



Patterns of Violations among Police and their Impact on Policing in District Swat, Khyber Pakhtunkhwa, Pakistan: A Sociological Analysis

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Abstract

This research study explores different patterns of violations among Police and their impact on policing in Swat, Khyber Pakhtunkhwa, Pakistan. The study employs qualitative methodologies, utilizing interviews and observations to get a detailed narrative of the police working environment. The data was collected from 28 police personnel of different scales to understand the issue coherently and logically. The field data show that many Police deviate from the expected pattern that hampers their effective service. Among the various violations of the Police, Thana culture, irregularity in the First Information Report (FIR) registration, and Police and criminal nexuses are the most potent. The study recommends that there is a need to arrange different counseling sessions on an annual basis to create awareness among Police about their job description, job integrity, and professional ethics. Other programs and schemes shall be launched in the police department to ensure monitoring incentives to resolve the issue and control the Police.

Keywords: Criminals, FIRs, Khyber Pakhtunkhwa, Nexus, Thana Culture, Policing, Swat, Violations

Introduction

Authorities in different positions in government machinery present a pretty good picture of the Police in Pakistan (Suddle, 2007). However, such reports given by several experts in Pakistan look contrary to public expectations from the Police (Akhtar, Rafiq, Asif, Saeed, & Kashif, 2012). It is claimed that Police are deviating from the police rules and the standard of due process (Abbas, 2011). This situation creates a Police phobia among people, and in many cases, people feel insecure in their presence (Waseem, 2024). Therefore, the Police have a bad reputation due to their distinctive culture (Abbas, 2011). It is evident in "Thana culture," where many of the Police are perceived as corrupt and incompetent and have been found indulging in irregularities and violations (Shabbir, Malik, Hussain, & Dad, 2018).

This negative tendency of the Police primarily creates a trust deficit, a low-level sense of ownership, and a lack of cooperation between the Police and the community. Further, the issue of trust between the Police and community members is very high. In many cases, people try not to call the Police for any incidents in the surroundings (Nadeem, 2002). Moreover, instances of different police rule violations, such as harassment, brutality, discourtesy, and verbal abuse, have been found as routinized patterns of Police and policing. According to Hepworth (1980), Police learn all these violations and negative tendencies from their colleagues, as reflected in the social learning theories. For example, many police personnel misuse their authority and exploit ordinary people, providing opportunities for irregularities and a ground for its justification (Savitz, 1970). Likewise, police out-of-way activities, such as disobedience of the state's law and neglect of duty, are some of the patterns internalized and institutionalized in their subculture (Alpert and Dunham, 1997).

All the mentioned patterns of their distinctive culture and manipulated construct of out-of-way activities and non-conformity have been increased among Police (Javaid, 2010). The stance is unveiled and supported by Transparency International's Global Corruption Barometer (2011), where the Police are among the most corrupt departments in Pakistan, and corruption is one of the most alarming issues among police officers. This glaring issue is also raised by Javid (2017), who claimed that the Police use different means, methods, and channels to generate wealth through illegal activities (Javaid, 2017). Consequently, all these activities lead to extrajudicial killing, target killing, and human rights violations (Abbas, 2011). The existing literature reflects a great variety of the same situations that show the indulgence of Police in different illegal activities.

What is the nature of the prevailing practices of the different patterns of violations in various police stations in the research area? What are the contents and context of out-of-way activities? And, what is the impact of all these activities on police culture and their performances? These are some of the questions that this paper seeks answers to the underperformance of Police. This research paper attempts to pinpoint different patterns of violations among Police and their impact on policing in District Swat, Khyber Pakhtunkhwa, Pakistan.

Methodology

A qualitative research study approach has been adopted. The data is collected through in-depth interviews with the help of purposive sampling. This research study focuses on the experiences, feelings, and perceptions of the community members as first-hand respondents to ensure validity and reliability. According to Creswell (2007), narrative analysis is used when informants are willing to share their stories. The data has been collected (with the help of an interview guide) from a sample of 28 respondents. Data has been collected through in-depth interviews. Interviews were audio-recorded with the consent of the research participants. Confidentiality has been ensured through pseudo-naming. After all, various themes and sub-themes were developed based on field data. Data has been analyzed to explore all the possible dimensions of the problem. The data has been analyzed with the help of thematic analysis.

Results and Discussion

The data has been analyzed with the help of thematic analysis. Themes emerged from field information, which helped to explore various factors affecting policing concerning public understanding. Below are the most prevalent factors the researchers found and have been affecting policing in the research area. The dimensions and patterns mentioned in this paper may not fully cover the whole range of out-of-way activities in Khyber Pakhtunkhwa, as the data is

collected in district Swat. Though several themes were identified from the data, this paper discusses the most significant themes repeatedly discussed during fieldwork.

Thana Culture and its Impact on Policing

Thana culture is a distinctive feature and set of activities associated with the Police and their services. The social construct of Thana culture and its relative activities are mostly contradictory to police regulations, un-codified, socially shared, and accepted as legitimate norms that have evolved over a long time. The manipulated reality of the working environment of "Thana culture" is devised in manners where the majority of the Police are deviating from the expected norms of the due process. In Pakistan, whenever the Police probe a case transparently, the 'Thana culture' blocks the way of Police and affects their performance. This culture does not allow the Police to perform objectively and dispassionately. In this culture, they mostly manipulate the power and authority for their interest. In this regard, the concept that power corrupts and absolute power corrupts absolutely can be applied to the Police and 'Thana culture' in Khyber Pakhtunkhwa, Pakistan. Thana culture is a landmark notion that causes Police to go against police rules. It is reflected in the field and narrated by one of the media persons in the following words.

"Police in many contexts go against police rules, and many of their activities are contrary to the job descriptions and the due process of policing."

The initiatives of different governments, such as Community-Oriented Policing, Information and Communications Technology (ICT), Dispute Resolution Councils (DRCs), and the Police Act 2017, have not been implemented in true spirit. This situation enormously influences police operational capabilities, and the public sees them as oppressive and suppressive agents (Nawab, Hussain, Bilal, & Ishaq, 2020). This culture is promoted by factors like low literacy and the influence of politically potent individuals. Thana culture's impact has negatively affected police efficiency and service delivery. In this regard, one of the participants, an advocate, shared his views in the following words:

"In the history of this province, the police service delivery has been affected by the British legacy, whose power imposition and exploitation tactics are still present in many of the police stations and Thanas. Suppose the police services can easily be bought and sold by political influence and money at the local Thana level. How can one expect and think about justice and equality at the level of police stations?"

Because of Thana culture's prevalence in the study area and throughout the province and country, one individual commits a crime, but punishment is given to another, mainly the innocent. The study findings show that members of the Provincial Assembly (MPAs), Members of the National Assembly (MNAs), and many others as key figures in the area are involved in many criminal activities. Still, many of them are then protected by the political party heads. In this way, cases of the exact nature are reported hundreds of times daily.

Pakistan is a signatory to the International Covenant on Civil and Political Rights, and Pakistani authorities must ensure fundamental human rights throughout Pakistan. The convention states that if the people's fundamental rights are not protected, the state will work to protect them. Articles No. 2(3), 6, 7, 9, 19, 22, and 26 of the constitution of Pakistan ensure equality before the law. These articles also protect from illogical arrest and detention, ill-treatment and torture, violation of the right to life and freedom of expression, association, and peaceful assembly. Many of the Police work against the rules given in the constitution of Pakistan. In light of this

issue, one of the participants, the chairman of the Dispute Resolution Council (DRC), explained the problem in his words:

"Police misconduct, brutality, inhuman treatment of the public, and extrajudicial killing have become the routine of Pakistani Police. Such issues have become part of the Thana culture, further creating mistrust and insecurity for locals. Thus, the Police have adopted the most frightening, torturing, and least trusted form in Pakistani society. In our routine, we often hear and read different stories in electronic and printed media regarding police brutality and violence. In addition, many of the Police personnel are reportedly being found in public torturing in custody and lockup, target killing, and extrajudicial killing of the innocent citizens".

The study findings show that this is not merely an issue of Pakistani Police. Instead, it is also observed more in Israeli Police (Herzog, 2000). Similarly, Lersch et al. (2000) research findings have also unveiled police brutality and argued that all these issues led to negative association and stigmatization of police departments. Thereafter, many strategies have been forwarded by the researchers to present and develop a soft image of the Police. One of the strategies, as presented by Steffensmeier (1979), is the induction and presence of women among the different police stations, which is the alternate strategy to minimize police violence and to ensure control among police personnel. Due to "Thana culture," other forms of violence, ranging from verbal to physical and sometimes sexual violence, have been accepted and have been perceived in different police stations in our province. All these possibilities hint toward the violations of police personnel and contrast with the due process. The people are very concerned about these possibilities and believe the Police treated them disgracefully at different police posts and checkpoints. The security checkpoints have been observed as the place of severe torture and discomfort. As it was pointed out by one of the research participants in the following words:

"In fact, in our Pakhun society, the Police are fully aware of the core values of Pashtunwali. Despite this, many of the police personnel go against the normative order and try to torture and humiliate the locals during their duty at different checkpoints. They even treat the people in a very disgraceful way".

Due to this scenario, the importance of Police as security agents decreases daily in the research area. It results in a suffocating and disoriented environment, and many of the people feel themselves in a vulnerable position. The public narrative shows a bleak scenario and claims the Police are a turbulent and violent force instead of security agents. So, in Pakistan and especially the researched area, the mechanism of Thana culture has been designed in a way to terrorize and pressurize the people, not to protect them. This is why many people in the area hardly trust the Police and try to avoid them and do not call them even in an emergency. Further, these distinctive features of the Police make them deviate from the defined police rule and encourage them to commit many violations in the local area. It is unveiled in the field that police proceedings are guided and directed by "Thana culture," where Police deviate from the established pattern of due policing. Because of the mentioned police rule violations, the police force loses its integrity, public acceptance, and effective service delivery.

Violation in Lanching of FIRs

The First Information Report (FIR) is a primary document that guides criminal and civil proceedings and records the victim's side or the victim's story. Therefore, it is an essential document as per Section 154 of the Criminal Procedure Code of Pakistan (CRPC), and the Police personnel have to register all the relevant complaints of non-cognizable offenses. However, in

Pakistan, people have faced several problems while lodging their FIRs in the police station. At the very initial stage of FIR registration, Police deviate from the expected patterns and use different techniques and methods that violate the due process of policing. The issue has been discussed with varying participants of research, and among them, one of the participants, a lawyer, commented in his words:

"Many police officers used to refuse to lodge the "FIR" and provide the justification that the case does not come in their jurisdiction. These illogical excuses of the Police in FIR lodging make the victims worried and increase their miseries in the police stations. Most probably, in some cases, the Police feel reluctance in lodging the FIR if it is against some wealthy or influential people of the society".

In the Pakistani context, and especially the researched area, the Police misuse their authority and make demands of money and bribery for lodging FIRs. As a result, the locals face disrespectful treatment from police officers in different forms. The out-of-way approach is mingled in the police culture and leads to distrust among the public and Police. This dilemma speaks volumes about the various patterns of violations among Police. Regarding the issue, one of the journalists presented the problem in his words:

"If an individual comes to the local police station to register FIR. Police personnel generally seek the approval of politicians when lodging and registering FIRs. They face difficulties and sometimes bear severe consequences when they lodge FIR without getting permission from local politicians."

In the Pakistani context, the Police are legally bound to register FIRs without any discrimination. However, because of cultural dominancy, the Police are reluctant and make different excuses while lodging FIRs against the elites or influential members of the society. This political involvement further deteriorates the legal proceedings and activities the police deal with in their routine. The phenomenon of political interference has been deeply rooted in the administrative setup of the police department. Police, in many cases, serve political patronage that reflects a deviation from their job integrity and police professionalism. This issue was highlighted by many of the participants during field visits and data collection. Among those, one of the participants, a journalist, argued in the following words:

"In Pakistan, the Police don't follow the defined police rule and procedural justice system; they only serve the interests of local politicians. The majority of the Police in high positions only want to get political favor as a mirage of convenience that devalues Police in respect of their services".

Resultantly, people avoid the police stations of their miseries and conflicts due to the complicated nature of FIR registration. Respectfully, it is difficult for the public to file a complaint against their miseries and criminal incidences. Many people opined negatively about Police and policing and highlighted these issues and challenges as barriers to effective policing. Furthermore, the said issues were linked by different stakeholders as the violations of formally enacted rules of policing. In this regard, one of the participants, a community member, shared his views as under:

"In many cases, you will be on the right side, but you have to pay money to the Police for lodging an FIR in local police stations."

Without such bribes and monetary incentives, it becomes challenging to lodge an FIR at the local police station. In our country, Pakistan, many people do not know about their rights and police responsibilities. It is because of this ignorance many police personnel are found indulging in out-of-way activities while lodging FIRs. Resultantly, because of such police rule violations, the Police have a weak reputation and a bad image in their social circle. But the other way around, the Police have their narrative about this issue. According to the Police, in most cases, people tell lies when coming to the police stations to lodge FIR. And then, Police do not take it seriously due to the misinformation because it is difficult to prove it during the investigation.

Although the KP government has taken many steps to make the Police an accountable and available force of 7/24 and has started an online FIR facility, people face problems due to the complicated nature of the process. Many people are computer illiterate, and it is difficult for them to write in English. Therefore, the local public is ignorant and has little knowledge and information about the procedure for FIR registration. The different patterns and techniques adopted by Police while lodging FIRs show messy affairs of police indulgence in various harmful activities. It is hard to control this entire pattern among the police personnel.

Along with this, people also perceive them all as the most ignorant, deviant, and criminal segment of our society instead of security agents. The public, in most cases, is embarrassed in the presence of the Police and perceives them as oppressors and suppressors of their rights instead of as security agents. Several community members showed grief and concern about the different patterns of police deviancy and criminality in various colors in the registration of FIR. On the one hand, it shows the messy affairs of the police force, while on the other hand, these activities widen the gap between the Police and the public while influencing their services.

Police and Criminals Nexus

The study findings show that many police personnel are closely related to the area's local criminals. Among these criminals, many are drug peddlers, smugglers, car lifters, and abductors for ransom. Along with police involvement in illegal activities, taking money and bribes, visiting the Hujras of local politicians and influential people in the nearby area, and having relationships with criminals, smugglers, abductors, and killers are some of the examples of their police rule violations. In this way, many of the criminals get the protection and support of the Police. Similarly, the craze for money and many other backdoor benefits are the main motto behind such activities. One of the Dispute Resolution Council (chairpersons) shared his views in the following paras:

"The presence of criminals in the local area is considered a rich source of the Police personnel to generate wealth easily. For the sake of a few pennies, Police extend their support to the local criminals in illegal activities like smuggling of Chars, heroin, lethal weapons, hashish, and many other things. When the Police go out of their police stations for routine Gash or search of the culprits, the culprits are informed in advance to vacate their places and move to the safe area".

The study findings show that many police officers and constables are involved in illegal activities, such as informing the local criminals and getting incentives and rewards from them. This situation has negatively impacted the soft image of the Police in the public and their service delivery to a greater extent. It is a routine in the study area that whenever the Police visit the Hujras of Khans and Maliks or influential people, they are treated better and presented with heavy lunch, dinner, and even precious gifts. It has created a strong relationship and network

between the Police and criminals. It is because of these reasons and ground realities the Police are weak and unable to chase the local criminals, smugglers, and killers. In light of this issue, one of the participants, a community member, presented his stance in the following words:

"When the Police are involved in such illegal ways, how can they control the criminality in their surrounding? The benefit of their relationship with criminals is that they take a Batta (amount of money they take in intervals from the wrongdoers) from the offenders or wrongdoers. In response, they allow them for all kinds of criminality or illegal activities what they want without any fear".

Today, the police desire to accumulate money has been increasing among the police force. Therefore, many police personnel have relationships with local gangsters and criminals to get money. However, all the Police do not have such a mindset and tendency to make relationships with the local criminals. However, many Police officers are being found in these illegal activities. Similarly, the study findings indicate that many community members are sure that most of the illicit activities occurring in the area are because of the close relationship between the Police and local criminals. It is essential to point out that due to a lack of accountability and transparency, Police brutality and deviation from their due rules are increasing day by day. In this way, many times, the criminality cases of Police are projected in print, electronic, and mainly social media. During the fieldwork, it was reported that Police personnel throughout Pakistan are found involved in different illegal activities, such as burglary, abduction for ransom, smuggling, and lifting of cars, and extrajudicial and target killing of the innocent (Noor, 2009). It is evident in the field data that most respondents showed grief and concern about these issues. In light of these out-of-way activities, one of the research participants, a media person, shared his views:

"It is my routine observation that local people of the area feel themselves insecure in the presence of Police. It is because the Police do not perform their duties. Rather, many of them take an interest in developing relationships with criminals. As a result, the Police are considered as one of the corrupt and non-serious institutions in the country, Pakistan".

The study results also show that there are various factors responsible for the deviation of Police from their job description. Among these, the decline of moral and religious influence is typical. Similarly, lack of transparency and accountability also intensify the patterns of violations among Police in different positions. Moreover, the unbridled desires of the Police compel them to commit crimes. In Pakistan, Police are considered legal criminals who mostly commit crimes to take backdoor benefits. Police in Pakistan are deviating from their responsibilities and job descriptions due to the availability of different opportunities, a temptation from criminal hands. As it is responded a (district Nazim):

"The very structure of the Police department makes them compelled and inclined to commit crimes for their benefit. These benefits of the Police are materialized when there is chaos and unrest in society. The Police mostly scapegoat the innocent members of the society to justify their presence and position as agents of the normalcy of the situation and ensuring peace in the society".

These were the study findings and field observations, in which many participants highlighted the issue in their own words and views. Among those, one participant, a media person, elaborated on the issue in his words:

"In many situations, I have observed the Police deviating from the police rule and supporting the wrongdoers. These are the reasons that mostly distort the soft image of Police personnel in our society and negatively affect their service delivery".

Police are liable to ensure law and order under police rules and regulations, and strict adherence to these regulations promotes the ethos of professionalism and effective service delivery. Any deviation from the expected patterns further aggravates the sanctity of their job integrity and leads to police indulgence in crime and criminal tendencies. In this connection, the Police indulged in many harmful activities that caused distrust between the public and the Police. In many situations, ordinary people feel uncomfortable in front of the Police. The issue was supported by another journalist, in his words:

"In our local area, I have observed many Police officers who are usually involved in the smuggling of NCP vehicles. They misuse their authority and use such tactics of rules violations for accumulating money and serve their interests".

In light of the said issues, some Police are indulging in different irregularities, such as smuggling and car lifting. Additionally, in Pakistan, and especially in the research area, there is a marriage of convenience between the Police and criminals. They both strongly support one another as per the needs of the situation. In this regard, one of the participants, a local journalist, believed:

"Whenever the incidents of criminality are reported in the nearby surroundings, in the majority of them, Police are being involved. However, few or none of them are convicted and punished."

These instances further intensify the worries of the public regarding the Police in Pakistan. It has been observed in the field that Police personnel have a close network with criminals and never want peace and normalcy in society. This nexus between the Police officers and the criminals speaks volumes that they use in different situations for their benefit. The local people in the research area perceive the Police as an alternative to the barbaric segment. People often avoid the Police due to their perceived, observed, and experienced images. These and many other reasons have distorted the image of Police and put a question mark on their service delivery and performance in the study area.

Conclusion

The wave of militancy-hit district Swat and similar repercussions have been witnessed in the near past. It results in turmoil and insecurity, and the locals feel insecure due to the worsening law and order situation. And resultantly, the security situation has worsened due to multiple challenges. The said issue yields a lousy reputation of the Police due to their structural and functional aspects. In the region, Police are considered an alternative to the violent segment. Many people in the research area opined that police distinctive features of 'Thana culture' along with other proceedings, police behavior, and their network of relations with criminals, intensify public security concerns. Most importantly, the public feels uneasy in the presence of the Police due to their out-of-context and context activities. Due to this bleak scenario, there is a question mark over Police performance if they are personally involved in criminal activities.

Police go against the defined rules and regulations as institutionalized in police rule. This violation of the police rule is usually observed in the form of Thana culture, which is mainly used to terrorize and pressure the local people in Pakistani society. Most public opinion goes against the Police efficiency and effectiveness in the study area. Similarly, in many situations, this culture makes the Police unable to integrate themselves with the defined police rule and perform their duty effectively.

At the initial stage of FIR registration, the Police deviate from the expected patterns and use different techniques and methods that violate the due process of policing. However, because of certain factors like the influence of culture and relational bonds, Police are reluctant to process complaints if the complaints are against the influential or wealthy class of society. Similarly, local politicians' social and political interference also weakens police performance, service delivery, and legal proceedings. The phenomenon of political interference has been associated with the very structure of Pakistani society and the administrative setup of the police department. The close relationship of the Police with criminal groups is usually observed in many situations, as the study findings indicate. The study results show that throughout Pakistan, the Police do not like normalcy and peace. Instead, they are happy and mostly enjoy it whenever disturbance and social unrest occur. The local people in the research area perceive the Police as an alternative to the barbaric segment. People often avoid the Police due to their perceived, observed, and experienced images. The findings also show that multiple incidents and cases of looting, firing, creating mayhem, and killing are reported in routine. However, the police force cannot respond positively and address all such issues effectively.

Suggestions and Recommendations

The government has taken many steps to reform Police and policing at various times, but all these reforms don't show effective results. There is an entire need to develop the physical, social, and super infrastructure of the Police according to the current dynamic and challenges. Therefore, it is recommended to arrange different counseling sessions annually to create awareness among Police about their job description, integrity, and professional ethics. Other programs and schemes shall be launched in the police department to ensure monitoring incentives to resolve the issue and control the controlling agency. A substantial reward and punishment mechanism is also needed to make them public-friendly regarding their services and related challenges.

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