the PRC system.

4.4 What does corruption/malpractice look like and why does it persist?

Selected summary of police survey results relevant for this section. See appendix 3 for full results

Subject	China	India
Police would ignore colleague taking bribe	52%	49%
Police would intervene if witness colleague taking bribe	39%	51%
Police would ignore colleagues beating suspects	39%	41%
Police would intervene if witness beatings by colleague on suspect	52%	59%

4.4(a) Overview:

In India, police corruption/malpractices are well documented (e.g. Vadackumchery, 1998; Sharma, 2006; Wahl, 2016; Jauregui, 2013; Belur, 2009; Dikshit, 2000, etc.). For example, Verma (1999, p.264-267) who had served as a senior police officer in Bihar noted that “corruption within the Indian police is well recognized and pervasive. Corruption exists within every rank, from the constable to the chief of police and in every police department of the country...although I have largely served in the state of Bihar these police practices are seen in every other state”. He used his personal experiences to comprehensively highlight many tricks of the trade employed by unscrupulous officers to earn grey money and showed how ingrained the culture of corruption really is, “Every rank, from the lowest "chowkidar", the village watchman to the highest-ranking director general of police is known to have tainted hands (*Times of India*, 1997a). The middle ranking officers, junior inspectors and inspectors who do most of the investigation work, prey upon the common people by misusing their powers to extort money from the complainants, witnesses and naturally the accused. The constabulary extorts money from hawkers, footpath dwellers (Anandan, 1997; *Indian Express*, 1997), truck and bus drivers and claims a share from the collective earnings made by the police station staff...The IPS officers make money from the transfer and postings of subordinate officers, take bribes and give favours (*Indian Express*, 1999). They demand cuts from vendors supplying uniforms, office equipment and vehicles to the department; even extort from the business houses and subvert investigation of cases on pecuniary or political considerations (Kumar, 1996). Corrupt practices are now part of the Indian police system and are found in every department, in every rank and even in police colleges...The malaise has spread all over the country and in every aspect of policing”.

In China, according to Sun et al., (2013a), rapid economic growth accompanying major societal changes has led to a deteriorating relationship between the police and citizens. Police–community relations have been particularly plagued by an unprofessional style of domestic policing that fails to meet such internationally accepted standards as human rights protection, transparency, and accountability. Commentators (e.g., Bracey, 1989; Leng and Chiu, 1985; Wang, 2000) argue that the heart of the problem rests in the broad and virtually unrestrained power the police has and a lack of an independent, non-party oversight system to effectively prevent and discipline police misconduct. With little judicial and public oversight, police-run detention centres, jails, and work camps have become the hubs of police brutality and corruption. Chinese police have the authority to impose administrative sanctions, on minor and public order offenders (e.g. prostitutes, gamblers, etc.) ranging from fines to detention for re-education-through-labour on any “unproductive person” and send the person to work in a labour farm for 1 to 3 years without any judicial review. Ma (2003) highlights that Chinese police do not need the court’s approval but only the police chief’s permission to conduct searches and seizures. Wu et al., (2009) also highlight that police in China, in addition, can supervise the attorney’s performance and work, for instance, they can set time limits on the suspect–lawyer meetings and be present at the meetings too. The “awesome powers given by the state create an unequal relationship between officers and local residents, with police as superiors and residents as subordinates. As Chinese society become more modernised and wealthier, such unchecked power and abusive behaviours have increasingly alienated ordinary people from the police and undermined their perceptions of police legitimacy” (Wu, Sun & Hu, 2016, p.184).

Moreover, “Governmental efforts to control police misconduct were largely ineffective; partly due to the lack of respect for the law in the police culture and partly to the over-reliance on monetary incentives to carry out police work in the market economy, and the reluctance of the government to expose large-scale police corruption” (Wu et al., 2012, p.191). An example of how monetary incentives have affected police culture through the PSB’s performance management process discovered during my research can be seen in the following quote, “The Chief in Shenyang gave everyone tough target even to officers working in administration. This created an internal black market for arrests with a price list

for types of offences, the more serious the crime the more expensive the price. Officers who weren't able to achieve their targets paid others to allocate their arrests to them; some even went outside their own force area to buy them. We have always 'given' suspects more crimes to improve the clear up rate. For example, if we arrested someone for burglary we would tell them that they must have done some others that are already reported but not yet solved. But due to these tough targets a lot more cases are allocated to more suspects. Most experience guys usually achieve their quota within the first few months of the year this then allow them to concentrate on their other business – if you understand my meaning” (PS 10 years of service).

According to Wang (2007), these and other types of police abuses have resulted in the numbers of illegal and corruptive cases involving police officers rising alarmingly since the early 1980s. From 1993 to 1997, more than 40,000 police officers were involved in over 33,000 criminal cases or disciplinary violations, with an average of 8,000 officers – or 6 percent of the total number of officers – investigated and punished annually. Wu, Sun & Hu (2016) argues that the extent of police misconduct has surfaced as, and continues to be, a serious social problem in China.

Moreover, according to Wong (2012), a large number of criminal justice practitioners consider the current legal procedures regulating police powers as a burden and waste of time and money. This has potentially led to a lack of confidence by the public in the legal process where complaints lodged with the nation's procuratorate organs and courts dropped sharply from 1986 to 1991 as the chances of having a prior police action or court decision reversed is very low. Additionally, when officials are facing a penalty, higher officials are treated much more leniently than lower officials are. Wong concludes that the issues in the criminal justice system in China are attributable to two cultural factors: (1) the legal culture in the rule by man rather than the rule of law and (2) the lack of belief in limited government with checks and balances⁹³. Additionally, according to commentators (e.g. Wong, 2012; Wong, 1998; Pei, 2007) survey data that is available consistently indicates that corruption is one of the main concerns of both officials and citizens. In surveys

⁹³Hu and Dai (2014) makes similar observations.

conducted between 1999 to 2004 respondents ranked corruption (including police corruption) as either the most serious or the second most serious social problem in China. Similarly, in late 2006 the State Council's Development Research Centre asked 4,586 business executives (87 percent in private firms) to rate their local officials in terms of integrity. Almost one-quarter said that their local official was "bad"; 12 percent said that they were "very bad" (Pei, 2007).

According to other scholars (e.g., Hillman, 2014; Pei, Sun and Johnston, 2009; and Johnston, 2007), in China, bureaucrats work hand in glove with businessmen in order to get a piece of the economic action through abusing their powers such as evicting peasants from their homes in order to acquire land to build new factories, luxury hotels, whole new cities and infrastructures, etc. There is very little research into the Chinese police by western scholars generally and even less in regard to police corruption (Wong, 2012). Newspaper reports that are available usually show the police as the tools of the local party cadres who pay their salaries and who have the power to hire and fire the local police chiefs as well as rank and file officers. In China, the governance of the PSB is a dual governance model where the MPS issues guidelines, procedures and national priorities but local PSB officers are paid and hired by local government. Wong (2012) argued that this dual governance model in the past has caused great legitimacy issues for the PSB in terms of conflicts of interests because in effect they have two bosses. However, as highlighted in previous sections of this thesis it seems that central government is beginning to exert more control over senior PSB officers' appointments in their desire to stamp out corruption by local cadres. Nonetheless, as highlighted earlier, local police chiefs are at the core of local government whose priority for maintaining hard won economic gains usually outweighs environmental or social justice concerns. Consequently, police are still called upon to help local officials to collect taxes and evictions of people from their homes are sometimes still done without due process.

4.4(b) Police violence:

In China the most frequently publicised complaint of police malpractice is the excessive use of force and abuse of power that (according to Wong, 2012) has led to widespread

dissatisfaction with the criminal justice system as evident in a number of incidents that were well known in China during 2008 and 2009. For example, the killing of six police officers by Jia Yang in a police station on 1 July 2008⁹⁴, the riot in Weng'an, Guizhou Province on 28 June 2008⁹⁵, and Qiaoming Li's death in a local detention centre on 8 February 2009⁹⁶, were extensively discussed on the Internet, in mass media, and among legal scholars (e.g., Fu, 2009; Li, 2009; Meng, 2009; Zu, 2010). The above well-known cases all share the same feature, that is, public anger was triggered by a relatively simple criminal case and then developed into a large-scale serious incident involving people's outrage at the formal legal and political system. According to Wang and Hou (2010) modern communications technology, such as smart phones and the Internet, help the quick spread of the information nationwide, diminishing the efforts of some local officials to suppress news. In a very short period of time, a large number of people, a majority of whom have no direct relationship to the incident, protest either online or in the locality of the incidents, and sometimes engage in violent behaviour... these incidents, the perceived corruption and brutality of criminal justice officials was always the key factor triggering the whole event. Immediately after the incidents took place, for example, "evading the cat" (i.e. 'duo mao mao' in Chinese pinyin) and "doing push-ups" (i.e. fu wo cheng) became the hottest terms online and in other social media. Hu and Dai (2014. p.506) pointed to the fact that, "people used these terms to ridicule the government's improper handling of criminal cases".

My police survey indicate that 39% of PSB officers would ignore beatings by fellow officers because "it is part of our culture" (PC 6 years of service) and while 52% said that they

⁹⁴ Yang was arrested by Shanghai police for riding an unlicensed bicycle. He sued the police for brutality but lost. On 1 July 2008, he stabbed nine officers, six officers died. Yang was sentenced to death, but his experiences raised tremendous sympathy on the Internet and suspicion of an unfair trial.

⁹⁵ On 22 June 2008 a girl was found dead in a river in Guizhou Province. Police determined that she had committed suicide by jumping into the river and drowning while her male friend was doing push-ups on the bridge. However, local residents believed that she was raped and murdered by the children of local officials leading to a riot involving thousands of residents. Police cars were overturned and burnt, and the police buildings set alight. Videos and photographs of the event quickly made their way onto the Internet. The term 'doing push-ups' became one of the hottest searches on the Internet, signifying distrust of police.

⁹⁶ On 30 January 2009 Li was arrested in Yunnan Province for illegally cutting down trees and detained in a local detention centre. On 8 February he was taken to hospital on account of an injury, and four days later he died due to a severe brain injury. Police reported that Li hit the wall while playing a game of 'eluding the cat' (i.e. blindman's bluff) with other inmates. This official explanation provoked public anger, as many people believed this was extremely absurd. Similar to 'doing push-ups', 'eluding the cat' has become another popular euphemism on the Internet for ridiculous excuses used by police.

would not ignore it but many of these respondents said that they would not report it either: “you might tell them to stop it if it is getting too serious but no officer will report it because we’ve all done it” (PS 7 years of service); And, “most people won’t report it because you don’t want him to lose his job” (Insp 20 years of service). Moreover, some officers said that their intervention is dependent on “the circumstances and what the suspect has done” (SP 22 years of service). In comparison, Indian respondents fared better with 41% of the sample saying that beatings would be ignored and 59% stating that an intervention would be made.

However, my study also found that despite the above scores there does seem to be a culture of beatings in the Indian police: “We are so overworked, there is no time to waste” (HC 20 years of service); “Whatever others say, it is still common practice to beat suspects” (PC 10 years of service); “It is part of our standard practice. If you keep reporting or stopping it then nothing will ever get done” (Insp 23 years of service); “If it is to extract information regarding a crime then he will ignore it” (SP 25 years of service); “Police often do it because you won’t get the truth otherwise” (SI 15 years of service); “The use of force against anyone is bad but without fear of force no one will tell the truth” (HC 37 years of service); “In today’s service many officers will ignore taking bribes or beatings because interference will lead to problems for them - particularly if a politician is involved” (SI 19 years of service); “Most junior officers will go with the flow because they cannot change anything” (SI 19 years of service); “The present UP government is very corrupt and high handed. They do not allow the police to work in a legal manner. Politicians bring a lot of pressure to do the wrong things and want us to do all their illegal work” (SI 19 years of service); “To punish someone you need to beat them” (HC 34 years of service). The culture in favour of the use of unlawful force was shown by the following comments: “I estimate that 90% of police have used excessive/unlawful force in their lifetime of service” (DGP K Singh); and, “9/10 times suspects are beaten by police in my experience” (Barrister 2) – the other two Barristers in the discussion agreed with this estimate.

The mismatch between what interviewees told me in private and the survey result may be explained by the fact that beatings are illegal in India (as many police interviewees kept reminding me) and some respondents may be acting cautiously so as not to incriminate themselves on paper. Moreover, the questionnaires in India were largely distributed and

collected by senior police contacts to personnel in their department or command areas. Therefore, even though it was made clear that the answers were anonymous; this may have affected how the sample responded. In China, due to access issues, the questionnaires were distributed largely by non-police contacts in a less structured manner. This factor may also have affected the more favourable result of the Indian sample versus the PSB.

In regard to police violence in India, Wahl (2016, p.298-308) found that, “The Indian police frequently engage in torture, extrajudicial killing, and illegal arrests...police typically refuse to register cases against other officers. Since the majority of incidents are not reported, exact figures are unknown, but human rights groups attest that police violations such as torture as prevalent to the point of being routine...Moreover, the Indian criminal justice system is stymied by pervasive corruption and inefficiency. A perception that criminals manipulate this “broken system” and avoid punishment, and that as such Indian society is plagued by a lack of security, is widespread among police and civilians alike. This perception exacerbates officers’ belief that it is right to use violence beyond what is legally permissible... Most of the police interviewed for this study believe that torture is necessary to do their jobs and in some cases is ethically right. Of the 33 officers interviewed, only one police officer consistently expressed strong opposition to the use of torture...a high-ranking officer from Madhya Pradesh asserts that human rights should not “defend criminals” and insists, “how can you say someone who is not observing the human rights of others has human rights?” These officers articulate a conception of justice that is based on distinguishing between different types of people...Police express deeply held beliefs that run contrary to human rights. They also work in an environment that they believe requires violations and in institutions that reward them for violating rights”. Indeed, there seems to be a belief that beatings are not only justified but that it is necessary to set the tone between the police as master and the masses as servants, “When I first joined the police an old sub-inspector said to me ‘don’t forget sir you must show who is boss so anyone you come across who is disrespectful or don’t do as he is told you should hit him with your stick on the joints such as elbows, ankles and knees. That way whenever the winter wind blows he will always remember you, and he’ll wish he had paid you the proper respect.’ My cane had a metal tip, so you know it when you’ve been hit with it (laugh)” (DGP K Singh).

However, the level of police violence also includes extra-judicial killings – ‘Encounters’. Belur (2009, p.237) describes encounters as “Police use of deadly force in situations known as *encounters* are a peculiar feature of Indian policing. The term *encounter* is part of everyday discourse in Mumbai and is used to describe a spontaneous, unplanned “shoot-out” between the police and alleged criminals in which the criminal is usually killed with few or no police injuries. In Mumbai, police encounters were a type of crime control introduced in response to burgeoning organized crime in the city. The striking aspect of such police uses of deadly force, however, was the near absence of public censure or calls for police accountability. Moreover, given that the police “cover story” (Hunt & Manning, 1991) of encounters from official sources and the media is always the same, suspicions have consistently been raised that it is a cover-up for facts that might not be legally defensible or permissible. Between 1993 and 2003, there were a total of 453 incidents of encounters in which 589 alleged criminals were killed, with the numbers killed reaching a peak in 2001 and tapering off thereafter (Crime Branch statistics, Mumbai Police)”.

According to the Human Rights Watch 2009 report ‘Broken System – Dysfunction, Abuse, and Impunity in the Indian Police’ (where the authors interviewed 80 police officers from UP, Delhi, Jammu-Kashmere, Karnataka and Bangalore) not only are these killings routine as illustrated by the following quote from an officer called Singh, “This week, I was told to do an encounter, I am looking for my target, I will eliminate him” (Ibid., 2). But, officers feel pressurised into doing encounters, as Officer Singh goes on to say, “The SP (Superintendent of police) will say, “Under my regime, so many criminals were ‘encountered.” I fear being put in jail, but if I don’t do it, I’ll lose my position” (Ibid., 9). The report concludes that “...it is likely that state officials and senior police are not only aware of these killings, but allow, unofficially sanction or even order these killings”. Moreover, the report found that “...fake encounter killings occur frequently. Many takes place in Singh’s Uttar Pradesh state, where the National Human Rights Commission reported 201 complaints of such killings in 2007, more than any other state” (Ibid., 9).

It was explained to me by DGP K Singh who had headed up the Special Task Force set up to tackle UP’s Dacoit (bandit) problem in the 1990s that the situation of lawlessness had

gotten so bad that bandit gangs heavily armed numbering well over 50 members would roam freely, descend on a small town or village, cut it off from the outside world and systematically loot its inhabitants. Against such odds a small police outpost consisting of approximately twelve policemen, poorly armed, poorly trained and ill-equipped were of no match. Consequently, he was tasked with eliminating these gangs: "Sometimes we would lure gang leaders with dancing girls, who would get them drunk or drugged while we wait to pounce. Politicians want us to do their dirty work, but they won't put it on paper, but we were expected to eliminate them with no questions asked. Off-course, there were fake encounters. The setup is you arrest the guy in the morning, wait until it's dark, take them out to a remote area, staged the scene with a couple of spent rounds in the chamber of a gun placed by his side and a few bullet holes in the wall. The usual story is that the Inspector saw them acting suspiciously, when challenged they opened fire and it turned out to be this wanted fellow. Resolution through elimination not conviction was the practice. The main thing is to make sure all the paperwork is in order and that you have some witnesses - which are easily arranged. It did get very hairy at its height I was getting death threats regularly, so I taught my wife how to shoot and told the kids what to do and where to run to if our home was attacked" (DGP K Singh); "Encounters were set up to kill these people because it's difficult to get convictions. Encounters from 1990s to 2005 was common practice, hundreds were killed in various districts in UP. It got to a point where it was like competition among police officers. At the weekly SP meetings with the DGP they would boast how many they've killed, people were killed left right and centre. It became prestigious for Inspectors to claim scalps because they were treated like heroes as no one condemned it. Having a tough guy reputation also helped them with corruption because criminals would seek them out to sort out their problems. Encounters still happen today, although they are more targeted" (Add SP and Staff Officer to DGP with 20 years of service).

Indeed, Belur (2009, p.239-249) made similar claims in regard to status of officers executing this unofficial policy; political pressure placed on the police to stage encounters; the importance of correct paperwork, as well as, acquiescence of the use of these methods by the wider criminal justice system, the media and the general public. "Officers emphasised the importance of ensuring that the "paper trail" is properly maintained...the

“management of appearances” was of vital significance. ...Active participants were proud of the image they had cultivated and fed the media image that portrayed them as “cleaners of scum” ...Some officers boasted of the number of “scalps” they had to their credit; one officer described his first encounter, “That was my first. Since that day I have not stopped killing...My name is a brand today. Prisoners stick my photos on the walls of their cells” (Lakshmi, 2003). Active participants enjoyed a special status within the organization...Officers by and large felt that there was general organizational approval and support for encounters...the High Court took a favourable view of the police action...officers felt that other relevant agencies approved of police action and thus cooperated or supported in whatever way they could...Almost all the officers believed there was political support, if not open encouragement...Senior officers admitted that at various points in time... there was a lot of political pressure on the police to be seen as being effective and proactive in the war on crime...However, in interviews with senior members of the ruling government and the opposition that were also conducted as part of this research, they admitted in the conversation following the interview that they had given directives to senior management officers to take care of members who were on the *wanted* list of criminals and that they would monitor police action against such persons on a regular basis. The overall impression received was that...there was no political interference as such but...political support for these actions...it becomes clear that the police would not pursue such a potentially controversial policy if it did not have the political mandate, as one Crime Branch officer clearly admitted that they would not be able to continue operating the way they had been if political support were withdrawn. This is manifest in the fact that the state government has the power to order magisterial or departmental inquiries into alleged misconduct of police officers...Thus, the political party in power wields considerable powers to either protect or prosecute police officers, making their approval for encounters of utmost importance...The attitude of the media toward encounters was summarized by one officer as follows: “Generally they are not adverse. After about 200 encounters somebody may complain about a single case, or in one or two cases they make allegations, but basically they are not against [encounters]” (T1: Inspector) ...“In the beginning, 1992, 1993, up to 1997, they used to feel that encounters are big news. Now encounters are not that sensational... But overall there is less criticism, for encounters.” (T27: Inspector, active participant) ...However, underlying all these conflicting opinions was the firm conviction that

the press and media on the whole approved of encounters and that this provided a morale boost to the organization...In all, 25 of the 38 officers in the sample felt that the public attitude toward encounters was one of unconditional approval...The lack of public outcry or sustained campaigns against this policy might have been the result either of public apathy or a sort of resigned acceptance of other fake encounters as collateral damage...In conclusion, officers overwhelmingly believed that there was social consensus and approval for encounters...A very senior officer summed up the attitude of the majority of officers: “There is a silent and now no longer silent, but rather vocal, acceptance of this police approach [encounters] from the public at large. In the debates in the State Assembly, the people’s representatives have defended this—rather demanded it openly from the floor of the house. The media has also supported it, and the public at large feel relieved that these dangerous elements are given a dose of their own medicine” (T30: Senior management”).

In short, “a combination of factors, actual and/or perceptual, such as societal approval complicity of other criminal justice agencies, organizational and political directives, nature of police role, and a belief that good intentions are adequate to justify use of deadly force, were cited by police officers as explanations for encounters being an acceptable crime control method in Mumbai...The interview data make clear that police officers are convinced that they had the mandate and support of the press, politicians, and the public and, therefore, society as a whole...The implications of this research are important in policy terms; blame cannot be laid squarely on the police organization or on a few officers (“rotten apples”) but in accepting that a whole culture of complicity, apathy, and/or even approval (whether real or perceived) exists and which is partly responsible for police abuse of and justification for deadly force. Unless this is recognized, merely introducing organizational or legal reforms might not prove to be as effective as envisaged. This research suggests that societal approval facilitates police abuse of deadly force, especially in a democratic context” (Ibid., 250).

4.4(c) Earning grey money:

According to Wong (2012) in China police officers are used to collecting taxes and to enforcing commercial contracts by local government officials – even though these are

strictly not within the PSB's official remit and in spite of central directives for local cadres to desist⁹⁷. Additionally, Wong (2012) noted that local police units (especially rural units away from the main metropolitan areas) are poorly funded and officers are routinely not paid their salaries therefore are actively encouraged to issue fines in order to literally keep the lights on because they need the money to pay the office rent, utility bills, etc. In this environment, it is perhaps easy to see how officers are provided with the opportunities to be corrupt because they are in the right place at the right time and with the powers to take advantage of the situation. Wong (2012) argued that a legacy of the Mao era in the form of administrative powers give the PSB wide-ranging powers to detain and fine people (e.g. prostitutes, drunks, drug addicts, etc.) without going through the criminal justice process. The MPS in recent times have reduced the limit of fines and length of detentions and introduced stricter rules on how fines are administered. But, according to commentators, these powers still exist, and they are regularly abused by the PSB.

For example, Jeffreys (2010) points to one such opportunity for abuse in the form of mass campaigns against prostitution. There have been numerous reported cases of the so-called "virgin prostitute scandals" in China in recent years. The scandals usually entail police arresting a girl, beating her up until she confesses to being a prostitute, forcing her to sign a confession and providing or agreeing to a previously prepared list of (apparent) client names. She is then not charged under the criminal law but is dealt with under administrative law where a hefty fine is imposed. The girl is released and her 'clients' are approached where they are fined or blackmailed into paying hush money. However, a few of these girls would subsequently withdraw their confessions, seek the help of a lawyer and get medical proof that she is in fact a virgin and the local media takes up the campaign for justice. The most famous virgin prostitute case was the first such scandal in 2001 involving the 18-year-old girl Ma Dandan and subsequent scandals up and down China since that case are also referred to as "another Ma Dandan" in the Chinese press. In a good many of these cases police officers have been prosecuted and jailed.

⁹⁷ Jeffreys (2010) made similar observations.

One possible reason for the lack of media reporting in China in comparison to India on the more traditional graft, rent-seeking and grey money type corruption is that these activities are usually hidden and much harder to prove than someone beaten up or killed in unjustified circumstances. However, from my fieldwork I found that these forms of corruption exist in China. These 'tricks of the trade' in earning grey money is best illustrated from the horses' mouth:

"My old patch included a large wholesale market so there were always disputes about copy rights, etc. whatever I decide goes so businessmen will always show their appreciation if I decide in their favour...If there was an awkward shop keeper I would threaten to close down his shop for a number of days and they would always seek to avoid losing income so accepts my decision" (Insp 19 years of service).

"We're responsible for issuing temporary permits for migrant workers and collect the fees on behalf of the local government. My team and I would go to the factory dormitories at night and count the heads in the bunks. If we count say 50 heads then the factory boss would want us to charge him for 40 and we put down 30 in the paperwork, pocketing the difference" (PS 15 years of service).

"We only deal with economic crimes that involve large sums of money. A wealthy guy reports a crime and we tell him that we are really busy and short of staff. They will always offer to pay not only all our expenses but a little extra to show his appreciation if we speed up his case" (SP 25 years of service).

"Being responsible for fire control and health & safety puts you in a good place, especially if you have lots of restaurants, bars and clubs in your district. You visit an existing business or a new business waiting to open, all you need to do is to say that it will take some time to give them approval to operate. The owners always want to get things signed off quickly and are always very grateful when we accept their token of appreciation" (Insp 17 years of service).

In India, Verma (1999:268) argued that “Station House Officer (SHO) is the most coveted and lucrative office in the department. The SHO enjoys a large measure of autonomy, is the "gatekeeper" for registering criminal cases, controls most of the criminal investigations and makes the decision to arrest suspects...Ghosh (1978, p. 158-59), who was a retired inspector general of police described the collection of "hafta" or weekly payments from shopkeepers, hawkers, businesses and of course from the criminal operators within the police station areas as perhaps the most pervasive form of police extortion in India. It is therefore not surprising that posting as SHOs of those police stations that have large markets, trade centers, industries or transport junctions are greatly in demand...It is believed that even a few months of such postings enable the officers to earn much more than what they could receive in salaries for their entire service. In fact, postings at police stations in Delhi's Chandani Chowk, Bombay's Jewellery Bazaar or Calcutta's New Market that are large business centers are directly "controlled" by the chief of police. Reportedly, these postings are at the behest of ministers in charge of police departments since even the daily extortions from these markets runs into hundreds of thousands of rupees, money that allegedly gets "shared" right to the top... Other lucrative postings include police stations situated in coalfield areas, near large industrial complexes, on highways and border check posts are equally notorious. Such postings are a major source of remuneration for the senior officers too including the chiefs of police who make the decision to post the officers-in-charge of these stations”.

During my fieldwork I also unearthed similar evidence of these types of lucrative postings. This is especially the case where they include major market areas, where they are given to the highest bidder for the equivalent of several hundreds of thousands of pounds. Moreover, in relation to Verma's observation on the autonomy of the SHO, as an example, during one of the regular morning visitor sessions that I witnessed at DGP Singh's house that I had highlighted in previous sections. One visitor was a developer who had purchased a piece of land. However, as he did not pay the local SHO initially and even though he had all the required permits to do so, he was nonetheless unable to start building on this land because the SHO had sent a constable to tell him of his displeasure. The developer then paid this SHO some money, but he still would not allow work to go ahead. Consequently, DGP Singh made some phone calls to Lucknow HQ to get the matter resolved. However,

on a repeat visit from the same developer, he informed Mr Singh that his contacts had indeed called the SHO but the response from the constable was that “It doesn’t matter who you know at HQ, it is the Inspector who decides on what goes on here”. The rest of the message was that the SHO wanted more money. It would seem strange to western eyes that even though construction is clearly outside the jurisdiction of the police, but I learnt that, apparently, in India “even if a person wanted to cut down a tree on his own land he better first pays the police in case they claim that you have cut down a protected tree or one requiring a permit” (DGP K Singh).

Additionally, the “investigation of cases, decisions to arrest a suspect, submit a charge-sheet or close some pending investigation are all processes that are generally influenced by pecuniary considerations. Money is extorted from the citizens in a variety of ways...It is usual for the SHO or his officers to demand money to register any citizen complaint and if someone is to be named as a suspect then the charge is naturally more. Furthermore, the complainant has not only to pay for instituting a complaint but also to bear the costs of "entertaining" the officers who come for inquiries. The complainant also ends up paying for the investigative "expenses", especially transport as the department provides few vehicles to the investigating officers. Subsequent inquiries, arrest of the offender(s), prosecution in the courts are of course additional costs that the complainant has to bear if he/she is interested in pursuing the matter...poor supervision, and... a serious lack of forensic assistance, poor training and dearth of facilities for collecting and preserving physical evidence have implied that most evidence is in the form of witness statements... Furthermore, the decision to send any case for trial is also that of the superintendent and prosecutors have little control over the cases sent for trial. This is a colonial legacy where most senior officers were British while the prosecutors were Indian lawyers appointed by the state. Consequently, police officers controlled the decisions to send cases for trial. The status of the IPS officers remains similarly much higher in comparison to the prosecutors. Thus, even at present, prosecutors are in no position to criticize the decision of the superintendent...There is no departmental practice of evaluating the performance of the investigators in terms of the cases investigated, cleared and prosecuted...These practices have made the position of the SHOs very powerful in the department and most of the superintendents are unable to keep effective control over their actions. It is therefore not

surprising that those who are concerned about the fate of their complaint usually continue courting the investigating officers. The lack of any organizational changes and accountability has implied that corruption continues to grow amongst the investigators” (Verma, 1999, p.269-270).

Regarding the issue of naming suspects and the reliance on witness statements, during my fieldwork I learnt that the practice of naming suspects is a routine practice in India and that once a suspect is named then owing to pressure (usually from local politicians allied with the alleged victim’s family) and the lack of time and resources to investigate and/or combination of bribes, police will usually arrest and charge the named suspect. “In UP and in many other states politics and caste intersects. They play a key part in every aspects of life. For example, in my experience if a serious crime happens or as in many occasions an alleged crime is maliciously made up then the family will name a suspect and they would bring along some so-called witnesses all pointing to an individual. On many instances these named suspects are actually innocent people whom the family has a long-standing grudge against, so they use this crime or allegation as an opportunity to get even rather than let the police find the true culprit if an actual crime did occur. Unfortunately, this is the mentality of many people based on caste prejudices and vengefulness. Police will arrest and charge the suspect even though there is no evidence that the named person committed the crime either because they have been bribed or they are simply too busy to conduct an investigation. In my estimation approximately 60% of such named suspect cases are in fact miscarriages of justice” (DGP K Singh). The dangers relating to the practice of naming suspects were also pointed out by a Barrister in one of my focus groups, “In India police take an aggressive substantive justice approach; if you’re a named suspect then you are guilty until you can prove your innocence even though the system says otherwise. You will find what is said on paper doesn’t translate into reality on the ground in India. Money and connections especially political connection counts for more”.

Moreover, “apart from taking bribes in investigations, the Indian police personnel are also notorious extortionists. Their power to institute criminal cases and arrest anyone on mere suspicion enables them to extort money from businesses...A notorious form of corrupt practice is to check the drivers for their licenses and vehicle registrations. Now, the

bureaucratic red-tapism involved in purchasing vehicle registrations and driver licenses is immense...which also involves high costs. On the other hand, the penal fine is low and the problems of enforcement on crowded Indian roads create easy opportunities to evade checking by the police. Furthermore, for any citizen the problem of going to the courts to settle the matter is a time consuming and costly process that makes them wary of confronting the police. All these factors have forced most citizens to operate their vehicles without registration and proper licenses and bribe their way out. Thus, the police power to check the vehicles plying on the roads has become a lucrative form of extortion... obtaining special permits to cross the borders of the states is another bureaucratic nightmare. Every state has imposed tariffs upon the goods being brought in from other states and these are collected at border checkpoints. The tax collectors have powers to inspect the trucks, compound the offense and impose fines or send the matter to the courts for prosecution. Again, these are operations that cause delay and a great deal of harassment to the truck companies. Moreover, it is also lucrative to "smuggle" goods across the state boundaries to avoid sales tax and other levies. A system has therefore been created where it is cheaper and convenient to pay the police rather than attempt to operate honestly and pursue the case in the courts. Thus, all border check posts are dens of corruption in which the police play a major part since all enforcement is done through officers posted at these border crossings..." (Verma, 1999. p.270).

The collaboration between police and tax inspectors to extort money was also evident during my fieldwork, "I was at the wholesale market this morning and by the time I got back to my shop I had paid at least 6 bribes to tax inspectors and police officers along the way. Most business people don't mind paying tax inspectors because they can be quite useful when they help you to avoid paying taxes, as bribes are usually cheaper so you get something in return. But most business people don't like paying the police because you don't get anything back but we all do it because it's less trouble" (Shopkeeper). Additionally, police officers will adapt their extortion practices as necessary, as one businessman pointed out: "They used to make money by charging smugglers money when they cross state borders with cheap cigarettes, alcohol, etc. from a low tax state to a higher tax state like UP but as soon as these loopholes are closed the police would still pull your truck over saying that they want to check papers. If you have a truck full of perishables in the back,

then you would pay rather than to wait for hours knowing that your goods will go off. Even if you are carrying non-perishable goods you still don't want to waste time because every minute a truck is parked up you are not making money so everyone pays just to get going" (Electrical goods supplier). Moreover, in regard to the improper licensing of vehicles, during one of my visits to a Lucknow Chowk I witnessed a sudden rush of three-wheel cab drivers paying fines to the SHO and I was told by the SHO that, "We've just been told by the SP that we had to gather in a large sum of money by midday so the easiest thing to do is to round up all the three-wheel taxi drivers and get them to pay because most operate illegally" (Insp 20 years of service).

In regard to Senior officers, Verma (1999, p.270-271) noted that in addition to the various opportunities for corruption through selling of postings⁹⁸, getting a share of the spoils from subordinates, embezzlement and/or receiving kick-backs from vendors for police equipment/supply contracts, etc. "Another visible form of corrupt practice common amongst almost all the senior officers is their lavish life style maintained from official expenses. The officers are provided large government accommodations that are "decorated" from official funds diverted from many sources. Senior police officers keep police constables as orderlies; enjoy personal guards, official cars for 24-hour usage and many other privileges. Not only the officers but their family members and friends too share these advantages. These are all seen as "perks" that go with the office although there is no official sanction for them. The corrupt practices described here have a long historical antecedent...The burden of entertaining visiting police officers always fell upon the local subordinates and police constables served as orderlies to senior officers - a cultural tradition from the British period. The lavish life style amongst the police leadership has evolved from the system promoted by the colonial policies and administrative ethos of the British rulers and is one which continues today". "Whenever senior officers' family members visit a district they take what they want from shops, including expensive clothing and jewellery, without paying because they expect the local SHO to sort it out. All our servants in the house are police officers. We have over 20 police officers who cook, drive, clean, manage the gardens; take

⁹⁸ Pei (2016) made similar observations regarding the buying and selling of public (including PSB) offices in China.

us to school when we were young. I was even taught to drive by our police driver” (ADG’s Daughter).

Moreover, during my fieldwork, members of the public were very free with giving me their experiences of various police tricks of the trade across India to extract money from the masses: “In Pune there is a pretty tree lined street where courting couples go at night. Police will show up when dark to get bribes by threatening the young couples that they will tell their parents. India being a very strict country where most marriages are arranged means that many of these couples are dating in secrecy so they all pay – including me” (College Student); “On the beach in Goa near my house the rules are that there should be no hawkers or deck chairs on the beach, but they are there. Except of course when an inspection is about to take place and miraculously somehow every beach vendor and hawker seems to know in advance and disappears. The local beat officers are obviously being paid by these guys because I’ve seen them giving them money regularly, it’s like part of life here. The police stop me regularly and on occasions when I’ve infringed minor traffic violations like a broken light I would pay to avoid a fine. But even when I haven’t done anything wrong they would still stop me and literally ask for money. They would usually stop all cars driven by tourists and just ask for money, a few rupees here and there make up a lot of rupees” (British Expat living in Goa); “I have lots of examples, but here’s a few: A celebrity friend of mine was caught smoking weed by police. They blackmailed him for three months where he paid them a lot of money so that they would not go to the press; They also regularly come to the club where I work and ask the owner to pay them money, he pays because otherwise there would be trouble if he doesn’t; and, whenever you have a party the police will show up about 11pm and tell you they want it shut down but all they want is for you to pay them a bribe and they go away” (Night Club DJ from Delhi); “1 out of 100 cops are honest in my experience most people hate police because they are all corrupt. I regularly see them beat up other cab drivers, smash up their vehicles or slash their tyres if they refuse to pay bribes. Hospitals and clinic are not supposed to be in residential areas and alcohol shops cannot be within certain metres of schools, but they are, and that’s because they bribed police” (Lucknow Taxi Driver); “People would pay TV companies the equivalent of £20,000 for journalist credentials and these false journalists will then pay the TV companies another £5,000 per month. This then enables them to collaborate with police

to blackmail people and extort money from them by threatening to expose their wrong doings like going to a hotel with a prostitute. These journalists will also use their police contacts to act as middlemen to get people gun licenses, etc.” (Journalist in Lucknow); and finally, “In the old days the process of going to police to make a complaint is not interfered with. Nowadays, you make a complaint the police will go to the other party and tell them that they can make the complaint go away if they pay them and once they’ve taken the bribe they come back to you to tell you to withdraw it otherwise they’ll arrest you. I had to pay on four occasions when false allegations were made against me. The going rate for such a fee is Rs.10,000 minimum” (Village Headman).

In my police survey, I found that 52% of PSB officers would ignore bribe-taking as it is “part of our culture” (Insp 20 years of service) and although 39% said that it would not be ignored by colleagues. The majority went on to say that they would “not report it because it would be trouble” (PC 8 years of service) or that they would “not want colleagues to lose their job” (PS 16 years of service) and others say that they would only intervene “depending on the situation” (SP 20 years of service). For India, 49% of respondents said that it would be ignored, with 51% saying that an intervention would be made. Once again as in the question(s) regarding police violence, the Indian sample seems to be less tolerant towards bribe-taking than the PSB. However, the observations regarding potential cautiousness on answering questions regarding beatings may also apply to bribe-taking.

There is evidence to support this as the opinions expressed by Indian police interviewees indicate that corruption is pervasive. Moreover, most expressed the view that it is extremely unlikely that anyone would actually report corruption or misconducts out of a sense of duty: “Don’t have the time to report others taking bribes as it happens so frequently” (SI 15 years of service); “Most people will ignore it because everyone is thinking about themselves” (SP 20 years of service); “No officers ever get involve if they see bribe taking unless they are jealous” (Insp 22 years of service); “It’s engrained in our culture, everyone take bribes and take shares in the proceeds” (PC 18 years of service); “In the present system if you report corruption you will not get any support and you will be seen as a snitch” (SI 15 years of service); “Don’t get involve or you will end up in a lot of trouble” (Insp 19 years of service); “Corruption is like blood circulation, it’s what keeps us going. It goes on so much we ignore

it. It is so deep it's like a runaway train, you can never stop it" (PC 19 years of service); "I have been in the job for 40 years and the only time when someone reported a bribe taking matter to me was because of personal jealousy or rivalry not ethics" (ADG 40 years of service); "It's not good for comradery if we interfere" (Insp 25 years of service); "Senior officers develop links with criminals and politicians. This is now being emulated by subordinates. There is a falling of esprit-de-corp. It is now a place of everyman for himself" (Insp 36 years of service); "At the ground level and especially at the station house all sorts of things happen. Most policeman at street level are not honest and no constable will report another for corruption, especially one more senior to himself" (HC 34 years of service); "Many policemen take bribes because of poor pay, lack of proper procedure, and poor funding so this leads to prevalence of corruption. It is unlikely that any police officer would report another because it happens so often" (PC 10 years of service); "If you report him he will lose his job and cause hardship for his family" (SI 8 years of service); "Reporting him would bring bad reputation to the department and trouble for you" (Insp 15 years of service); "At the ground level this happens all the time so you have to go with the flow" (SI 5 years of service); and, "Our salary is so low and working condition is so bad that you have to take bribes to survive" (PC 18 years of service).

Furthermore, others highlight the fact that bribe-taking is necessary for the proper functioning of the police⁹⁹: "Station officers use their share of the loot to pay station expenses like paper, petrol or burial of unidentified/abandon bodies so not all bribe-taking is bad and go directly into policeman's pocket" (Insp 25 years of service); "If we don't extract fines to fund police work then this will hinder the successful solving of cases" (HC 37 years of service); and, "Police take bribes because we have to spend our own money to perform official duties like petrol, mobile phones, etc. we are funding our work" (PC 5 years of service). This point is collaborated by Sharma's (2006, p.57) research where he pointed to the fact that, "The patrol staff makes use of cycles and motor cycles/scooters besides foot patrolling for better coverage and mobility. Patrolmen were of the opinion that the allowances for the cycle/motor cycle/scooter given by the department were insufficient in view of the area to be covered by each one of them. This again results in meeting the

⁹⁹ Wong (2012) made similar observations regarding PSB in rural locations.

requirements through illegal means and each senior officer of the police at each level is aware of this”.

Whatever the rights or wrongs of these practices, what is apparent is that the Indian police is in a situation where: “These days senior officers cannot tell Inspectors to do something if it prevents him earning money because they too are now compromised because of bribes that they too have taken” (SP 29 years of service); “India police are seen as Domestic Mercenaries” (Development Advisor); “Main purpose of police is to make money, they pay money to join the police so they need to earn it back as soon as possible. They will try to make money out of every situation, it gets to the point that people offer them money even if they don’t ask for it and if they don’t take it then people would feel uncomfortable. The situation has gotten worst in the last 10 years because there are lot more money floating around” (Politician 2); “I reckon that 9/10 policeman take and/or demand bribes as part of their daily duties” (Barrister 1); and, “I estimate that 80% of police officers has accepted bribes in the lifetime of their service. Many of these bribes are from organised criminal gangs for them turning a blind eye to their activities” (DGP K Singh).

4.4(d) Factors contributing to persistence of corruption/malpractices:

As to the connection between police and organised crime, I found that in China, as in the case of India, there were admissions by police interviewees that organised crime is in collaboration with some police officers. “Some businesses are owned by organised crime gangs which have protections from higher up so they are very difficult to deal with. If they didn’t have senior guanxi then the lower ranks would be able to shut them down but we are not allowed to do so” (PC 5 years of service).

Pei (2016, p.185-198) noted that 197 senior police officers (chiefs and deputy chiefs) were convicted from a published list in 2011 and were sentenced for corruption. Apparently, “among the 197 disgraced police chiefs, 39 or 20% were explicitly linked to organised crime”. He explained that organised crime involvement is rife in the real estate and mining sectors and that, “unlike an average private entrepreneur who typically resorts to bribery, a crime boss mixes bribery with intimidation and violence... such as assaults and murder,

to drive out the competition in these sectors. Once they gained control of these assets, they continue to pay the government officials and LEOs [Law Enforcement Officials], practically putting them on retainers...many organised crime organisations have legitimate large front businesses in the form of conglomerates". Furthermore, "in several cases in our sample, the leader of the criminal gang was either a family member of a powerful local official or an official himself. Their family background or contacts inside the government provided them with political and social capital to gain protection from the local authorities". Just like the criminalisation of politics in India, Pei also asserts that increasing number of crime bosses are gaining "membership in their Local People's Congress or People's Political Consultative Conference (PPCC)...such status not only provide a useful legitimate cover for their illegal activities but also facilitates the building of political networks and expansion of their criminal operations. Among the fifty sample cases selected for this study, thirteen crime bosses, or one-quarter of the total, were members of their Local People's Congress or the PPCC...without exception they all owned and operated profitable businesses in real estate, mining, loan sharking, and prostitution. Their financial resources gave them the means to bribe local government officials, whose sponsorship was indispensable to introduction into these two bodies".

Meanwhile, Wong's (2012) observation that China is a place that is based on the 'rule of man' rather than the 'rule of law' may potentially be illustrated by the following example. I was a guest of the Public Security University in Beijing in 1995 where I befriended the Chief of Detectives from a major city. During dinner one evening, he told me in confidence that he was investigating the death of the deputy mayor of his city who was being investigated for corruption. He was certain that he was murdered to prevent higher officials being implicated. He came to this conclusion because the mayor was left-handed, but the bullet wound was on the right side of his head. However, despite this fact he was being pressurised to write it up as a suicide and close out the case. My assumption as to why he had confided in me was that in addition to his cathartic need to tell someone, he also needed to store away evidence as insurance in a safe deposit box in case he needed it later and I was one of those safe deposit boxes – i.e. someone outside of the system and a protected guest of the central government. I met up with the now retired chief on my fieldwork and asked him if such a cover-up would still occur in China, to which he replied,

“Much has changed, much has improved, but much remains the same. If you go onto the internet while you’re here in China, then you should search for the Tiananmen Square Massacre and see what you get and that will answer your question”. I did as he had suggested, and the website came up with ‘Tiananmen Square Massacre Myth’.

However, the above examples notwithstanding, it seems that central government’s attempt to impose reforms are having some effect in some places, “We are no longer officially allowed to collect taxes, sort out commercial disputes, etc. they may still do it in the rural areas especially in the west of China but not in large cities like Beijing or Shanghai where supervision is stricter” (SP 25 years of service). Nevertheless, other interviewees paint a less rosy picture, “It is more difficult these days, you just have to be more careful. As they say, the mountain is high, and the emperor is far away. Even though we are not actually collecting taxes or solving trade disputes these days, the officials responsible will always ask us to go along with them” (SP 20 years of service). There is further evidence that in China the demarcation between various civil servants’ roles is still often blurred. “In China, the idea of professionalism still has a long way to go if you are a public servant. In the eyes of the authorities, you are a civil servant first before you are seen as a judge or a policeman, which means that you can be used by government for any duty they see fit whether or not it’s within your responsibility. For example, recently judges in Beijing were used to go out into the streets to promote the campaign to encourage people to have more than one child or during flooding, judges and prosecutors were used to salvage government properties including livestock” (PRC Academic).

In India, Mehra (1985, p.94-95) argued that “Police fabricate and concoct evidence in order to secure conviction – the undesirable practice of concoction is more or less part and parcel of present day police working...cases placed before the courts are in large-measure frame-ups and they are supported by fabricated evidence and extorting confessions through third-degree methods...frame-ups are a legacy of the British Raj where evidence was fabricated to ensure conviction of persons representing a threat to British rule”. In my fieldwork many examples of frame-ups were given by interviewees and focus group participants and they also claimed that police employ the practice of creating scenarios from outstanding arrest of suspects for crimes unrelated to new cases in order to have it as a ready-made case

when needed at their convenience, “You often see in newspaper or on TV the statement that ‘police report 2 killed and 3 escaped in the darkness’. Whenever you see this you laugh because we all know that this is a trick they use to create an excuse for future purposes of fitting someone up with this crime when it suits them” (Barrister 3).

Legacy of the British Raj is a popular reason provided by commentators, academics and practitioners for police malpractice. They propose that the effects of the organisation’s colonial legacy have instilled a mentality of master versus servant leading to a culture of abuse and repression on the part of the Indian police that continues to today. This legacy also manifests itself in the ubiquitous police presence in areas of life beyond the jurisdictions one usually associates with policing. Although the span of control enjoyed by the Indian police is similar to those of the PSB, they are nonetheless much more expansive. For example, the Indian police are there whenever any kind of enforcement is being applied whether it is tax collecting, protection of wild life or forests, disputes regarding water rights and land ownership, to being on show at weddings of the rich and powerful: “Police are the arms of state government whatever need doing it is the police who are there to do it including handing out relief or any other activities politicians see fit to deploy the police for. We are at weddings, public gatherings, we are involved in all aspect of people’s lives because the police had been in existence longer than any other agency so any area where there are rules e.g. construction, transport, excavation, trade, etc., the police are involved. This is a historical legacy where no one did enforcement apart from the police and is now part of our national culture. Other government agencies did not exist in colonial days so nowadays rather than dealing with matters in a negotiated fashion, these agencies rely on the police for enforcement. The presence of police seems to add glamour and authority in Indian society” (DGP K Singh). However, I would argue that there are other factors beyond the colonial legacy theory that need exploring when attempting to unearth reasons why corruption/malpractices continue to thrive in modern democratic India.

Firstly, one of the “effects of modernisation is that it has generated better-educated candidates joining the junior ranks of the police. Due to the fact that they have more aspirations than their elder colleagues they soon become dissatisfied with their lot which can attribute to an atmosphere of ‘us versus them’ between officers and men” (DGP K

Singh): “There is no promotion prospects for the junior ranks” (PC 3 years of service); Police work in very adverse circumstances not helped by the fact that those he works for do not trust him!” (HC 10 years of service); “Lowest rung are not allowed to think or be independent. I am not allowed to have my own opinions. As a constable, you get no respect and officers never take any notice of my opinions. If a constable speaks his mind then you are told you are insubordinate or indiscipline, it is suffocating. Officers are treated very differently from the Constabulary, we aren’t given any respect, get no allowances, have poor pay and welfare, there aren’t any concerns for our families. Our expenses are never paid on time and constables have to fight for their rights and entitlements unlike gazetted officer (HC 19 years of service with a masters degree¹⁰⁰); and, “Lower ranks have no facilities whereas senior officers have lots” (PC 6 years of service). Additionally, better-educated constables can also have the effect of making it harder to unearth malpractices, “Police officers are better educated these days so they have a much better understanding of what they need to put into their evidence – even though it’s not true! (raising both arms into the air)” (Barrister 2).

Moreover, during my fieldwork I read a newspaper article that summarises my own observations on this matter: *The Indian Express* dated 23rd January 2017 entitled ‘An uneasy force’ - by Prakash Singh. It describes the “growing hiatus between the officers and the men. The kind of fellow feeling, the bonhomie and camaraderie, which marked the relationship between the two, is gradually fading...The non-gazetted levels today are much more educated than they were in the past. These personnel have higher expectations – and their loyalty cannot be taken for granted. Police officers, on the other hand, do not have the power and authority, which they enjoyed earlier. Politicisation has eroded the chain of command. Junior ranks also cultivate political masters, exploiting caste loyalties and political alignment to further their careers. Senior officers are quite often not able to transfer or punish delinquent junior officers because of their political linkages. The officers blame

¹⁰⁰ This interviewee claimed that he joined the police because his father was taken ill when he was about to embark on his PhD, being the eldest he had to find a government job to support the family. Even though he had sufficient qualifications to become a gazetted officer but the only positions available was in the Constabulary. He took this position anticipating gaining promotion through passing the officers’ exam. He claimed to have passed the exam twice but failed to get promoted because he could not muster the funds necessary to pay the required bribes. I was informed by DGP K Singh that this kind of case is common and that he personally knows of a number of constables who holds a PhD.

the men – the men blame the officers. All this has created a divide between the officers and the men”. In this atmosphere of mutual distrust, poor morale and the sense of not being valued has led to police personnel’s attitude of “it is everyman for himself because no one else will look after you” (HC 19 years of service); or, “No one cares about you, we have poor working conditions and my pay does not meet my family’s expectations, so the only way is to take bribes if I don’t want to feel like a failure. I want to give my wife and kids what they want, for my kids to go to a good school and be able to pay the hospital bills if they become sick” (SI 6 years of service).

Secondly, politicisation of the Indian police is another factor that many of my research participants pointed to as the reason for corruption/malpractices persisting. As previously highlighted some politicians would demand police be assigned to their VIP detail and the numbers demanded are usually beyond any reasonable threat level but asked for out of the desire by the individual for the purposes of appearing to be the ‘big man’: “...one’s position through visible displays of the ability to displace other bodies. You show that you are a “big man” (or woman) by having as large an entourage as possible. Quite literally, the more bodies (and other material objects, like vehicles, houses, and guns) guarding the space you occupy, the more respect and deference you may presume to demand. This is especially the case if the bodies are wearing police uniforms or carrying arms because these are themselves signs of state authority” (Jauregui, 2013, p.658-9). Once these officers are assigned to politicians, they in effect become their personal police doing their bidding, “If you are assigned to a politician then you have to do as he tells you, whether you like it or not” (Insp 20 years of service).

Moreover, politicians not only interfere with police priorities (e.g. unofficial policy of ‘encounters’) and operational matters - “You arrest someone for murder but when the Chief Minister calls you and say he is so and so’s son, release him. What choice do you have but to do as you are told” (ADG Delhi Police) - but, also on the appointment and postings of officers based on bribes and/or caste loyalties. One 30-year-old politician I interviewed paints a graphic picture of how some politicians think, “As a politician it’s more beneficial to you personally if you wait for things to fail and then you step in so that you can say look I sorted this out so that people will become your supporters because they think that things

can only happen if you are the 'god father'. 60-year-old men come up and touch my feet whenever they see me on the streets because they know I will take care of them. When you're in power police will do as you say. When you're not in power, they will act according to your wishes only if the other party doesn't have the backing of the politician in power. You have to maximise the benefits whilst in power because life is precarious" (Politician 1).

However, it is not just politicisation of the police that India has to contend with but also the criminalisation of politics. For example, Jauregui (2013: 659) noted that, "...at least 28 percent of Indian Members of Parliament had been charged with crimes, almost half of them categorized as "heinous" crimes of murder, rape, extortion, *dacoity* (banditry), inciting and participating in riots with weapons, robbery, assault, and kidnapping...These charges were not limited to persons in particular political parties or particular states, but spread across the country, and the most of the figures in 2009 had increased since the 2004 parliamentary elections...". The criminalisation of politics and the politicisation of policing in India have similarities to the situation in China as highlighted by Pei (2016). Moreover, the rule of man over the rule of law as pointed out by Wong (2012) for China also holds true for India, where "right or wrong doesn't matter, if two people are in dispute then you just have to lock up the supporter of the opposing party. Accused persons with political connections will always get away with it because the politician will help them" (Add SP 19 years of service). Indeed, as one Barrister in one of my discussion groups noted (with the other two barristers and senior police officers present all gesturing in agreement): "Suspects will first call a politician, then lawyer and family last if given the choice. The power of politician is very strong. He can do anything with the police to get someone released or booked. I had a murder case where I argued for bail, police refused but when a politician attended he just said to the Station House Officer I'm taking so and so then he is released without any argument".

In short, the criminalisation of politics combined with politicisation of the police in India means that "police is used to achieve political aims, politically connected people gets away with murder/rape regularly and having a DGP is actually an inconvenience to politicians" (Add SP 19 years of service). This situation results in the "Indian police not abiding by the principles of the rule of law or procedural justice but rule of man by state politicians in power

at that particular time. With so much political change every 5 years no progress in police reform is made because new governments have their own agendas and priorities to secure their vested interests” (DGP K Singh). Furthermore, “dirty politics takes no notice of public opinions. A local politician was pillared for not building a road he had promised by supporters, but he replied by saying you took the food I gave you, accepted the blankets I distributed and the money I’ve given you and you will vote for me because I will give you those things again, he got re-elected. Police are used to oversee and protect your illegal business interests whether it is in mining, leather production, animal slaughter or smuggling. Police are also used to tell voters who to vote for” (Politician 2). Indeed, Dikshit (2000, p.101-102) argued that, “India’s corrupt politics of money and muscle power where politicians are in cahoots with criminals and unscrupulous businessmen created an atmosphere where corruption was granted respectability and considered the norm. Now politics in certain regions has been reduced to mafia activity and only hardened criminals can contest”. Faced with this environment and mode of operandi by their political masters where “politicians are guilty of politicising policing by inducing them to take illegal actions. If a person is forced to take illegal actions, after some time he will not hesitate to do so on his own. Finding that others are being benefited by the powers he possesses, he will misuse the powers for his own benefit. The same is true for the police” (Mehra, 1985, p.95).

Finally, commentators (e.g. Witsoe, 2011; Michelutti, 2009; Jauregui, 2013) argued that, “...many lower-caste persons have come to perceive that practices deemed “corrupt” or “criminal” had helped to build and maintain upper-caste dominance in government and society at large for decades, perhaps even for centuries. As members of the historically disenfranchised lower castes gained positions of power over time—especially with the help of government reservation (affirmative action quota) policies—they co-opted, tolerated, and sometimes even celebrated practices deemed corrupt and criminal as expressions and means of upward mobility” (Jauregui, 2013: 663). Caste politics no doubt play a part but my own observation is that deeply embedded in Indian societal attitude is what can be described as pragmatism expressed by the term *jugaad* which provides the nutrients for malpractices to flourish. The term *jugaad* was originally used to describe taking a substitute part to fix a broken bicycle. This part is not the proper part needed but it nonetheless is good enough to make the bike useable again. Jauregui (2014, p.77) described it as a “quick

and dirty fixes or problem solving through improvisation, especially in a context of scarce resources". In this context, it can be said that the underlying jugaad attitude plays a part in the rise, tolerance and continuation of the criminalisation of politics.

For example, Jauregui (2014, p.77) argued that, "People in India deploy a variety of euphemisms for corruption, one of which is *jugaad*, which refers to goal-oriented improvisation, especially the use of informal social networks to advance one's interests. But as often as it is conflated with corruption, jugaad is also conceived as necessary for "getting by" and even as virtuous practice". Moreover, jugaad can be seen as a "provisional agency, to explain what appears to be routinized legitimation of corruption among a wide swath of people inhabiting variegated social positions. Provisional agency has the dual meaning of a desired capability to provide a social good and a temporary means of mobility geared toward a better future. Building on previous anthropological analyses of the complexities of corruption in everyday practice, I deploy the concept of "provisional agency" in a way that compels us to turn away from conventional questions about how immoral activity helps people realize power and toward understanding how expressions of agency help to realize shifts in, and contestations over, moral boundaries".

It is this moral boundary that we need to explore concerning Indian society. As mentioned in previous sections, centuries of caste, class and religious repressions and conflicts has led to deep seated resentment and distrust in this heterogeneous and still largely rural and poverty-stricken society, where a large part of its population struggle to survive on a daily basis. Against this backdrop it is little wonder that filling one's family's empty belly, getting an education for one's children in the hope for a better future, or paying for medical bills for an ill member of the family are far more of a priority than any notion of ethical practice. This understandable obsession for physiological and financial security can be gleaned from the following quote, "I was on a train journey recently and two obviously well-off ladies were chatting about one of the lady's sons' futures. The elder woman told the younger one to teach her sons to be dishonest because that is the only way to get on in the world. If they are honest they will not succeed she told her. Unfortunately, right or wrong, this is how most Indian's think" (DGP K Singh). I was also struck by the fact that many of my research participants all pointed to jugaad whenever they described corruption as a means of

justifying their actions. That is, it is just part and parcel of everyday life where pragmatism prevails over ethics and what is right or wrong - at least from a western perspective.

In terms of how *jugaad* works in the Indian police Jauregui's (2014, p.8) research in which she uses a cases study of an investigation into cutting down a tree without a permit. She describes how police got to the scene via an illegal public bus vendor because their official jeep was not available. They rounded up a few 'suspects' and gathered some wood as 'evidence'. She notes that, "These kinds of symbiotic arrangements reflect a cultural order in which activities that many would readily categorize as corruption are collectively legitimated in everyday practice. Evidence in a criminal case is potentially compromised, and a businessman profits without having the legal permits to do so. And yet there is a mutual recognition of both need and desire among all parties involved, leading to a web of exchanges allowing police to proceed with an investigation, laborers to acquire paid work, and a vehicle owner to conduct a profitable business that, even if not fully licensed according to the black letter of the law, is relatively harmless and constitutes a kind of social provision, not only of needed transport for local persons without other means of mobility but also of a job for the driver. The "spirit of the law" may be compromised, but people also experience and express a sense of agency and responsibility as jobholders, householders, working citizens, and protectors of the peace".

During my fieldwork, I was told by a doctor who worked in a drug rehabilitation clinic in Lucknow that "Police would get their heroin from a street dealer to feed addicts in custody. It is illegal but it's *jugaad* because if they don't he might die in the cell or he would cause a disturbance in the station if he suffers from withdrawal. Either way it will cause them trouble". A senior officer explained, "Jugaad is getting around things or a system that is not working. It is being adaptable and practical to make things work even if not how it should work. It is deep in Indian culture - there is the right way and a wrong way and then there is the *jugaad* way!" (SP 20 years of service).

Moreover, it can be argued that some of the daily practices one sees in the lives of the Indian population can be potentially attributed to the prevailing underlying attitude that comes with *jugaad*. For example, the blatant disregard for traffic regulations on Indian roads

where drivers will come around a roundabout the wrong way or drive onto the pavement to avoid red traffic lights when in traffic so that he/she can progress with apparent disregard for their own or other road users' safety. One day while stuck in a traffic jam in Lucknow I noticed the usual numerous traffic violations taking place right in front of an officer directing traffic. I said to my driver "why don't the police stop these law breakers?" He replied, "Because there are so many of them where do you start". This disregard for traffic laws and regulations is observed to be taken to the extreme when I was on a modern motorway from Lucknow to Agra where there were three lanes in each direction divided by railings and flower beds, etc. as in motorways one sees in Western Europe. However, the difference is that in the early morning fog visibility was poor so one would expect drivers to exercise caution. However, to my amazement, even though we were travelling at speed on the fast lane; out of the fog, coming the wrong way towards us was a bright yellow school bus full of kids. All along the 4-hour journey on this road, we had to weave and swerve to avoid on-coming traffic, including pedestrians, herders with flocks of sheep and cattle all heading the wrong way. I noticed that my driver did not react emotionally at all to this onslaught of rule breakers and drove as if this was normal, I said, "Why do they go on the wrong side of the road, especially as the three-lane carriageway for the direction they are going is empty" (pointing to the correct three lanes they should be on)? To which he replied nonchalantly as if it should be obvious, "Because they want to get where they want to quicker, if they go on the other side they would have to come off at a junction further down, or they would have to pay at the toll booths". I then asked, "This is a motorway and the signs clearly say motor vehicles only, how do pedestrians, cyclists, farm tractors and animal herders get onto the motorway?" He replied, "They just build an earth ramp onto the road at whatever location they need to get access from their village" – giving me a look as if it was obvious.

Moreover, this jugaad attitude of adapting whatever is necessary to achieving one's goal can be seen in other practices - to Western eyes maybe considered unethical. I have described in previous sections how public-sector workers would not do their job just for their salary but demand an additional fee from the public. However, I was very surprised to learn that even in banking fees are expected by the bank staff for doing their job. "We make money by saying to a person wanting a loan why should I lend you money and they would

then agree to pay us a fee out of the loan we give them. When they come to collect state aid, which we call 'free money', we would say you are causing me work giving you this free money, what is in it for us? They would pay us a fee out of the money they collect from the state. This is just being pragmatic by both parties, we both benefit" (Bank Manager).

Some commentators (e.g. Jauregui, 2014) suggest that jugaad may be similar to guanxi in China. However, from my discussions with experts who are both familiar with China and India, including two Hong Kong Police Assistant Commissioners (HKP AC) who have worked extensively with both the Indian and Chinese police, as well as from my own observations and experiences of both cultures, I have concluded that they are different. Guanxi is about using one's network to gain access or to get an insider's edge. Jugaad is similar to guanxi to the extent of gaining access by leveraging one's relationships. However, I would suggest that it is different because jugaad's underlying connotation is that one needs to go beyond just using one's network but to go further in precipitating whatever actions and means necessary to achieve one's purpose. Moreover, jugaad also relates to not just access as in guanxi but actions or use of materials and resources to 'make it work' even if it is not designed for that purpose let alone whether it is morally right or wrong – indeed, some Indian men use the term jugaad when sleeping with prostitutes as to mean using her as a substitute for one's absent wife. Furthermore, jugaad also relates to the physical mending of things to make it work as well as a focus on immediate outcome rather than the longer-term reciprocal relationship investment associated with guanxi. "I was in India for a police conference. I was lodged in a government VIP guesthouse. There were no towels in the room, so I called reception. After about an hour and three phone calls later, there was still no sign of a towel. I went out to the corridor and saw an attendant; I gave him a tip and asked him to get me a towel. Within about a minute there was a knock on the door and this guy was standing there with a large stack of new towels. I said, 'I only need one', he replied 'it is ok sir they're yours to take home if you like'. I related this story to my Indian host, and he just laughed and said now you just performed jugaad" (HKP AC1).

4.4 (e) Summary:

Police corruption/malpractices in China are widespread and whilst much has been exposed in the media, these have largely been cases relating to physical violence, abuse towards detainees or major corruption cases involving police and local officials leading to large-scale protests, with little detail regarding how officers earn grey money. However, my research has shown that the traditional forms of corruption in terms of bribery/ extortion exists within the PSB and there is a culture of tolerance within the organisation, “It’s difficult to tell your guys to stop because we’ve all done it when we were in their shoes” (SP 25 years of service). Furthermore, the tricks of the trade in extracting grey money are subtle thus hidden from public gaze. The reasons for such a situation are largely due to excessive police powers and the wide remit of PSB responsibilities leading to opportunities for graft, rent-seeking and collaboration with organised crime.

Furthermore, in Wong’s 1998 study of the PSB’s use of the more restrictive criminal law powers where the PSB is under the supervision of People’s Procuracy. He found that even in this more restricted environment the rules were frequently broken. Wong concluded that the factors contributing to these abuses are rooted in the Chinese culture of rule by man and institutional despotism - “We are the father and the citizens are the children” (SP 20 years of service) - rather than the principal of the rule of law. This is further compounded with the preference for pragmatism over theory and bureaucracy - “Most cases we just slap the offenders a few times and tell them to pay the victim compensation rather than go through the legal process. It saves everyone lots of time and trouble. We have so few police officers to do so many things” (PC 8 years of service) - and the utility of substantive justice - “Things are changing but all officers has a desire to lock up criminals so the practice of beefing up your evidence or use all means to extract a confession is still part of the fabric of our culture” (Deputy Director 26 years of service) - over procedural justice in both the police and Chinese society – e.g. Hu & Dai’s 2014 study found that one-third of criminal justice officials and citizens did not oppose the use of extortion in the daily operation of the criminal justice system. All these factors play a part in enabling the persistence of police malpractice. As one insightful student said in one of my focus groups, “We are seeing bad stories about police across china so there must be an institutional problem behind these cases”.

Moreover, many of the tricks of the trade in relation to bribery in China are very similar to those found in India. However, it can be said that in the case of India this seems to be more insidious, obvious and less subtle than in China. Moreover, police brutality and the culture of using excessive force is also similar in both countries except that in India the practice of staging *encounters* has become almost an unofficial policy where “elimination rather than conviction” is suggested to be more or less tolerated by politicians, the masses and the media. In contrast, there seems to be a degree of intolerance towards unlawful or excessive police violence among the Chinese masses judging from protests and online outcries when such injustices occur. The reasons for the persistence of police corruption/malpractices lie in many factors. First of which is that police in India, similar to China, are involved in many more aspects of the daily lives of the population than is expected in western societies, thus affording them more opportunities for confrontation and corruption. Although, it can be argued that in China clamp downs by central government have reduced, in metropolitan areas at least, these interactions (e.g. tax collection and leveraging fines to fund police operations, etc.) and hence corruption opportunities.

Secondly, whilst in China the wide ranging administrative powers and attitude of father versus child derived from the Mao era continues to play a part in the PSB’s culture and way of working. In India, similarly, the legacy of the British colonial policing system and its attitudes are still writ large on the daily lives of the masses because of the influence it has over the behaviour and values of the average Indian policeman, where the master versus servant relationship still dominates. In both countries, the positional power of senior police officers is greater than those of the state prosecutors. This may have a bearing on operational decision-making. Moreover, in both forces there seems to be a culture of tolerance towards corruption/malpractice. My survey indicates that 52% of PSB officers and 49% of Indian police would ignore bribe-taking with 39% of PSB officers and 41% of Indian officers ignoring unlawful beatings. Indeed, whilst 39% of PSB officers and 38% of Indian officers saying that they would not ignore it if they see a colleague taking a bribe and 52% of PSB officers and 59% of Indian officers saying that they would not ignore it if they see a colleague using unlawful violence. The caveat is that most would not officially report the incident for a myriad of reasons not least because of the concerns of being alienated as a “snitch” or not wanting a colleague to “lose his livelihood”. Furthermore, my

personal experience of the universal police culture of 'protecting your ass' and the desire to 'play it safe' in answering these types of surveys lead the author to suggest that the percentages of officers saying that they would 'intervene' is more likely to be much lower in reality than the result indicates. However, whether this is the case or not the results above are still sizable in favour of ignoring corruption and malpractices. Therefore, an indication of the size of the gap in achieving a professional service based on the rule of law.

Thirdly, in China, the PSB is the eyes, ears, teeth and claws of the state/CCP and therefore not only the tools of the political elite but senior PSB officers are part and parcel of those elite. Consequently, the politicisation of police and criminalisation of politics seem to be playing a part in both India and China, as well as, the potential risk for the proper administration of justice by the rule of man rather than through the rule of law. In China this is being addressed by the central government's efforts to exert greater control over the police. However, in India, there seems to be little appetite by the political classes for police reforms. The desire by some politicians to directly control the strong arm of the state to affect their goals and further their interests has led to the loss of effective police leadership due to frequent transfers of those not willing to tow the party line. This has resulted in the lower ranks developing loyalties to politicians rather than to their own superiors. Consequently, there is distrust between superiors and subordinates and us versus them mentality between officers and men. Moreover, the "Indian police has remained static and stagnated whilst society is constantly changing. There is a lack of a political will to improve the quality of the police. In most of the states there is not the adequate funds for the police to meet 21st century challenges while those states that have the resources have no will power to make their police modern and independent" (Dickshit, 2000, p.39-40). This lack of adequate investment and the political will to transform the police has led to a great deal of stress and discontent within the organisation where the attitude that if "no one cares" then "why should I" prevails. Poor morale no doubt also contributes to the reinforcement of the culture of abuse and apathy. Additionally, in India, the criminalisation of politics in recent years has exaggerated the officer and men divide as well as adding a darker shadow over the politicisation of policing.

Finally, there is a culture of tolerance within both police organisations towards corruption/malpractices. However, in India the tolerance for bribe-giving and bribe-taking, and other forms of corruption is underscored by the notion of jugaad in wider society. The desire to get a quick fix and taking short cuts to be practical has meant that corruption is rife in many walks of Indian life. Indeed, this tolerance is the norm in Indian society and one interviewee summed up thus, “Bribery and beatings are tolerated and even expected in India. Today, if police don’t take a bribe then there is no peace of mind by either the public concerned or from fellow officers” (SP 25 years of service). The situation is not just isolated to a few states but “malpractices and corruption is seen in every state” (Verma, 1999, p.276) and “across all India” (Nickel and Verma, 2008, p.94).

4.5 What are the key influencing factors for decision-making at the ‘moments of truth’?

One area of my research is an attempt to identify the structural/institutional factors (e.g. policies, culture, governance, impact of media, etc.) that may influence ethical decision-making rather than the situational factors (e.g. suspect’s’ race/class/demeanour, time of day, environment, etc.) that affect an officer’s operational street craft and for which have traditionally been the focus of research.

4.5(a) Findings for China:

For China, the lists of the twenty (A to T) structural/institutional factors are shown in figure 1 below.

Figure 1: List of factors for China

A/ Government policy/directives/legislations
B/ Ministry of Public Security (MPS) Initiatives/policies
C/ MPS public-relations campaigns (e.g. Spirit of Lei Feng - potentially leading to increased expectations amongst the public that cannot be met by PSB officers)
D/ Poor leadership at local level leading to a Us vs. Them mentality between managers and operational officers
E/ Conflicting instructions between MPS and local PSB units (internal dept politics)
F/ Effects of targets/objective set in performance management/appraisal system
G/ police officers being used by local government for non-policing activities e.g. tax and debt collecting, enforcement of commercial contracts, etc.
H/ Lack of consistent and effective independent operational inspection of complaints
I/ Practice of leveraging fines to support police operations due to lack of government funding – hence increasing corruption/ abuse of power opportunities
J/ 'Two bosses' i.e. currently MPS sets priorities, targets and procedures but local government hires/ fires officers and pay their wages (conflict of loyalty)
K/ Increasing media criticisms and attention
L/ Speed and transparency of internet communications making individual incidences and officers' conduct being debated virtually simultaneously, openly and by a much wider and diverse group of people,
M/ Increased expectations of the urban public - which the police are frequently unable to meet due to a variety of reasons not least because of the lack of resources and funding
N/ Public's disrespect and low esteem of police officers post socio-economic reforms
O/ Poor pay and working conditions
P/ Police culture that promotes Substantive (pragmatic) rather than a procedural (follow letter of the law/regulations strictly) work practices
Q/ Poor training and low legal knowledge
R/ Low morale due to changes in status and sense of alienation to new urban population since socio-economic reforms began
S/ Sense of the lack of promotion and career progression opportunities unless one has (Guanxi) the right network leading to cynicism
T/ Increasing fear of criticism or losing one's job if an officer falls foul of new directives/regulations or a powerful local cadre, etc.

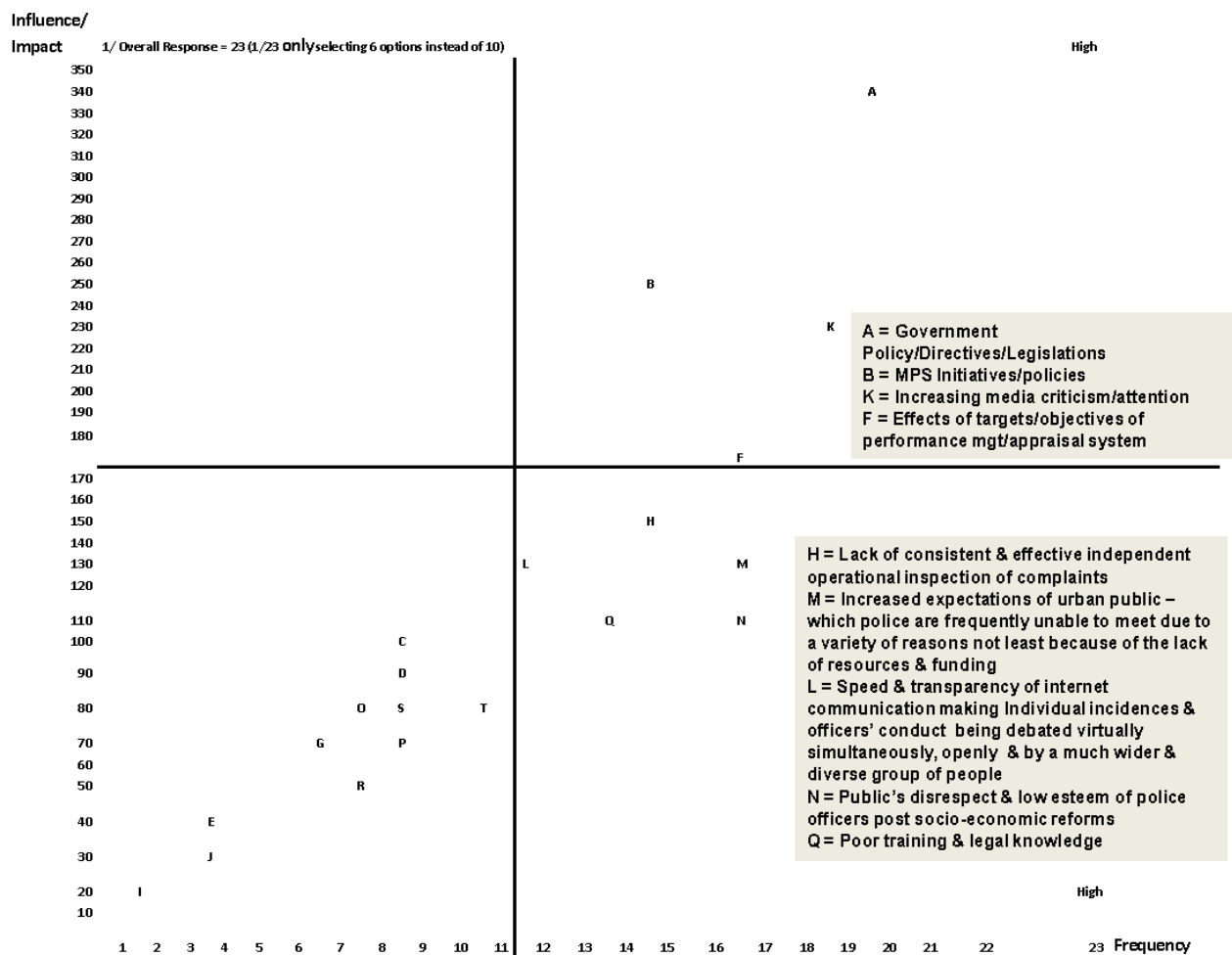
My survey¹⁰¹ on assessing the impact of these factors indicates that the overall Chinese sample selected items (A) Government Policy/Directives/Legislations; (B) MPS Initiatives/policies; (K) Increasing media criticism/attention; and (F) Effects of targets/objectives of performance management/appraisal system, as the most influential factors on decision-making. This is based on the frequency of selection and the officers' rating on influence, resulting in the said items being placed in the top right quadrant (High Frequency and High Influence/Impact) of the two-by-two matrix in figure 2 below.

Additionally, items (H) Lack of consistent & effective independent operational inspection of complaints; (M) Increased expectation of urban public – which police are frequently unable to meet due to a variety of reasons not least because of the lack of resources & funding; (L) Speed & transparency of internet communication making individual incidences & officers' conduct being debated virtually simultaneously, openly & by a much wider & diverse group of people; and (Q) Poor training & legal knowledge, were also most frequently selected by respondents but were not deemed to be as influential as items in the

¹⁰¹ See Appendix 3 for full results

top right quadrant, thus, are shown on the bottom right quadrant of the matrix. During the interviews many of the interviewees made their selection roughly in-line with these results.

Figure 2: Overall decision factor result – China (n=23)



Moreover, interviewees highlight that Government Directives/Legislations and MPS Initiatives/policies set the tone for police priorities and tactics in China. However, due to China’s attempt to introduce the rule of law, it has led to “an ever increasing volume and complexity of new laws and directives” which “not only increase the fear of falling foul of these leading to losing your job but there are so many of them that we simply don’t have time to read them let alone understand them, and most of the time it is unclear as to what and how we should do it because no one is prepared to write these instructions down in case they get blamed if it turns out to be wrong” (Insp 15 years of service). This lack of clarity is further compounded by poor in-job training, “We don’t get any skills training all we

get is a video with the new laws and are expected to understand from watching someone talking with no chance of asking questions, our training is really bad” (PS 8 years of service).

An example of how poor training and opaque directives add to operational stresses is in the area of how and when to use force. An interviewee sent me the following email: “This was on a police Wechat group. It was reported on China's Daily (Chinese version 人民日报) on 26/07/16. It is an instruction from the Ministry of Public Security in relation to how to legally enforce law by the Police in China in a national Police training event. The original content is: 面对执法对象或其亲友突然下跪抱腿的，民警可站在下跪者身侧搀扶起起身，弯腰或半蹲进行劝说和法制教育，促其尽快起身”。its translation is ‘when the suspects or their relatives suddenly knee down and hold your leg, the Police Officers would stand by the individuals' side and help them to stand up, or bend over or crouch to encourage, persuade or educate them to stand up’. This shows that many policemen in China are unsure of how to do their job today. We get this kind of unhelpful advice all the time” (Insp 22 years of service).

Furthermore, in addition to the already wide range of policing responsibilities, additional pressures are added to the already straining PSB officers with endless campaigns. “My officers already work round the clock and are never off-duty. Many of them don’t even get the chance to go home to sleep but just snatches the odd wink here and there. But on top of our normal work there are always campaigns Summer, Autumn, Winter, and Spring they just come one after another. Work stress is very high and morale is low. In 2008 an officer jumped to his death because he couldn’t cope with the pressure” (SP 25 years of service).

Additionally, the top down targets set within the performance management system not only encourage abuse as described in previous sections but also add to the pressure. “Targets can be as high as arresting and clearing 120 cases per year. Don’t forget we also deal with disputes and accidents among other tasks. This puts pressure to get the results, so people take shortcuts” (SP 28 years of service). The heavy workload is further reinforced by the

effects of low numbers of police as a ratio to the population. Surprisingly, for an apparent 'authoritarian' state, according to Wu et al., (2016), in 2007, the total number of public security police personnel in China was approximately 1.8 million, which yielded a police–population ratio of 13.8 per 10,000 citizens. This ratio is significantly lower than those in most western countries. For example, the USA and Germany have a police–population ratio of approximately 30 per 10,000 citizens, the UK is about 26 and Japan is around 22. According to the Police Research and Development Bureau of India the police ratio in India is 18.2 per 10,000 in 2015. It can be surmised that this situation may have in part contributed to the need for pragmatism in the PSB thus reinforcing the culture for substantive rather than procedural justice.

On top of work pressures officers are also subjected to internal politics and the continuing struggle for power and influence between the local government and the MPS. “Conflicts between central and local government are numerous, for example, Ministry of Public Security always nominate their preference for Chiefs or Deputy Chiefs, but the local cadres have their own candidates...there are also many battles between centre and local on different priorities, and we're stuck in the middle” (SP 22 years of service). These sentiments support the findings of a study conducted in Jinan where “78% of beat officers and 76.5% of superior officers stated that they would want to change the system to one where the local police are being centrally controlled by the MPS only” (Wong, 2012, p.256).

However, many officers point to the increase in negative press and social media coverage for the growing criticisms they receive from the public and their lack of deference towards them as a result. This coupled with poor legal knowledge, opaque directives and poor training has potentially led to a great deal of stress and reluctance on the part of street officers on how to deal with confrontational situations. “Two of my young officers tried to arrest a violent man who was beating one of the officers. The other officer was more concerned about videoing the incident than helping his colleague because he wanted to show evidence to justify their use of force. This would never have happened when I was a constable...we now have body cameras, car cameras and even cameras in the cells to record everything we do” (SP 25 years of service).

In comparing the differences between police managers¹⁰² versus rank and file officers – see figure 3 below. My findings suggests that whilst rank and file officers selected - in priority order - (A) Government Policy/Directives/Legislations; (F) Effects of targets/objectives of performance management/appraisal system;(K) Increasing media criticism/attention; (H) Lack of consistent & effective independent operational inspection of complaints; (M) Increased expectations of urban public – which police are frequently unable to meet due to a variety of reasons not least because of the lack of resources & funding; and, (B) MPS Initiatives/policies; as worthy of being placed in the top right quadrant of the matrix. Police Managers, however, only selected A, B and K as top right quadrant candidates. Suggesting that rank and file officers feels the effects of the target-based performance management system, the lack of an independent complaint investigation/supervision process, and the increased expectation of the public more so than managers. This difference may be explained by the fact that junior officers are at the frontline and are called upon to do most of the day-to-day policing.

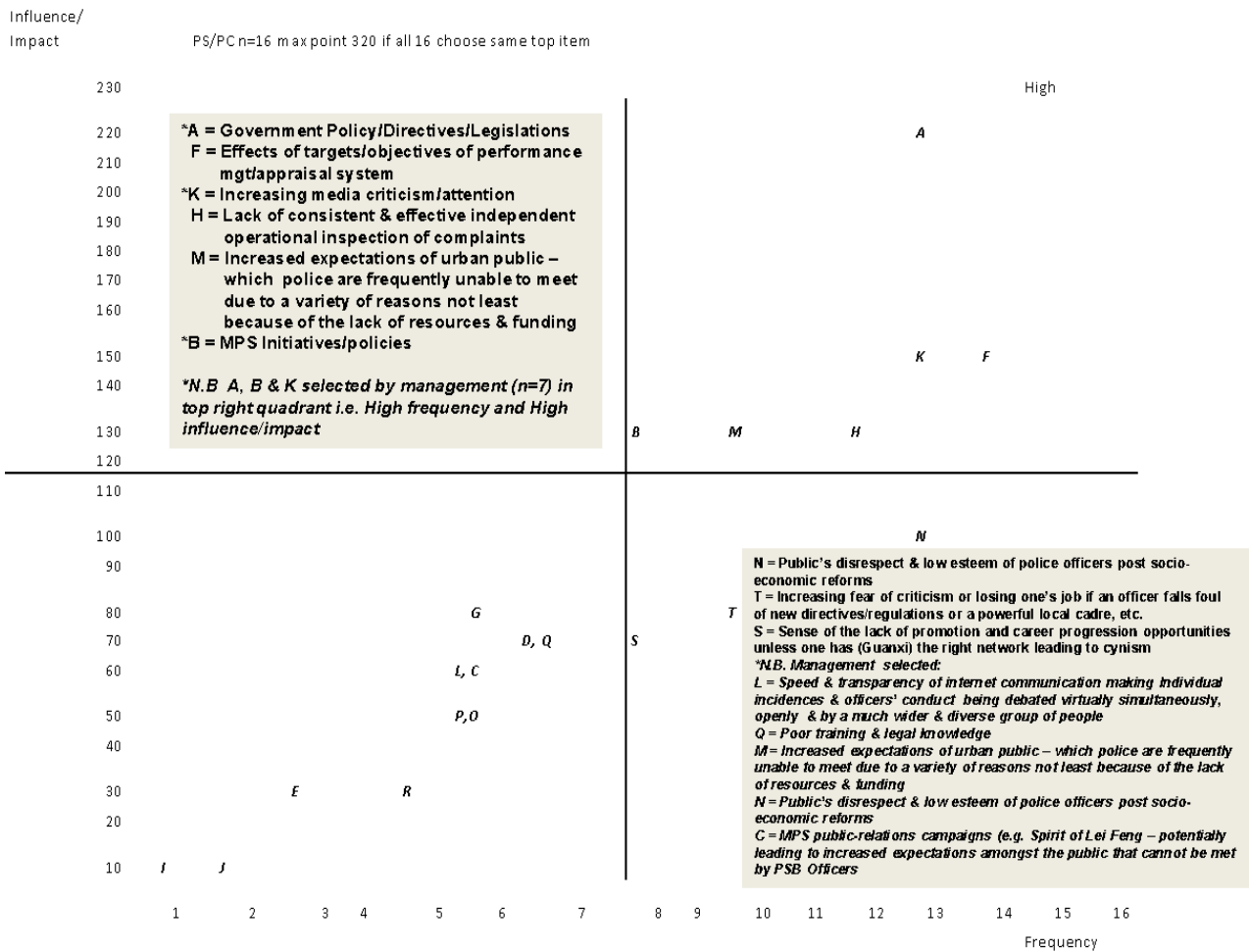
Junior officers placed (N) Public's disrespect & low esteem of police officers post socio-economic reforms; (T) Increasing fear of criticism or losing one's job if an officer falls foul of new directives/regulations or a powerful local cadre, etc.; and, (S) Sense of the lack of promotion and career progression opportunities unless one has (Guanxi) the right network leading to cynicism; into the bottom right quadrant. This indicates that whilst their impact/influence on them might be lower than the items discussed in the previous paragraph but that they are nevertheless significant. Senior officers selected (L) Speed & transparency of internet communication making Individual incidences & officers' conduct being debated virtually simultaneously, openly & by a much wider & diverse group of people; (Q) Poor training & legal knowledge; (M) Increased expectations of urban public – which police are frequently unable to meet due to a variety of reasons not least because of the lack of resources & funding; (N) Public's disrespect & low esteem of police officers post socio-economic reforms; (C) MPS public-relations campaigns (e.g. Spirit of Lei Feng) potentially leading to increased expectations amongst the public that cannot be met; to be placed in the bottom right quadrant. The only consensus between these two groups is (N)

¹⁰² Inspectors and above

meaning that both sets of officers agree that in their experience the public holds police officers in lower esteem post reforms.

From these results, it appears that junior officers have a greater fear of losing their job than senior officers and the fear that this might occur if they make a mistake in applying the law inappropriately or getting onto the wrong side of a powerful local cadre. This in itself shows that junior officers are potentially in an awkward position of having to choose between applying the law fairly and risk upsetting an official by going against his potential interests. Moreover, junior officers also seem to be more concerned than managers regarding the advantages that organisational insiders have over them in terms of better promotional prospects and postings due to having better *guanxi*. In a system where promotion and good postings are “not based on merit or transparency but are decided behind closed doors where *guanxi* is key” (Insp 18 years of service), then there is little wonder that junior officers selected this as a factor in ethical decision-making. Moreover, as one officer pointed out, “If you don’t have the right *guanxi* then you have to pay money so that you get the posting you want to further your career” (PC 3 years of service). Senior officers on the other hand seem to have more concerns over issues that affect operational effectiveness (i.e. lacking resources/funding and poor training/legal knowledge of their subordinates) and their organisation’s image/reputation (i.e. public-relations campaigns that raises public expectations that cannot be met and the impact of the internet) than their subordinates. This is perhaps not surprising bearing-in-mind that organisational reputation and effectiveness are rightly the responsibility of management.

Figure 3: Managers Vs Rank & File decision factor results - China



4.5(b) Findings for India:

For India, I amended the decision-making factors to reflect the Indian situation without altering the thrust or substance of these factors. In item (B) I replaced MPS with 'State Government'; (C) I removed MPS and Lei Feng; (E) replaced MPS with 'HQ'; (G) added 'State Government, excessive VIP protection & private functions'; (J) removed MPS; (N) added 'since independence'; (P) added 'acceptance of evidence fabrication & evidence enhancing'; (S) removed 'Guanxi'; and (T) replaced local cadre with 'politician'.

Figure 4: List of decision factors – India

A/ Central Government policy/directives/legislations
B/ State Government Initiatives/policies
C/ Public-relations campaigns (potentially leading to increased expectations amongst the public that cannot be met by police officers)
D/ Poor leadership leading to a Us vs. Them mentality between managers and operational officers
E/ Conflicting instructions between HQ and local units (internal dept politics)
F/ Effects of targets/objective set in performance management/appraisal system
G/ Police officers being used by local/state government for non-policing activities e.g. tax/debt collecting, commercial disputes, excessive VIP protection, private functions, etc.
H/ Lack of consistent and effective independent inspection of complaints
I/ Practice of leveraging fines to support police operations due to lack of government funding – hence increasing corruption/ abuse of power opportunities
J/ 'Two bosses' i.e. conflict of loyalty between state and central authorities
K/ Increasing media criticisms and attention
L/ Speed and transparency of internet communications making individual incidences and officers' conduct being debated virtually simultaneously, openly and by a much wider and diverse group of people
M/ Increased expectations of the urban public - which the police are frequently unable to meet due to a variety of reasons not least because of the lack of resources and funding
N/ Public's disrespect and low esteem of police officers since independence and the latest economic reforms
O/ Poor pay and working conditions
P/ Substantive (pragmatic) vs. procedural (follow letter of the law/regulations strictly) Justice culture – i.e. leading to acceptance of evidence fabrication or enhancing evidence to make case stronger against suspects
Q/ Poor training and low legal knowledge
R/ Low morale due to changes in status and sense of alienation to urban population since economic reforms began
S/ Sense of the lack of promotion and career progression opportunities unless one has the right network leading to cynicism
T/ Increasing fear of criticism or losing one's job if an officer falls foul of new directives/regulations or a powerful local politician, etc.

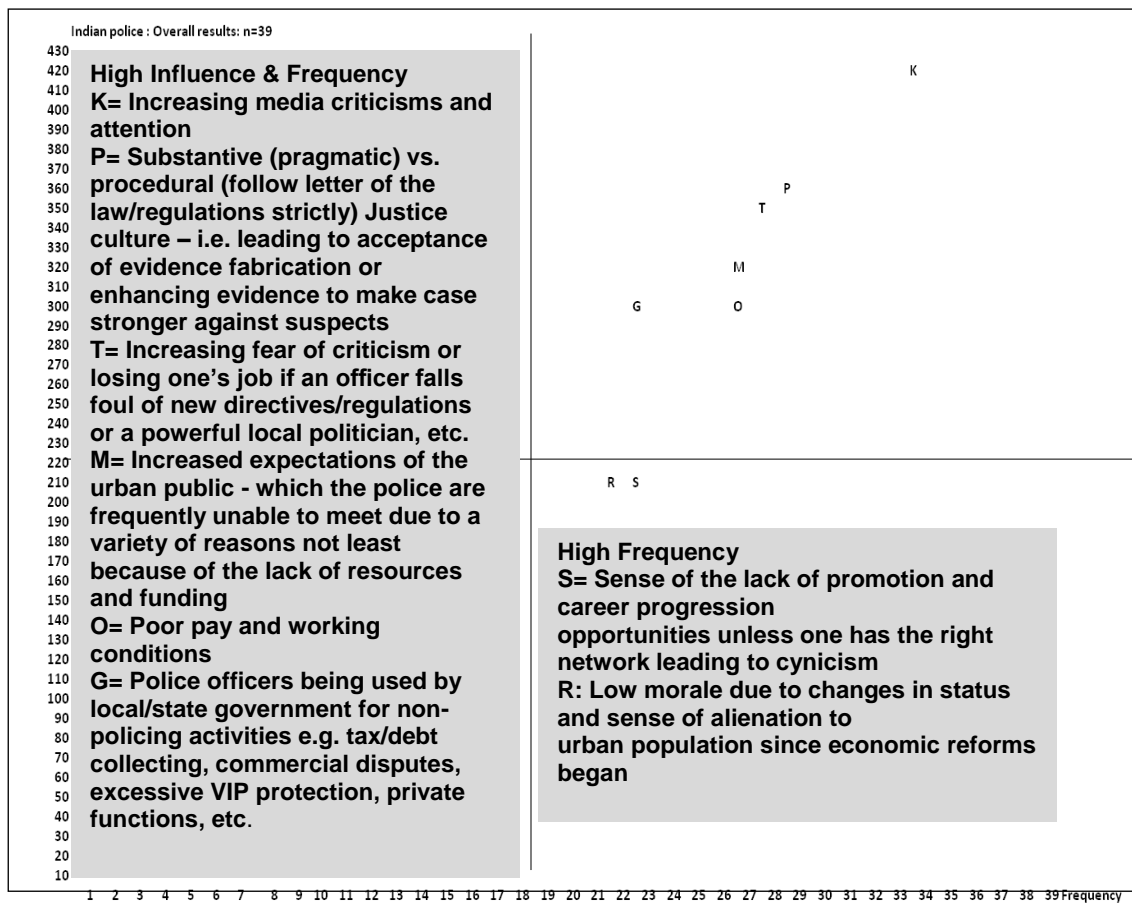
The overall result (see figure 5 below) of the thirty-nine responses received (including both rank and file personnel¹⁰³ and police managers) indicate that: (K) Increasing media criticisms and attention; (P) Substantive (pragmatic) vs. procedural (follow letter of the law/regulations strictly) Justice culture – i.e. leading to acceptance of evidence fabrication or enhancing evidence to make cases stronger against suspects; (T) Increasing fear of criticism or losing one's job if an officer falls foul of new directives/regulations or a politician, etc.; (M) Increased expectations of the urban public - which the police are frequently unable to meet due to a variety of reasons not least because of the lack of resources and funding; (O) Poor pay and working conditions; and, (G) Police officers being used by local/state government for non-policing activities e.g. tax/debt collecting, commercial disputes, excessive VIP protection, private functions, etc. as meriting both high influence and frequency of selection, thus are placed in the top right quadrant of the matrix. Moreover,

¹⁰³ I included Sub-Inspectors in the rank and file sample because their duties are equivalent to those of a PSB Sergeant or Constable. In India, the Sub-Inspector is the investigating officer and HCs and PCs act on his instructions with no authority to conduct investigations whereas in China that authority is assigned to PCs. Therefore, for the purposes of analysing decision-making I placed the Sub-Inspectors into rank and file instead of 'management'.

the Indian sample also selected (S) Sense of the lack of promotion and career progression opportunities unless one has the right network leading to cynicism; and (R) Low morale due to changes in status and sense of alienation to urban population since economic reforms began, the most frequently (bottom right quadrant) but has less influence than the above items.

Many of the accompanying comments on the survey responses mirror the opinions of interviewees and those already shown in earlier part of this thesis. However, the following may provide the reader with a bit more texture on the Indian police personnels' answers. For example, for option (K) "Everyone has a mobile phone these days so you need to be careful otherwise you will end up on Youtube" (SI 5 years of service); (P) "There is a massive gap between theory and practice in applying the law" (HC 19 years of service); (T) "There is a great deal of political interference and pressure on the police and we are not allowed freedom of action" (HC 18 years of service); (M) "The senior officers and politicians tell the public just call the emergency number if you need the police but we aren't given the tools to do the job, often there isn't even petrol in the police cars or it's being used by senior officers for their own purposes" (HC 15 years of service); (O) "We need better pay and working conditions" (PC 5 years of service), "We are never allowed to take annual leave and we can't even go sick when we are ill" (SI 1 years of service); (G) "If we don't extract fines to fund police work then this will hinder the solving of cases" (HC 37 years of service), and "Outside influences prevent police from doing its work" (HC 6 years of service); (S) "Lack of promotion prospects has led to a vast sense of hopelessness and depression for junior officers" (HC 17 years of service); and, (R) "Many times the good work of junior officers are compromised by senior officers due to political pressures" (HC 18 years of service).

Figure 5: Overall decision factor result – India (n=39)



4.5(c) Comparison between India and China:

In comparing the overall selection (see figure 6 below) by PSB officers and the Indian police (IP) samples it is worth noting that the only factors that were selected by both sets of officers to be in the top right quadrant (i.e. high influence and frequency of choice) was item ‘K’ (Increasing media criticisms and attention). Moreover, both sets of officers also selected item ‘M’ (Increased expectations of the urban public - which the police are frequently unable to meet due to a variety of reasons not least because of the lack of resources and funding) with the Indian officers placing it in the top right quadrant (high influence and frequency) versus the PSB sample placing it on the bottom right quadrant (Frequency only). This finding indicates that both sets of officers believe the respective countries’ economic rise and the effects of increases in urbanisation have impacted their

decision-making. Additionally, when a comparison is made between rank and file officers only then both ‘K’ and ‘M’ are in the top right quadrant of high influence and frequency – i.e. item ‘M’ holds greater significance for PSB rank and file officers than for PSB managers. This finding further indicates that frontline officers in both countries are feeling the effects of economic modernisation in terms of greater expectations of the urban public and the advent of mobile phone/cameras and internet in their decision-making than their managers.

Figure 6: Comparison of China/India results (Items in priority order based on points scored)

High Influence/Impact & High Frequency	High Frequency Only
1/ Overall results all ranks: (China n=23) (India n=39) PSB: A, B, K, F IP: K, P, T, M, O, G	1/ Overall results all ranks: (China n=23) (India n=39) PSB: M, N, H, Q, L IP: R, S
2/ Rank & File results: (China: PS & PCs only n=16) (India: Sub-Insp, HC & PCs n=32) PSB: A, F, K, H, M, B IP: K, T, P, M, O, R	2/ Rank & File results: (China: PS & PCs only n=16) (India: Sub-Insp, HC & PCs n=32) PSB: N, T, S IP: S

Additionally, unlike China, all Indian officers believe that poor pay and working conditions are having a great deal of influence on their decision-making (item O). I have already provided data points in earlier sections regarding the low pay, long hours, no leave/time off even when an officer is ill, poor accommodation and frequent transfers leading to long stretches of time away from one’s family. During my visits to Indian police stations, I often saw officers literally collapsing onto haphazardly arranged dishevelled beds or were rough sleeping on the floor in noisy, cramped and dirty dungeon-like rooms. Indeed, the Human Rights Watch 2009 report (‘Broken System – Dysfunction, Abuse, and Impunity in the Indian Police’) noted that “police officers often work long hours without shifts. Many told Human Rights Watch they were exhausted and demoralized, living in government-provided tents or filthy barracks and denied leave...Police sleep in cramp barracks where its open-air entrances expose police to noise and weather fluctuations; many police complain they cannot sleep in such conditions. Low-ranking police spend as many as twenty years living in such barracks, which may be located far from their families, due to

the limited availability of “family quarters” housing and insufficiency of private housing allowances” (Ibid., p.4-6).

Furthermore, the above situation is compounded by the fact that Indian officers (especially among managers – see figure 7 below) also indicate that they are being used for non-policing activities e.g. tax collection, VIP protection, on show for private functions, etc. (item G) which is also having an impact on their decision-making. Leaving aside the fact that officers assigned to a politician are in danger of being asked to perform functions that are not only not police duties but also may be unlawful or unethical as indicated in earlier sections of this thesis. The diverting of scarce manpower from an already stretched service can only hamper the proper functioning and effectiveness of the Indian police even further. From this perspective and when comparing the ratio of police to population between China (13.8 per 10,000) and India (18.2 per 10,000), at a glance it can be argued that on paper at least the workload of the PSB officer is greater than those of the Indian officer. However, if one takes into account the potential that Indian officers are being used much more on non-policing functions and that the 18.2 ratio is what India call ‘sanctioned’ numbers, that is, it is based on what the country is supposed to have rather than what it actually has (which is often a much lower number e.g. in UP the ‘sanctioned’ number according to Data on Police Organisation 01/01/2015 published by the Bureau of Police Research and Development is 327,955 but the ‘actual’ number was only 136,909) then it can be suggested that the Indian police is in reality more stretched than the PSB.

Moreover, in comparing the Indian rank and file sample with police managers’ selection on decision factors, it appears that rank and file officers indicate that ‘M’ (Increased expectations of the urban public - which the police are frequently unable to meet due to a variety of reasons not least because of the lack of resources and funding), ‘O’ (Poor pay and working conditions), and ‘R’ (Low morale due to changes in status and sense of alienation to urban population since economic reforms began) are having a great deal more of an impact on their decision-making than they have on police managers. This supports my findings during interviews and observations in India that these factors

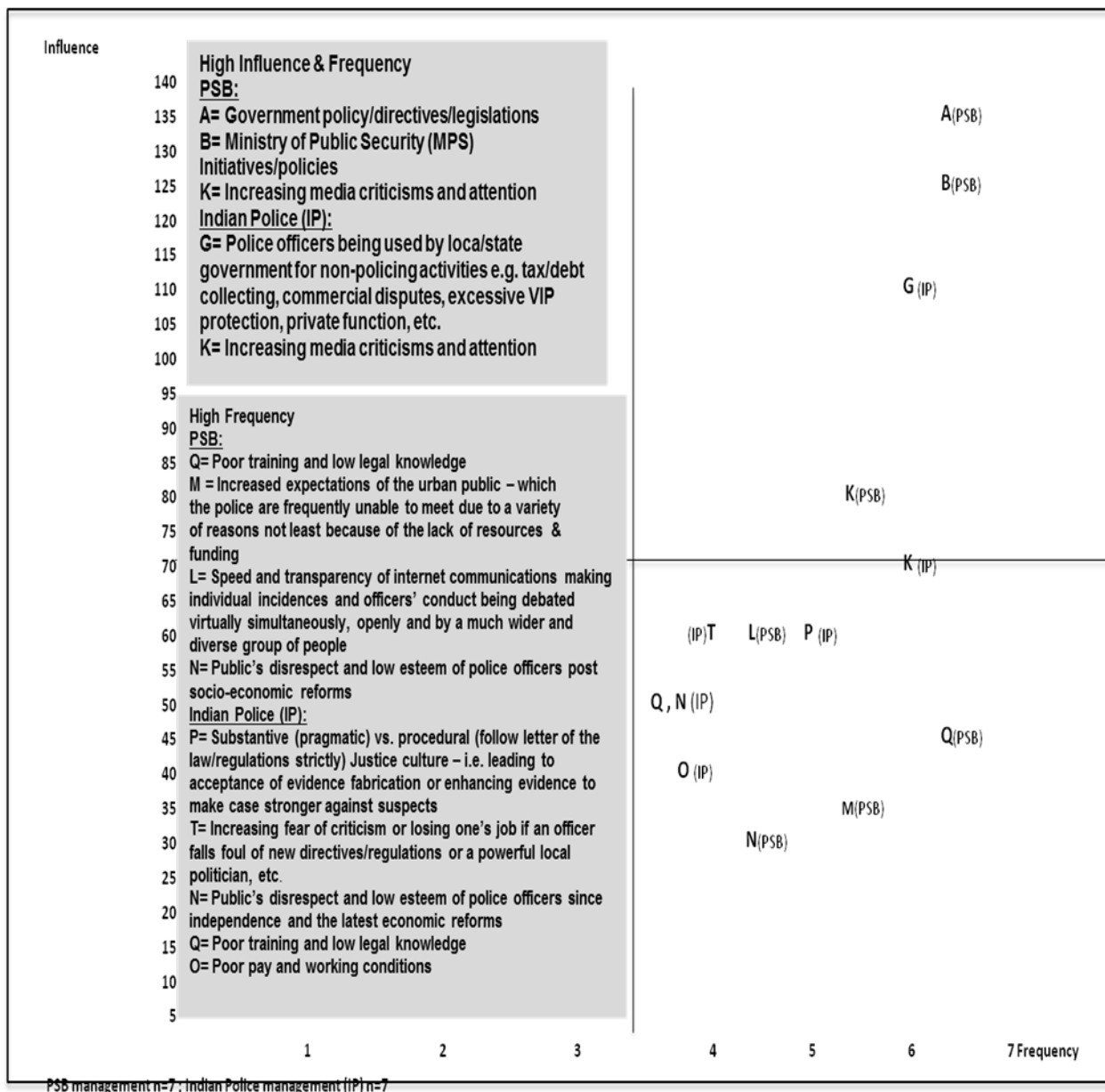
have greater significance for frontline officers on operational duties than managers who are more concerned about police performance and who enjoy better pay and conditions.

Figure 7: Comparison between Indian police managers (n=7) vs. rank & file sample (n=32) in priority order

High Frequency & Influence: Police Managers	High Frequency & Influence: Rank & File
G, K, P, T	K, T, P, M, O, R

In comparing the importance of decision-making factors between managers in India and China (See figure 8 below), whilst both opted for 'K' (Increasing media criticisms and attention) as a key influencing factor in their decision-making. There was a clear difference of opinion in that PSB managers opted for 'A' (Government Policy/ Directives/ Legislations) and 'B' (MPS Initiatives/policies) with Indian managers opting for 'G' (Police officers being used by local/state government for non-policing activities e.g. tax/debt collecting, commercial disputes, excessive VIP protection, private functions, etc.) as being more important.

Figure 8: Comparison between Indian Police Managers (n=7) and PSB Managers (n=7)



Similarly, there was a difference between the PSB and Indian rank and file samples too (see figure 6 on p189). The PSB sample, like their managers, selected 'A' (Government Policy/ Directives/Legislations) and 'B' (MPS Initiatives/policies) but with the addition of 'F' (Effects of targets/objectives of performance management/appraisal system) as

among the most influential factors on decision-making. The selecting of these items would suggest that junior PSB officers are more mindful of official policies and organisational/management systems than their Indian counterparts. This is because, instead of the above choices made by their PSB counterparts, Indian rank and file officers ranked (P) Substantive (pragmatic) vs. procedural (follow letter of the law/regulations strictly) Justice culture – i.e. leading to acceptance of evidence fabrication or enhancing evidence to make cases stronger against suspects; and, (T) Increasing fear of criticism or losing one's job if an officer falls foul of new directives/regulations or a powerful local politician, etc., among their most influential decision-making factors. From these results it could be argued that that Indian officers are more susceptible to cultural norms, unofficial ways of working and, as already previously highlighted, influence of individual politicians than PSB officers. Consequently, they are in a position of potential greater vulnerability to the rule of man than their Chinese counterparts.

4.5(d) Summary:

For China, most officers in the sample, irrespective of rank, places the effects of government legislations and central directives, as well as, the increase of media criticism as key influencers to ethical decision-making. With the rank and file officers feeling the effects of the PSB's target-based performance management system, the lack of an independent complaint investigation/supervision process, and the increased expectation of the Chinese public more so than managers. This picture reflects the fact that junior officers are at the sharp end of policing and it is they who would be most likely the subject of public expectations and consequential complaints for failing, and the internal pressures to achieve the arrest and clear-up targets that is now a feature of policing in post-economic reform China. Additionally, all officers believe that the Chinese public hold them in lower esteem than prior to reform. With junior officers being frustrated by the guanxi-based progression culture and a fear of losing their job if they make a mistake (especially if it is caught on camera) or by upsetting a powerful cadre. Senior officers, on the other hand, are more concerned with their organisation's

reputation, its effectiveness, the burden of increasing workload, and the constant central-local power dynamics and politics.

In contrast, for Indian officers, although they too are feeling in a similar way as PSB officers regarding the pressures and stresses brought about by their countries economic rise and urbanisation, Indian officers seem to be less concerned about government policies, laws and regulations or organisational systems but are more influenced by their poor pay and working conditions, frequent political interference in their daily duties, low morale due to these pressures and organisational culture in their decision-making. Moreover, although junior Indian officers are similarly frustrated as junior PSB officers in the need for connections to enhance their promotional and 'good posting' prospects. The survey result and my overall research indicate that there is a potential that they are more susceptible to the rule of man than their rank and file counterparts in China in their decision-making.

5. Conclusion:

"The transitions in today's China represent an important form of social change in the contemporary world...This provides a unique context for researchers to study social conflicts and social control, and the relations between citizens and the criminal justice system in particular is very important" (Hu & Dai, 2014, p.507). In this context, my research has focussed on understanding the situation of the PSB itself from an inside-out perspective by taking a horse's mouth approach. As China embarks on its endeavours to become a society based on the rule of law, I wanted to explore what some of the potential barriers might look like on the ground. To get a better grasp of the situation I decided to do a comparative study with India. India was chosen because it shares many similarities with China. For example, both countries have a long and rich cultural and political history; large population size; vast territories; the legacies of centralized economies; and now economic liberalization and rapid growth. Moreover, they differ in that China is said to be the largest single party dictatorship in the world and India the largest democracy.

The overall aim of my thesis is to identify the barriers to building a trusted police service in India and China. There is limited research on the PSB and still less in the study of police malpractices. There is virtually no literature on comparisons between policing in India and China, and still less on police malpractices. Furthermore, for China there has been very

little horses' mouth research with serving police officers¹⁰⁴. I attempted to answer the overarching thesis question by examining: 1/ how are the PSB and Indian police impacted upon by economic modernisation; 2/ to what extent are the police in China and India trusted by the masses; 3/ do the respective police forces carry out their duties in a fair and unbiased fashion; 4/ what do malpractices look like and why does it persist; and 5/ what are the key influencing factors for ethical decision-making at the 'moments of truth'? – exploring this question from a 'structural' perspective (e.g. policies, culture, governance, impact of media, etc.) rather than from a 'situational' or 'street-craft' (e.g. suspect's race/class/demeanour, time of day & physical environment, etc.) perspective.

What I found is that China and India's policing situation appears to have many similarities as well as differences – see table 9 below for a summary. In terms of economic modernisation, China and India have taken different but equally complex paths which have yielded material benefits for the masses and lifted millions out of absolute poverty. There is little doubt that China's economic rise has been more impressive than India's. However, critics continue to argue that despite the lauded economic successes inequality has grown in both countries. Modernisation affects traditional societal structures and communal values leading to cleavages between police and citizens.

¹⁰⁴ The only research that I found based on interviews with PSB officers was conducted by Wang, T. and Zhang, S. in October 2005. They interviewed five PSB officers studying in Australia on the subject of training needs: "A Qualitative Study of Chinese Police Officers' In-service Training." *International Journal of Pedagogies and Learning* 1(2), pp.18-31, October 2005.

Table 9: Summary of similarities & Differences

Areas	Similarities	Differences
Trust		<ul style="list-style-type: none"> - Social status of PSB officers are generally higher than that of the Indian Constabulary - PSB enjoy higher level of trust this is even though trust and respect for PSB appears to have declined in recent times when compared to Mao era verses Indians' traditional distrust of police both pre/post independence and since economic reforms - Chinese citizens more willing to act as witnesses - Chinese citizens appears to be more patriotic and have more of a sense of civic responsibility than Indian masses
Fairness	<ul style="list-style-type: none"> - Master/Servant (India); Father/Child (China) police attitude towards public - Existence of in-groups and out-groups for variation of treatment (e.g. Muslims) 	<ul style="list-style-type: none"> - rural-urban Migrant <i>Hukou</i> (china) verses <i>Caste</i> (India) - PSB part of the <i>elite</i> verses Indian police as '<i>tools</i>' of the elite
Corruption	<ul style="list-style-type: none"> - Senior officers holding more powers than prosecutors - Culture of tolerance towards corruption/malpractice and preference for substantive justice - Ubiquitous presence of police in society - Tricks of the trade in making grey money - Buying and selling of police offices - Unlawful use of police violence - Politicalisation of policing and criminalisation of politics 	<ul style="list-style-type: none"> - PSB Administrative powers - India underscored by <i>Jugaad</i> - PSB 'official' responsibilities verses India's 'unofficial' duties - China more subtle - Danger of '<i>vertical collusion</i>' (China) verses transactional & '<i>multi-veto</i>' situation (India) - Indian police staging <i>Encounters</i> - Strong centralised single party state (China) verses fragmented clientele politics (India)
Decision making	<ul style="list-style-type: none"> - Rule by man verses rule of law - Impact of mass and social media - Failing to meet rising expectations of urban public 	<ul style="list-style-type: none"> - Indian police at higher risk of rule by man - Indian officers more concerned regarding pay and conditions verses PSB officers focus on policies and legislations
Others	<ul style="list-style-type: none"> - Effects of economic reforms on policing - Collaboration between police and organised crime (especially in land ownership, construction, mining, etc.) - Adopting modern policing techniques and greater professionalisation - Focus on providing 'legitimate' cover story rather than transparency 	<ul style="list-style-type: none"> - PSB increase no. <i>injuries on duty</i> - Divide between officers and men in India appears much greater than in PSB

Rapid urbanisation provides fertile breeding grounds for vice, crime, disorder and disputes. Unsurprisingly, as in other development examples, economic growth has resulted in more capital being available both in the private and public domains. This has not only provided more opportunities and temptation for graft and rent-seeking, but the nature, complexity and volumes of crime and disputes have also increased. This is evident in the increased crime statistics of both countries. However, it would seem that the PSB

is feeling the effects of these developments more so than the Indian police when viewed through the prisms of the increased numbers of injuries-on-duty. This must be seen within the context that mass rural-urban migration is on a much greater scale than in India therefore a much bigger policing challenge.

In both countries increases in wealth have not only whetted the appetite of unscrupulous police officials but has also increased corruption/malpractice opportunities, a potential contributing factor in weakening police-public relations. This is evident by both sets of officers bemoaning of the more challenging and less respectful relationship with the public since reforms. The change in this relationship seems to be more pronounced on the PSB than the Indian police. This is because while the Indian police has never enjoyed a great deal of public trust and respect where traditionally the Indian masses assiduously avoided interacting with the police because of its 'colonial' attitudes. The PSB, on the other hand, had enjoyed a better level of trust and respect from the Chinese masses. For China, one of the potential effects of economic modernisation is the "eroding of legitimacy the PSB had once enjoyed. For example, in the early years of the PRC, the relationship between the police and the public was alternatively described as 'flesh and blood' and 'water and fish' ...but the situation today has changed...the most critical problem is one of widespread complaints about police dereliction of duty, corruption of office, and abuse of powers. The once symbiotic relationship and intimate bond between the police and the masses have been...tested and found wanting...The public expects the police to live the Lei Feng spirit – totally dedicated and completely selfless. Instead, they appear to be corrupt and abusive. From the perspective of the police, the public is not respectful of or helpful to the police. The police expect the public to behave like model communist citizens, who are totally altruistic, completely supportive, and unfailingly respectful. Instead, they appear to be apathetic and antagonistic" (Wong, 2012, p.151).

As for the Indian police, although economic reforms seem to have been less impactful in their relationship with the public in comparison to their Chinese counterparts, Singh (2002, p.63-73) noted that due to "urbanisation, increases in crime, housing problems, accidental and traffic deaths, growth in mass-media, transportation, communication has increased complexity of crime, with mass protest movements as well as organised crime groups being better prepared as they can track government and police activities. Increased

number of motor vehicles allows criminals mobility and increased difficulties for police to track suspects or to detect crime...industrialisation and urbanisation has led to more labour troubles, more slums, and opportunities for underworld and organised crime activities as well as potential large scale political agitations". Resulting in even more strain being put on an already stretched poorly trained and poorly equipped police service.

For both countries the value of land has rocketed and thus the associated property speculation, disputes, intimidation and fraud. Moreover, in China, where the authorities still exert a great deal of control over the 'capitalist' economy, the example on the restrictions of business fundraising is perhaps more unique. But, whatever the dispute, the PSB had been tasked with safe-guarding hard won economic growth and ensuring social and political stability. These responsibilities put PSB officers in the direct line of fire as they are often accused of siding with local officialdom and businesses – whether they are motivated by grey money or otherwise.

Furthermore, the effects of modernisation have proved to have caused strain and stresses to both the PSB and the Indian police with 82% of PSB officers and 74% of Indian officers agreeing to this fact. These stresses can be seen in the lowering of police morale with 62% of PSB officers and 54% of Indian officers stating that they would not wish for their own children to follow their footsteps in joining the police. It is also very telling that in the Indian case the 46% who said that they would be proud if their children join the police but with the caveat, that only if they join under the IPS route. In regard to whether officers are satisfied in their job 56% of PSB officers and 77% of Indian officers said that they were. This might seem contradictory to the other morale question responses. However, upon further investigation it seems that both Indian and Chinese officers like the 'iron rice bowl' and the positional power they enjoy for protecting themselves and their families' interests. Additionally, both sets of officers seem to have accepted their allocated lot in life, but they hold greater aspirations for their children in the new economic age than they do for themselves.

Paying to become a police officer and for career/financially enhancing postings seems to be a common practice in both countries. It seems that this practice has a more corrosive effect for China because of 'vertical collusion' (Pei, 2016), with President Xi's promised

crackdown as a potential lightning rod regarding the CCP's recognition for something to be done. However, for India, because perhaps due to its long-established practice and cultural (both organisational and societal) acceptance, the buying of offices and postings has a more commercial transactional flavour where even if a large bribe is paid there is no guarantee of securing the desired position. Moreover, because of the fragmentation of loyalties between superiors and subordinates brought about by the ever-present shadows cast by politicians the effects of vertical collusion do not seem to have the degree of importance placed upon it as it does in the PRC.

How police appointments are made is potentially a good indicator of how internal police organisation and governance is impacted due to the effects of economic modernisation. The appointment of senior officers in China had been primarily within the remit of local government but there has been a shift of power to the centre due to a desire to stamp out local corruption which has steadily increased since reform. The fact that survey result of 38% (including all the police managers in the sample) agreeing to this development is further supported by the practice that non-police officials from the Disciplinary and Inspections Committee are placed as deputy chiefs after corruption purges in major cities. In India, the state government has sole responsibility for law and order and appointments of senior officers. However, it is enlightening that many respondents testified to the level of interference and micro-management of police appointments down to constables and on actual police operations. Indeed, Singh (2002, p.124) noted that due to brazen interference from politicians "the average tenure of SPs and SHOs in some states can be as short as 15 days to 3-4 months leading to the complete breakdown of the command structure".

In short, economic modernisation has affected police workload through increases in crime and disputes, and (in China's case at least) increased police-public-confrontations and injuries-on-duty. These factors may also have affected morale and the leadership and management of the respective organisations. However, on the positive side the greater enthusiasm for western style techniques (e.g. community policing and public emergency call facilities) indicate a potential step towards greater professionalization.

In regard to the public trust of police, the traditional public survey data on trust indicates that the PSB enjoys a substantially higher level of trust from the public than the Indian police. But, factors such as national pride, willingness to criticise state authorities, political legitimacy and level of citizens' trust of those in power, as well as, influence of the media all may play a part in these survey results. However, from the data available, it can be argued that even with all these factors taken into consideration the frequency and size of the sampling in favour of the PSB versus the Indian police points to potential evidence that the PSB is held in higher esteem and trust by Chinese citizens in contrast to the Indian situation. Moreover, my study also affirms this position and reveals evidence to support the proposition that the corrosive effects of corruption at every level and in every walks of life in India has eroded trust of both citizen-to-citizen and citizen-to-state generally, as well as, trust and respect for the police in particular. The resultant situation of citizens' unwillingness to interact with police or to act as witnesses may hold potential serious consequences for police effectiveness and community-safety. For China, my research indicates that there are questions that need to be answered in regard to the lack of willingness on the part of those participating in the research (who, according to Conflict Theory at least, are more likely than other members of the Chinese population to have a favourable impression of the PSB because they are part of the privileged elite) to engage with the PSB versus the UK Police and their sober assessment on the level of PSB misconduct.

As to the question of whether the Chinese and Indian police act in a fair and unbiased fashion. My research found that both in China and India the police are not always fair and unbiased when it comes to the execution of their duties. In India, the "police strongly favour the rich and powerful including organised criminals but are discriminatory against the poor, needy, and down trodden in society" (Dikshit, 2000, p.87-88). They are "rude, selective and partisan in their enforcement of laws, are in the pockets of politicians, criminals and the rich with no cognisance of grievances of the poor or the uninfluenced so there is no redress for wrongs done to them" (Singh, 2002, p.117). This state of affairs has led to what "many within the Indian police call the 'snake reflex' where the instinct of the masses acquired and engrained into their psyche over time is one of distrust and avoidance of the police" (Add SP 25 years of service). In China, the police profile the out-group just like

police forces all over the world in order to do their job. However, the PSB does not only patrol the borderline between the in-group and the out-group but they are in fact very much part of the in-group's ruling elite. This makes them not merely tools of the ruling elite, as in the case of the Indian police, but they are in fact at the very core of the Chinese system of government and power.

In regard to what police corruption and malpractices look like and why they persist. I found that many of the tricks-of-the-trade in relation to bribery is very similar, although in India it can be said to be more insidious and less subtle. Moreover, police brutality and the culture of using excessive force is also similar in both countries except that in India the practice of staging *encounters* has become almost an unofficial policy where 'elimination rather than conviction' is suggested to be more or less tolerated by politicians, the masses and the media. In contrast, there seems to be a degree of intolerance toward unlawful/excessive police violence among the Chinese masses. The reasons for the persistence of police corruption and malpractices lay in many factors. First of which is that police in India, similar to China, are involved in many more aspects of the daily lives of the population than is expected in western societies, thus affording them more opportunities for confrontation and corruption. However, it can be argued that in China clamp downs by central government have appeared to reduce, in metropolitan areas at least, these interactions (e.g. tax collection and leveraging fines to fund police operations, etc.) and hence corruption opportunities.

Secondly, whilst in China the wide ranging administrative powers and attitude of father versus child derived from the Mao era continue to play a part in the PSB's culture and ways-of-working. In India, similarly, the legacy of the British colonial policing system and its attitudes still writ large in the daily lives of the masses because of the influence it has over the behaviour and values of the average Indian policeman, where the master versus servant relationship still dominates. In both countries, the positional power of senior officers is greater than that of the state prosecutors. This situation may have a bearing on the effects of decision-making especially as there is a lack of a systematic transparency and accountability in the system. Moreover, in both forces there seems to be a culture of tolerance towards corruption/malpractices. The police survey indicates that 52% of PSB officers and 49% of Indian officers would ignore bribe-taking with 39% of PSB officers and

41% of Indian officers ignoring unlawful beatings. Indeed, whilst 39% of PSB officers and 51% of Indian officers said that they would not ignore it if they see a colleague taking a bribe and 52% of PSB officers and 59% of Indian officers said that they would not ignore it if they see a colleague using unlawful force. The caveat is that most would not report it for a myriad of reasons not least because of the concerns of being alienated as a “snitch” or not wanting a colleague to “lose his livelihood”. Furthermore, my personal experience of the universal police culture of ‘protecting your ass’ and the desire to ‘play it safe’ in answering these types of questions would lead the author to suggest that the percentages of officers saying that they would ‘intervene’ is more likely to be much lower in reality than the result suggests.

Thirdly, in China, the PSB is the eyes, ears, teeth and claws of the state/CCP and therefore not only the tool of the political elite but senior officers are part and parcel of the ruling elite. Consequently, the politicisation of police and criminalisation of politics seems to be playing a part in both India and China, as well as, the potential risk for the proper administration of justice by the rule of man rather than through the rule of law. However, in China this is being tackled by the central government’s recent efforts to exert greater control over the police. In contrast, in India, there seems to be little appetite by the political classes for police reforms. The desire by some politicians to directly control the strong arm of the state to affect their personal goals and further their own interests has led to the loss of effective police leadership due to frequent transfers of those not willing to tow the party line. Thus, resulting in the lower ranks developing loyalties to politicians rather than to their own superiors. Consequently, there is an us versus them mentality between officers and men, and distrust between superiors and subordinates. Moreover, the “Indian police has remained static and stagnated whilst society is constantly changing. There is a lack of a political will to improve the quality of the police. In most of the states there is not the adequate funds for the police to meet 21st century challenges while those states that have the resources have no will power to make their police modern and independent” (Dickshit, 2000, p.39-40). This lack of adequate funding and the political will to transform the police has led to a great deal of stress and discontent within the organisation where the attitude that if “no one cares” then “why should I” prevails. Poor morale no doubt also contributes to the reinforcement of the culture of abuse and apathy. Additionally, in India, the

criminalisation of politics in recent years has exaggerated the officer and men divide and castes a darker shadow over the politicisation of policing.

Finally, in both countries there is a culture of tolerance within the police organisations towards corruption/malpractices. However, in India the tolerance for bribe-giving and bribe-taking, and other forms of corruption is underscored by the notion of *jugaad* in Indian society. The desire to get a quick-fix and taking short cuts to be practical has meant that corruption is rife in many walks of Indian life.

One of the main focuses of my research is an attempt to identify the structural/institutional factors (e.g. policies, culture, governance, impact of media, etc.) that may influence ethical decision-making rather than the situational factors (e.g. suspect's' race/class/ demeanour, time of day & physical environment, etc.) that affect an officer's operational street-craft, and for which has traditionally been the focus of research in this area. My research found that for China, the majority of officers in the sample, irrespective of rank, place the effects of government legislations and central directives and the increase of media criticism as key influencers to ethical decision-making. With the rank and file officers feeling the effects of the PSB's target-based performance management system, the lack of an independent complaint investigation/supervision process, and the increased expectation of the Chinese public more so than managers. This picture reflects the fact that junior officers are at the sharp-end of policing and it is they who would most likely be the subject of public expectations and consequential complaints for failing and the internal pressures to achieve the arrest and clear-up targets that is now a feature of policing in post-economic reform China. Additionally, all officers believe that the Chinese public holds them in lower esteem than prior to reform. With junior officers being frustrated by the *guanxi*-based progression culture and a constant fear of losing their job if they make a mistake (especially if it is caught on camera) or by upsetting a powerful cadre. Senior officers, on the other hand, are more concerned with their organisation's reputation, its effectiveness, the burden of increasing workload, and the constant central-local power dynamics.

In contrast, for Indian officers, although they too are feeling in similar ways as PSB officers regarding the pressures and stresses brought about by their countries' economic rise, urbanisation, the ubiquitous of the mobile smart phone and social media. They seem to

be less concerned about government policies, laws and regulations or organisational systems but are more influenced by their poor pay and working conditions, frequent political interference in their daily duties and postings, low morale due to these pressures and their organisational culture in their decision-making. Moreover, although junior Indian officers are similarly frustrated as junior PSB officers in the need for connections or financial payments to enhance their promotion and 'good posting' prospects. The survey and my overall research indicate that factors such as the politicisation of police and the criminalisation of politics and the divide between managers and subordinates means that there is a real risk that they are more susceptible to the rule-by-man than their PSB counterparts in ethical decision-making.

In sum, the barriers to building a trusted police service in China and India include: Firstly, the politicisation of police and the associated impact of the criminalisation of politics for both countries, leading to a tendency in favour of the rule-by-man rather than the rule-of-law. However, it can be argued that the Indian police seem to be more prone to this tendency than its PSB counterparts. Secondly, historical cultural legacy of master versus servant (India) and father versus child (China) relationship between police and the masses is also one of these barriers. The cultural traits engendered by this legacy contribute to reinforcing the behaviour and attitudes of police officers in both countries to favour disregarding rather than protecting/safeguarding their citizens' rights, as well as, a preference for substantive justice over procedural justice. Indeed, in India the attitude is that no matter what actually happens on the ground (e.g. fake *encounters*) but as long as the paperwork is in order then that is the most important thing to get right. The focus on presenting a 'legitimate' cover story rather than being transparent and openly learning from mistakes is also part of the culture found in both organisations. Furthermore, the organisational culture-of-tolerance towards corruption/malpractices can be said to be an extension of the master/servant and father/child effects and consequences. Finally, another barrier I identified is the effect of poor morale in both police forces. However, it would seem that this is more acute in India's police due no least to the apathy and resentments caused by poor pay and working conditions. This is even more so for the rank and file personnel who feel that they are not cared for and that "everyone is only

looking after number one". In conclusion, as a consequence, these barriers have contributed to the increasing alienation and distrust of the Chinese and Indian police.

6. Reflections:

In terms of how to overcome these barriers, speaking from my own experience of designing, leading/implementing and advising multi-national companies and government agencies (including police forces) around the world on organisational transformation. The first critical success factor is to create the environment for success and sustaining change. Police organisations do not work in a vacuum, they work within an environment where the tone and its values are created largely by the ruling elite. As de Guzman and Kumar (2011, p.405) pointed out, "police practices will reflect, to some extent, their biases for the dominant class' views. Thus, when the dominant class is benevolent and upright, the police will uphold such values in their practices. Alternatively, when the dominant class is malevolent or corrupt, such malignant characters would be manifested in the existing police practices".

Consequently, police reform stands a better chance of success if the ruling class is itself willing to reform into a less corrupt, more benevolent and caring establishment that leads by example. Moreover, my research showed that police (even corrupt police) are weary of traditional and social media criticisms. Consequently, the traditional media and the ordinary masses themselves have to create and sustain an environment of intolerance toward corruption/malpractices. Otherwise, politicians and police alike would use the aged old excuse that 'society gets the police it deserves'.

In parallel to societal and political changes, the Chinese and Indian police organisations themselves can effect change by living and breathing the proper values of the policing principles of fairness, equity and equality both internally and in their interactions with the public. Therefore, the second critical success factor is creating a clear set of organisational values and behaviour that transform the police from a 'force' into a 'service'. These values and behaviour must be cascaded throughout the organisation and role modelled by its leaders and reinforced through replicating and threading throughout its management and

operational processes, ways of working and standard operating procedures. A clear system of sanctions and rewards aligned to the desired values is also important to reinforce the organisational processes from recruitment through to promotion and dismissal. Decision-making transparency and clear lines of accountability are also needed within the organisation so that credit for things done well as well as opportunities to learn lessons from failures for continuous improvement purposes and holding errant individuals to account.

Furthermore, the other critical success factor is the use of technology to reinforce and support processes and procedures. This does not only include the more obvious use of body cameras or CCTVs in police facilities to ensure no abuse takes place but also technology for capturing citizens' initial reports and for evidence gathering. Such systems will not only improve efficiency, effectiveness, standardisation and professionalization of police practices but they also provide real-time case decision-making data and support and provide a secure audit trail for management monitoring and review thus making abuse harder to hide. Technology and its accrued databases will also enable the provision of statistical models and analysis for understanding wider patterns as well as cause and effects thus assisting management decision-making in the deployment of scarce resources, performance monitoring and identifying patterns of abuse.

Moreover, in both countries there seem to be a need for more 'fit for purpose' training programmes to equip their personnel with the right skills and competencies for a more professionalised service in the modern world. These training programmes need to encompass not only Psychomotor (i.e. physical skills such as the use of restraining techniques that requires the use of minimum force, public order control, etc.) and Cognitive (knowledge of laws and regulations, etc.) domains of learning, but also Affective (attitudes, values, empathy, etc.) domains as well. However, especially in the case of India, the basic

hygiene factor¹⁰⁵ situations of poor pay and working conditions as well as motivators¹⁰⁶ for job satisfaction also need to be addressed if they are to get the best out of their human capital.

Finally, the need for external independent oversight is extremely important. The establishment of external and independent governmental police monitoring bodies as well as non-governmental but statutory citizen-based monitoring and advocacy groups - especially for the more deprived and least powerful sections of society – is another key success factor. These bodies have a role to play in ensuring compliance to the principles of fairness, equity and equality in the policing of India and China.

In short, reform can only succeed if the ruling elites in these two countries desire it, have the will power to role model the right behaviour and be willing to sustain changes. They need to create an environment that is conducive to allowing their police to embrace the appropriate virtues and practices and to become more professionalized. The police leaders themselves need to step up to the challenge and articulate and live the principles of fairness, equity and equality in all that they do. Moreover, the need to thread these values into the organisations' every process, operating procedures and ways of working as well as introduce the enabling technologies and training programmes to instil these values into the muscle memory of their personnel is key. However, none of this would work if the necessary hygiene and motivational factors (especially in the case of India) were not in place to encourage and sustain the required changes. Finally, external independent oversight and monitoring is a structural success factor needed in order to keep the police and the politicians honest.

If I were to be asked which of these countries would stand a better chance of reforming its police service to one that is less corrupt and thus enjoy a better level of public trust? From

¹⁰⁵ Herzberg (1959) constructed a two-dimensional paradigm of factors affecting people's attitudes about work. He concluded that such factors as company policy, supervision, interpersonal relations, working conditions, and salary are hygiene factors rather than motivators. According to the theory, the absence of hygiene factors can create job dissatisfaction, but their presence does not motivate or create satisfaction.

¹⁰⁶¹⁰⁴ In 1954, Maslow introduced his theory about how people satisfy various personal needs in the context of their work. Maslow's hierarchy of needs is often illustrated as a pyramid with the survival need at the broad-based bottom and the self-actualization need at the narrow top.

my personal observation, I would speculate that China might have an edge over India. Sun and Johnson (2009, p.14) argued that India's weak state, with its mix of elite accessibility, political opportunities, and economic scarcity, has simply produced distinctive types of corruption not less of it when compared to China's stronger state, elite autonomy, scarce political opportunities, and greater economic opportunities. These overall contrasts help us understand why a poor democracy has not outperformed a developmental autocracy in terms of corruption control. Economic underdevelopment, it seems, undermines democracy's anticorruption properties not just through material scarcity, but also because it is both effect and cause of weaknesses of key economic institutions and guarantees. Those factors encourage corruption that is extensive, fragmented, and therefore disruptive in form. Not surprisingly, the public has little trust in government generally, and the net impact of corruption on legitimacy of particular parties is inconsequential. "A highly fractured society such as India's also weakens "rational public opinion" as group identities, educational disparities, and other socioeconomic contrasts influence political awareness". Moreover, Kumar argued that "India would not succeed in stamping out corruption unless Indian society tackles the exploitative nature of caste and hierarchy" (2014, p.313).

In China, Sun and Johnson (2009, p.14-15) argued that "the monopoly of the CCP means it takes the major blame for the corruption of its rank and file officials. The CCP regime may tolerate few domestic critics, but it still suffers when frequent comparisons are made against the relatively clean and egalitarian Mao era on the one hand, and mature liberal democracies on the other. The former comparison undermines the contemporary CCP's credibility from the left while the latter chips away from the right. Farmers and downsized workers of state enterprises have expressed pent-up frustration through riots; surveys reflect their deplorable transformation from the core social base of the CCP to the prime victims of inequality and corruption since the 1990s. Land grabs by rural officials have become common, while in state enterprises mismanagement and insider privatization lead to bankruptcies and the loss of jobs. Critics abroad and some intellectuals at home, point to the CCP monopoly as the root cause of corruption". Nevertheless, "regime legitimacy has not been critically undermined by corruption in post-Mao China, as in India, one reason is sheer pervasiveness. Corruption has become mostly materially based, more

accessible, and less exclusive than in the early years of economic reform and is ironically less divisive. Contemporary corruption, moreover, is no longer seen as directly caused by central policies, but more as errant behavior by local officials. In fact, when local protesters complain about localized injustices, they are more likely to demand that central policies be upheld and not distorted, nor that they be changed”.

Moreover, Bardhan (2014, p.3) argued that corruption is “implicated or built-in more into the Indian structure of institutions and practices: (1) Elections are highly, and increasingly, expensive in India. The typical parliamentary constituency has 60,000 voters in the UK, 1.3 million in India. Coverage of such a large and increasing population size in far-flung constituencies requires galloping transportation and mobilization costs. In addition, political clientelism, with parties providing private goods (clothing, TV, cash, etc.) to some groups in exchange for their promised votes, can also be costly. Raising the large election funds, particularly when the legal limits on corporate donations are ridiculously low, often leads politicians to corrupt quid pro quo deals. (2) The current system of bureaucratic transfers and postings in India is a major source of illicit income of politicians in state secretariats. In general, career promotion for officers in India depends more on seniority than on performance, so an officer has the incentive to maximise his or her loot in the short period of local posting before transfer. The Chinese governance system ‘limits local official corruption by giving the local official more of a stake in the local economic performance. Chances of career promotion improve if the local area under his jurisdiction grows faster (and yields more tax revenue). So even when he steals, he takes care, in his own self-interest that the general economic performance of the area does not suffer too much. (3) The Chinese system is politically more centralized than the Indian system, so the lines of authority are better defined and streamlined. In India, decision-making authority is often more fragmented, as a result of which there may be more cases of multiple veto powers in operation. So unlike in China there is more uncertainty around corruption in India: the bribe-giver is never sure, even after the payment, if and when the job will get done. (4) Indian society is much more heterogeneous and stratified than the Chinese, and that can have ramifications for corruption. Even assuming that people in all social groups have similar propensities towards honesty or dishonesty, there may be socio-economic reasons why in equilibrium in some cases the Indian social minorities may

be found to be involved in or supporting 'corrupt' activities, sometimes even more than the upper castes".

Bardhan argued that there are two possible reasons for this phenomenon one has to do with differential access to social networks. The upper castes having been in "positions of power and privilege for centuries have well-developed and well-oiled networks" which their members can utilise in fixing problems they face or getting jobs and contracts for their relatives and friends. By and large, the lower castes "lack such lucrative and powerful networks". In such situations, it is quite possible that an "upwardly mobile lower-caste person may try to use money as a substitute for (the missing) network in getting things done. The latter will be called corruption, but the upper-caste use of connections instead of money for similar objectives is often not described as corruption". The absence of network may also mean that "corrupt low-caste people get caught more often than equally dishonest but more protected upper-caste people". Furthermore, with the "increasing ethnification of politics, for social groups long subject to humiliation, it may be quite understandable that dignity politics often trump good governance. So, it is not uncommon that a low-caste leader widely known as corrupt gets elected by his fellow caste members, election after election, because these leaders in other ways have uplifted the self-esteem and dignity of whole groups of people. The leaders' corruption may even be looked upon with an indulgent eye: all these years the upper castes have looted public money maybe it is now "our turn". Such symbolic group self-assertion in politics is quite prevalent in north India, where the rise of the historically subordinate groups is relatively recent (in south India where self-respect movements are much older, good governance on the part of the low-caste leaders is more often in demand). In a study of the caste politics of UP of over 100 electoral jurisdictions between early 1980s and late 1990s, Banerjee and Pande (2009) provide evidence to show a trade-off between caste-loyalty and quality of politicians. They find that the effect of increased ethnification on lowering the quality of politicians was stronger in jurisdictions where the demographic share of lower caste groups was larger" (Ibid., p.4).

Moreover, in addition to the political and social barriers above, the PSB has less of an 'us and them' divide between officers and men; they enjoy a flatter organisational structure where position of authority and responsibility does not always equate to official rank

hierarchy. This along with a more egalitarian communist ethos makes the PSB a less differential organisation than the Indian police in comparison. It is also a fact that the Chinese PSB is starting from a stronger position in regard to the level of trust they already enjoy from their fellow citizens than their Indian counterparts. All these factors together with the historical data point that in the case of economic transformation China has clearly outperformed India in increasing the wealth of its citizens and lifting a vast swath of its people out of absolute poverty in a very short time. This achievement is no doubt largely due to the single-minded focus of the CCP's strong authoritarian central leadership. Indeed, if one looks back at the mass campaigns that were such a feature of the Mao era and the subsequent emulations of mass anti-crime campaigns in more recent years then it is hard to argue that mass mobilisation of both government machinery and the masses by the CCP is extremely impressive. Consequently, it may be said that having a "strong centralized authoritarian state" such as China and if the political will and leadership exists, then it will stand a better chance of reforming its police in contrast to the fragmented clientele politics of India where the police are in state hands rather than in central government hands. Therefore, even if there were a central political will, the structural political set up of India would be extremely difficult to overcome.

My final reflections relate to the fact that this PhD thesis came about more by accident than by design because starting a PhD at the age of fifty-four years was certainly not part of this student's life plan. However, when I met Professor Nolan at the roundtable discussion on the subject of the 'socialist rule of law' and our subsequent conversations it sparked my interest in the subject. The research journey has luckily gone much more smoothly than I had anticipated or hoped. This is largely down to good fortunes and the kindness of those who went out of their way to help in my research because they felt that it would be a worthwhile exercise and an "exciting" subject. I found that having the kinds of policing and management consulting experiences and skills that I had gained in my professional life together with my cross-cultural perspective gained from my personal life helped a great deal in data gathering and insight generation. Moreover, as a trained police investigator and management consultant a core competence is to ask awkward and sensitive questions in a way that is not threatening nor judgemental. Indeed, having the thick skin to ask the 'naive' questions is an important art of interrogation. This was

highlighted when I first tested out my police questionnaire in India with a very 'streetwise' crime journalist who when I asked what a police officer would do facing a bribery situation. He replied, "that is a really childish question, off course all cops would take bribes if offered, most would go out of their way to extract it." This response not only gave me the confidence to ask these types of questions openly during the rest of my fieldwork in India, but it also gave me an insight into the reality of the situation on the ground, from someone who was living it on a daily basis.

In terms of research outcomes, I believe that my research has potentially contributed knowledge to this under-studied area in several ways. The first of these contributions is to provide a broader and deeper understanding of both the Chinese and Indian police forces' organisational and professional culture from an inside-out, bottom-up and from the 'horses' mouth' perspective. Second, is that I may have enriched current insights regarding public perception and trust level of police in India (from both members of the elite as well as the general population's viewpoints) and China (from the country's future elites' perspective). Third, is on what police corruption and malpractices look like and why it persists in these two countries. Fourth, is the factors influencing decision-making at the moments of truth from a structural rather than a street-craft or situational perspective. Finally, whilst these subject areas may be sound contributions but when added to the fact that they are done as a comparative study then they may potentially provide fellow scholars with a new perspective.

However, that said, the limitations of qualitative studies for generalisation purposes are well known. Therefore, my survey findings on decision-making factors may act as pointers for future quantitative studies.

7. Appendices:

Appendix 1: Types of corruption vs. opportunity to exploit by individuals in institutions

Opportunity to exploit: 0 = No opportunity; 1 = very limited opportunity; 2 = Have some access but require great deal of effort in order to exploit opportunity; 3 = easy to exploit opportunity as it is within official duties/remit

National Elite = National Politicians/Parliamentarians; Central Government Ministers; Local & Central Government Officials (e.g. Tax, Customs, Education, Health, Planning, Enterprise, Military, Prosecutors, Public Works, etc.)

International Elite = Senior individuals working in e.g. World Bank, UN Agencies; EU Agencies; EU Parliament; IMF; INGOs, etc.

Analysis shows that police officers have more opportunity for malpractices when compared with other officials.

Type of Corruption	Description/Comment	National Elite	International Elite	Police
(A) Bribery	Reciprocity by payment	3	3	3
(B) Embezzlement	Stealing public funds	3	2	1
(C) Nepotism	Job for family	3	2	2
(D) Cronyism	Job for the boys	3	3	3
(E) Fit Ups	Framing innocent people for criminal proceedings	1	0	3
(F) Cover Ups	Protection for wrong doing	2	1	3
(G) Noble Cause	Substantive over procedural justice	1	0	3
(H) Torture & Violence	Use violence to obtain false confessions or to silent dissidents	1	0	3
(I) Organised Crime	Enabling/participating in organised crime	2	1	3
(J) Common Theft	Opportunity to steal direct from individual/businesses	0	0	3
(K) Rent Extraction	Forcing victims to pay protection money, etc.	1	0	3
Total Score		20	12	31

Appendix 2: Moments of Truth vs. opportunity for police malpractice

Type of police encounters/moments of truth	Corruption/Malpractice opportunity
1/ Civil Disputes (e.g. neighbour or commercial disputes, etc. where no criminal offences apparent)	- bribery to deal with matter in paying party's favour
2/ Emergencies (e.g. Fire, Traffic Accidents, Other types of accidents – e.g. from man falling off ladder to debris falling onto road, etc.)	- extracting 'rent' from guilty party who caused the accident - theft from victims of accidents e.g. stealing items from vehicles or premises - cronyism e.g. putting business for clearing-up accident to friends/families/business partners
3/ Crime prevention (e.g. stop, search or general questioning of public during routine or targeted campaign patrols/operations)	- bribes/extortion from potential targets of campaign - noble cause or actual fit ups - Torture/violence i.e. premeditated/malicious (prejudicial based) unlawful violence
4/ Crime Investigation of minor (shoplifting) to serious crimes (e.g. murder, armed robbery, burglary, kidnapping, rape, etc.) after incident taken place	- bribery/extortion from victims or offenders - theft from offenders or victims (e.g. pocketing jewellery from scene of store burglary) - Torture/violence i.e. premeditated/malicious (prejudicial based) unlawful violence - facilitating organised crime
5/ Police Raids (e.g. to arrest suspect or to discover major offences such as drugs, gambling, prostitution, etc. on premises or neighbourhoods)	- bribery/extortion from offenders - pocketing drugs/monies instead of recording as evidence - Torture/violence i.e. premeditated/malicious (prejudicial based) unlawful violence - facilitating organised crime
6/ Public order - Policing non- violent demonstrations (e.g. march/protests, sit in, etc.) or public events (e.g. sports matches, celebrations, concerts, ceremonials, etc.)	- fit up & noble cause
7/ Public order – Policing riots and other major disorders (e.g. violent trade/inter-communal disputes, etc.)	- fit up & noble cause - Torture/violence i.e. premeditated/malicious (prejudicial based) unlawful violence
8/ Regulating licensed businesses (e.g. bars, night clubs, betting shops, etc.)	- bribery/extortion from offenders/owners - facilitating organised crime
9/ Misc. activities (e.g. health & safety, educational, community relations, advice giving, inspections, etc.)	- bribery/extortion from offenders/owners of premises with potential H&S issues - routine extraction of rent from businesses
10/ Major Incidents (e.g. Major train crash; large explosions; terrorist bombings, natural disasters, etc.)	- theft from scene of incident
11/ Traffic management (incl. traffic control, road traffic regulation enforcement, keeping pavements free from obstructions incl. street traders, etc.)	- rent from street traders - bribery/extortion from drivers

Appendix 3: Statistical results of public (student) and police surveys

3.1 Chinese Student Survey Result

Total Number of respondents = 31. Age: 23 - 29 yrs (17); 30 - 40 yrs (12); 40+yrs (2). Sex: 16 (Female); 11 (Male); 4 (Unstated)

Do you have a close friend or member of family in the Chinese Police (PSB)?

Yes 48%	No 48%	Unanswered 3.2%
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Why do you think people join the PSB?

Extremely Likely	Extremely Unlikely
High Social Status 6.4%	High Social Status
Job Security 48%	Job Security
Help Others 6.4%	Help Others 12.8%
Get Rich Through Bribes	Get Rich Through Bribes 60.8%
Seeking Power 6.4%	Seeking Power 19.2%
Catch Criminals 6.4%	Catch Criminals 6.4%
No Response 25.6%	No responses

In your opinion, PSB officers (please tick just one statement):

a/ Are caring and selfless people who genuinely want to help the Chinese people	19.2%
b/ Are cynical and selfish individuals who is only in it for themselves	
c/ Neither a or b but are only doing a job like any other job	76.8%
No response	3.2%

In comparison to the British Police how would you rate PSB Officers (please tick one option only):

a/ Respect and Trust British Police Officer more because I know that they will always be fair	19.2%
b/ Respect and trust Chinese PSB Officer more because I know that they will always be fair	3.2%
c/ I trust and respect both equally the same	64%
d/ I don't trust or respect either British or Chinese police	9.6%
No response	3.2%

In China, have you, a member of your family or a friend ever paid a bribe to a police officer?

*N.B. Yes to experience of paying bribes = 22.4%

Yes - More than once	12.8%
Yes - Once	9.6%
Never paid a bribe	73.6%
No response	3.2%

In your opinion, how frequently does the Chinese PSB use excessive/unnecessary force in comparison to the British Police?

Much more frequently	41.6%
The same frequency	28.8%
Less frequently than UK	19.2%
No response	9.6%

How would you rate the status of the basic level Chinese PSB officer? Please indicate below which job is closest to the status of a police officer in China – tick one only:

School Teacher	35.2%
University Lecturer	
Doctor	6.4%
Lawyer	22.4%
Accountant	
Junior Manager in a large office	16%
Small Shop Manager	3.2%
Bank Clerk	6.4%
Factory Worker	
Factory Supervisor	6.4%
Train Driver	
Department Store Manager	
Shop Assistant	
Plumber	
Electrician	
Garbage Collector	
Librarian	
Waiter	
Bus Driver	
No response	3.2%

A PSB officer sees his colleague steal some jewellery when reporting a burglary in a jewellery shop. Do you think this officer would?

a/ Arrest his colleague for stealing	38.4%
b/ Turn a blind eye pretending that he didn't see anything	35.2%
c/ Will join in and steal jewellery himself just like his colleague	
d/ He wouldn't react because this is just normal police practice in China	6.4%
No response	19.2%

The Jewellery Store Owner above suspect that the officers had stolen from his shop so he reports it to their superiors. Do you think (please tick one):

a/ No action will be taken because the senior policeman will always protect his men	6.4%
b/ Not only will nothing be done but the senior officer will expect to get a share of the proceeds	3.2%
c/ The store owner wouldn't report it because he know that he will get into trouble with the police	16%
d/ Even if the senior officer investigate, he won't get anywhere because even honest officers will keep silent and protect their corrupt colleagues	38.4%
e/ Owner will report it and the police department will investigate the complaint fairly and honestly and take appropriate actions against the officer	19.2%
No response	16%

A PSB officer walks into the police station and see that some of his colleagues are beating up a prisoner in order to get a confession. Do you think this officer will (please tick one):

a/ Tell his colleagues to stop as it is illegal	41.6%
b/ Walk out again pretending he didn't see anything	16%
c/ Sits down and do his paperwork with a cup of tea because it's just part of everyday life in a police station	25.6%
No response	16%

In your opinion, what percentages of PSB officers belong to the Chinese Communist Party?

100%	25.6%
90%	9.6%
80%	19.2%
70%	16%
60%	3.2%
50%	6.4%
below 50%	12.8%
No response	6.4%

Please indicate below which incidences you would involve the police in the UK verses in China: Total 27 responses; No response (4); 1 = Definitely involve police; 2 = May involve police; 3 = Definitely Not involve police

Types of Incidents	If you were in UK	If you were in China
a/ You're a victim of crime (e.g. assault with injury, robbery, burglary)	1 (27); 2 (0); 3 (0)	1 (23); 2 (4); 3 (0)
b/ You're a victim of a minor assault without injury	1 (10); 2 (13); 3 (4)	1 (3); 2 (18); 3 (6)
c/ You witnessed a crime (e.g. assault with injury, robbery, burglary)	1 (17); 2 (9); 3 (1)	1 (14); 2 (11); 3 (2)
d/ Rowdy, noisy youths swearing and shouting in the streets late at night outside your house	1 (5); 2 (16); 3 (6)	1 (3); 2 (11); 3 (13)
e/ A street trader tried to cheat you by charging you more than originally agreed and refuses to give you your change or money back for defective goods	1 (11); 2 (9); 3 (7)	1 (6); 2 (13); 3 (8)
f/ Your next door neighbour threatens to hit you or damages your property in an argument	1 (14); 2 (11); 3 (2)	1 (10); 2 (12); 3 (5)
g/ You're involved in a car accident where the other driver refuses to give you his details	1 (21); 2 (6); 3 (0)	1 (20); 2 (7); 3 (0)
h/ You see a suspicious looking guy hanging around – you suspect that he's up to no good	1 (7); 2 (17); 3 (3)	1 (4); 2 (15); 3 (8)
i/ You see a man smashes a car window in the street and steals a bag from the car and walks off	1 (23); 2 (4); 3 (0)	1 (15); 2 (12); 3 (0)

Total Score: UK: 1 (135); 2 (85); 3 (23). China: 1(98); 2(103);3(42)

Please circle the person (in each comparison pair) you believe a PSB officer would treat better during a dispute:

Frequency of choices based on 24 responses – No Response (7)

Government Official	53
Wealthy businessman	45
Factory Worker	36
CCP Member	29
Peasant	16
Migrant Worker	12

3.2 Indian Student Survey Results

Total Number of respondents = 24. Age: Under 20 yrs (2); 24-27 yrs (12); 30-40 yrs (8); 40+yrs (2). Sex: 14 (Female); 10 (Male)

Do you have a close friend or member of your family in the Police?

Yes 16.64%	No 83.2%	Unanswered 0%
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Why do you think people join the Police?

Extremely Likely	Extremely Unlikely
High Social Status 8.32%	High Social Status
Job Security 45.76	Job Security 8.32%
Help others	Help others 29.12%
Get rich through bribes 12.48%	Get rich through bribes 24.96%
Seeking Power 33.28%	Seeking Power 12.48%
Catch Criminals	Catch Criminals 24.96%
No response	No response

In your opinion, Indian police officers (please tick just one statement):

a/ Are caring and selfless people who genuinely want to help the Indian people	
b/ Are cynical and selfish individuals who is only in it for themselves	24.96%
c/ Neither a or b but are only doing a job like any other job	74.88%

In comparison to the British Police how would you rate Indian Police Officers (please tick one option only):

a/ Respect and Trust British Police Officer more because I know that they will always be fair	41.6%
b/ Respect and Trust Indian Police Officer more because I know that they will always be fair	
c/ I trust and respect both equally the same	49.92%
d/ I don't trust or respect either British or Indian police	8.32%

In India, have you, a member of your family or a friend ever paid a bribe to a police officer?

*N.B. Yes to experience of paying bribes = 74.88%.

Yes - More than once	58.24%
Yes - Once	16.64%
Never paid a bribe	24.96%

In your opinion, how frequently does the Indian Police use excessive/unnecessary force in comparison to the British Police?

Much more frequently	99.84%
The same frequency	
Less frequently than UK	

How would you rate the status of the basic level Indian police officer? Please indicate below which job is closest to the status of a police officer in India – please tick one only:

School Teacher	24.96%
University Lecturer	
Doctor	
Lawyer	24.96%
Accountant	
Junior Manager in a large office	8.32%
Small Shop Manager	
Bank Clerk	8.32%
Factory Worker	
Factory Supervisor	
Train Driver	
Department Store Manager	8.32%
Shop Assistant	16.64%
Plumber	
Electrician	
Garbage Collector	
Librarian	
Waiter	
Bus Driver	8.32%

An Indian officer see his colleague steal some jewellery when reporting a burglary in a jewellery shop. Do you think this officer would?

a/ Arrest his colleague for stealing	24.96%
b/ Turn a blind eye pretending that he didn't see anything	49.92%
c/ Will join in and steal jewellery himself just like his colleague	16.64%
d/ He wouldn't react because this is just normal police practice in India	8.32%

The Jewellery Store Owner above suspect that the officers had stolen from his shop so he reports it to their superiors. Do you think (please tick one):

a/ No action will be taken because the senior policeman will always protect his men	
b/ Not only will nothing be done but the senior officer will expect to get a share of the proceeds	
c/ The store owner wouldn't report it because he know that he will get into trouble with the police	41.6%
d/ Even if the senior officer investigate, he won't get anywhere because even honest officers will keep silent and protect their corrupt colleagues	8.32%
e/ Owner will report it and the police department will investigate the complaint fairly and honestly and take appropriate actions against the officer	49.92%

An officer walk into the police station and see that some of his colleagues are beating up a prisoner in order to get a confession. Do you think this officer will (please tick one):

a/ Tell his colleagues to stop as it is illegal	8.32%
b/ Walk out again pretending he didn't see anything	24.96%
c/ Sits down and do his paperwork with a cup of tea because it's just part of everyday life in a police station	58.24%
No response	8.32%

Please indicate below which incidences you would involve the police in the UK verses in India
 1 = Definitely involve police; 2 = May involve police; 3 = Definitely Not involve police

Types of Incidents	If you were in UK	If you were in India
a/ You're a victim of crime (e.g. assault with injury, robbery, burglary)	1(24); 2(0); 3(0)	1(24); 2(0); 3(0)
b/ You're a victim of a minor assault without injury	1(16); 2(8); 3(0)	1(6); 2(14); 3(4)
c/ You witnessed a crime (e.g. assault with injury, robbery, burglary)	1(24); 2(0); 3(0)	1(18); 2(4); 3(2)
d/ Rowdy, noisy youths swearing and shouting in the streets late at night outside your house	1(8); 2(10); 3(6)	1(0); 2(8); 3(16)
e/ A street trader tried to cheat you by charging you more than originally agreed and refuses to give you your change or money back for defective goods	1(12); 2(12); 3(0)	1(0); 2(12); 3(12)
f/ Your next door neighbour threatens to hit you or damages your property in an argument	1(20); 2(4); 3(0)	1(14); 2(10); 3(0)
g/ You're involved in a car accident where the other driver refuses to give you his details	1(24); 2(0); 3(0)	1(18); 2(4); 3(2)
h/ You see a suspicious looking guy hanging around – you suspect that he's up to no good	1(12); 2(10); 3(2)	1(4); 2(16); 3(4)
i/ You see a man smashes a car window in the street and steals a bag from the car and walks off	1(24); 2(0); 3(0)	1(18); 2(4); 3(2)

Total Score: UK :

1(164); 2(44); 3(8). India: 1(102); 2(72); 3(42)

Please circle the person (in each comparison pair) you believe an officer would treat better during a dispute:

Frequency of choices based on 23 responses – No Response (1)

Local government official	56
Wealthy Businessman	48
Factory Worker	20
Brahmin Caste	16
Peasant	14
Scheduled caste	16

Appendix 3.3 Police Survey Results:

Subject:	China	India
Economic reforms and modernisation has impacted policing	82%	74%
Would not be proud if own children become police officers	62%	54%
Satisfied with their job	56%	77%

Subject	China	India
Police would ignore colleague taking bribe	52%	49%
Police would intervene if witness colleague taking bribe	39%	51%
Police would ignore colleagues beating suspects	39%	41%
Police would intervene if witness beatings by colleague on suspect	52%	59%

Who would be favoured in a dispute - China

Who would be favoured in a dispute - India

Government Official	53
Wealthy businessman	45
Factory Worker	36
CCP Member	29
Peasant	16
Migrant Worker	12

Local government official	56
Wealthy Businessman	48
Factory Worker	20
Brahmin Caste	16
Peasant	14
Scheduled caste	16

(China) Who has more say these days in appointing senior officers? Central Government has more say than Local Government these days:

	Agree	Disagree	No Response
Number	38.7%	55.9%	4.3%

(India) who has more say these days in appointing senior officers (e.g. SP and above)?

	State Government	Central Government	Senior Officers	Politicians
Number	48.64%	2.56%	2.56%	46.08%

(India) How happy are you in your work? Most police officers are satisfied in their job because it has high social status and it's a job for life

	Agree	Disagree	No Response
Number	76.80%	23.04%	0%

(China) How happy are you in your work? Most police officers are satisfied in their job because it has high social status and it's a job for life

	Agree	Disagree	No Response
Number	43%	55.9%	

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