Soft Skills for Enforcing a Prolonged COVID Lockdown

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It still seems more fiction than fact: a near apocalypse caused not by a nuclear winter in the aftermath of a showdown between superpowers, but by a ‘pseudo-organism’. As scientists race to find a vaccine and accurate diagnostic tests, the global economy is on its knees; the world’s mightiest nations are powerless in this asymmetric contest with a sub-microscopic adversary that has spread across continents faster than any wildfire. Nation after nation has pulled up the drawbridge to travellers, international trade is at a standstill with over 200,000 fatalities worldwide since the pandemic spread from Wuhan (Hubei Province), People’s Republic of China, several months ago. The world is unlikely to be the same again, whether in terms of geopolitical balance, the global economy, or even a consumption-centred lifestyle that had threatened to aggravate destructive trends like climate change.

In India, as in many other countries, the Union government had ordered a national lockdown in end-March 2020 so as to prevent community spread of the pandemic. Overnight the police were tasked to enforce unprecedented restrictions that closed down the functioning of most of the economy, and has affected the lives of all citizens, whether billionaire or pauper. Without any precedents, this policing role has no SOPs, training manuals, or good practices to guide personnel on the ground. The closest approximation to this is a curfew, which is limited in time and space (the security lockdown in J&K is an exception). The traditional role of the police is primarily prevention and detection of crime and maintenance of public order. Though the police continue to be protectors of the public – this time it is not against criminals or terrorists but a deadly health hazard. This change in role has caused confusion not just in India but worldwide, and the police can only learn-on-the-job.
Sections of the public across the world have defied restrictions as infringing on individual liberties since isolation is against human nature. Others have alleged that such draconian measures are an unacceptable police state or ‘raj’. Questions are being asked as to when the police should intervene against lockdown violators, and what the limits to police authority are. In Israel 1000 people were fined for going 100 metres from their homes, in Australia people sitting alone drinking coffee were threatened with jail, In Kenya passengers waiting at a ferry terminal were teargassed and baton charged. In several countries the army was called to assist in enforcing the lockdown and ordered to act harshly against violators. In UK, Chief Constables had to brief their forces not to over-react if people were going for exercise alone or with another family member, and to use “common-sense”. In the US where police departments are liable for damages for abuse of authority, some states are only issuing verbal and written warnings for violation of lockdown orders. In most countries where police are enforcing a lockdown, the public are complaining that there is no consistency in the exercise of authority. In India, hundreds of police personnel have tested COVID positive, exposed to the infection in the line-of-duty; sadly several have succumbed. Others have been severely injured when attacked by aggressive lockdown violators. When everyone else is asked to stay safe at home with their families, COVID warriors in Khaki have patrolled the streets to enforce the lockdown policy. Most states have now tried to provide enough PPE to police on field duty. Cases have been reported of excessive use of force and harassment, but there are hundreds if not thousands of cases across India where police personnel at all levels have displayed compassion above and beyond the call of duty. This was acknowledged by the PM in Mann ki Baat (April 26th) who said, “the human and sensitive side of policing ... has touched our hearts”.

India currently has over 35,000 detected cases of COVID infection so far and over 1000 deaths. In the US where many states have refused to enforce the lockdown almost 60,000 have died. Some experts believe that we have been able to avoid the stage of community spread and consequent far higher rates of infection because the national lockdown has contained the disease.
What are the methods that the police used to effectively enforce the lockdown in the past month? Lakhs of cases have been registered in many states under authority provided by the Disaster Management Act, Epidemic Act, and Indian Penal Code (IPC). Thousands of vehicles were seized. A former DGP of UP has contested in a petition to the Supreme Court as to whether the police can suo moto register such cases. Some local authorities have empowered the police to take legal action against those not taking precautions like using face masks. The Kerala Police have used an innovative legal approach – using IPC provisions to send those wilfully violating the lockdown to 14 days quarantine.

There are some in India who believe that our society is so undisciplined that only the ‘danda’ works! And that the police should use force as required against lockdown violators who endanger public health. It is true that the police can legally use appropriate force against gatherings that violate prohibitory orders. It is less certain whether it can be used against individuals who may be out for a walk/drive or shopping for essentials. In fact, there are health risks to police officers themselves to be proximate to large gatherings or individuals in the present situation. Physical contact and even arrest should therefore be used only as a last resort.

If the lockdown is to be prolonged even in a modified form, this approach to enforcement may need to be reviewed. 1.3 billion Indians are not the adversary, and even all those violating the lockdown are not criminals. There are grounds to consider using ‘soft skills’ in case the police remain the main instrument to enforce a continued lockdown.

At the leadership level soft skills would require practical planning that takes account of local conditions, an ability to adapt to a fluid situations with many ‘unknowns’, repeated briefings to, and regular review of actions of, personnel while incorporating their feedback, networking with other concerned departments, and wide outreach to the community with easy channels of access to resolve problems or address grievances.
At ground level, persuasion through creative public communication and regularly engaging with community leaders is essential. Also combating rumours/fake news by credible media briefings. Technology can make life easier for the ordinary public who have genuine needs e.g., e-passes for unavoidable travel. Some districts have used technology as an effective surveillance device for those quarantined- though here privacy concerns need to be taken into account. Similarly, with approvals from competent authority, bulk data analysis can used as a first step for network analysis and contact tracing of suspected COVID patients.

These are situations where the policeman on the spot may have to decide whether to take action against those apparently violating the lockdown. There can be no black-and-white guidelines. The general principle remains that the public is not the enemy, the virus is. It is only when there is a threat to health of the individual or to the public that intervention is called for. As far as possible compassion must guide these decisions, and courtesy be the hallmark in interacting with the public. Most people who are not criminals can be persuaded by effective communication if it appeals to self-interest and public good.

No one knows whether the lockdown will be lifted soon; there are concerns that if lifted prematurely there could be a second wave of infections. On the other hand, if extended, public violations may increase and even ‘lockdown crimes’ may be committed by criminals taking advantage of the situation. Even a gradual relaxation will call for a different approach since the policeman on the ground will have to exercise more judgment. It is because of such complexity that better results can be achieved by closer consultation with community leaders so that a balance is achieved that optimises the objective of containing the spread of infection and minimises public hardship. This approach will also mitigate allegations of misuse of authority by the police.

The many community outreach by the police in their respective areas of jurisdiction in the first phase of lockdown could be a beginning for such a changed police-public relationship. The police image in India is marred by its colonial legacy being seen of
the police as a “brutal, corrupt and incompetent” instrument of the rulers, not concerned with providing service to the ordinary citizen. However modern policing is based on ‘consent of the public’ and community support. This crisis could be the first step to achieve the aspirations of a police transformation that would match the needs of contemporary India. Each policeman or policewoman on the ground can help or mar this effort by their actions during this crisis.

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