
UNIT 3 URBAN LAW AND ORDER

Structure

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3.1 INTRODUCTION

Urban space is not just what is produced by planning, architecture and landscaping, it is also a social product, the end result of a series of negotiations between the State and its people. The post-1857 moment of British entry into town-planning in colonial India was to exercise social control, whereby civic planning was a reuse to re-establish order – through public architecture, sanitary regimes, and regulation of communication networks. Calcutta shows how their existed on-going conflicts between the residents of the city and the municipality over the disposal of privy waste. The urban visions of technocrats and planners have been historically thwarted in South Asia by those very people against whom these ideas were aimed.

After reading unit, we will able to:

- Discuss urban spaces and law order problems
- Analyse urban disorder and safety and security problem
- Describe urban revitalization to improve law and order
- Discuss urban governance and maintenance of law and order for safety and security

3.2 URBAN SPACES AND LAW AND ORDER PROBLEMS-AN OVERVIEW

Urban spaces are nodes of high population density. Diverse populations may live in close proximity to each other, at times contributing to inter-group and cross-class tensions. Housing and areas of commercial activity are often located near each other in vertical spaces with limited outside access. High population density places substantial demands on transportation corridors but also opens up the possibility of developing mass transit systems to quickly and efficiently move populations between different parts of the urban area.

Secondly, cities are sites of substantial commerce and economic competition that contributes to greater economic and social opportunities as well as to crime and inter-group tensions. High density in population creates a market for the masses such as sporting events and cultural presentations, which are difficult to

fit in within the non-urban areas. Since there is a high demand for common space in those places, urban areas often sets aside designated public areas, such as markets or parks for leisure activities and economic transactions.

Thirdly, urban environments contribute to different types of policing challenges. The high level of disparity present in urban milieu creates competition and could contribute to collective violence. Opportunities for different forms of crime dilute the class differences. Intensive commerce and trade can also contribute to crime and enhancing the problems in urban areas. The presence of banks and other sites for securing cash and valuables can lead to large and small-scale robberies.

Fourthly, cities are major centres of national political life and protests can turn into riots during difficult times. Urban areas can be contrasted to suburban and rural areas, which have considerably less density of population and generally a lower concentration of economic activity.

Fourthly, there are many other challenges facing the governments and police forces in big cities. The Government functionaries and police forces in these cities are less familiar with and have less access to the majority of the population and the urban areas as compared to the police forces in the developed nations. The resulting provision of informal services substantially transforms the system of governance from that which is expected in cities.

Fifthly, the megacities pose specific challenges for governance and policing. At one level, the local administrations often have limited knowledge about the extent of a particular urban structure. In some cases, there are no comprehensive street maps and it becomes cumbersome to actually draw such maps or for the city to acquire a thorough knowledge of the urban terrain. Many of the megacities comprise a series of municipalities and suburban areas that have grown into one large urban zone. This can create substantial difficulties in creating solutions for the whole region since the area will comprise several local governments, perhaps with divergent political directions and different needs and resource levels. Despite such differences, the areas may share related security challenges but be unable to work together to solve them.

Finally, these cities may face unconstrained growth and expansion, which would overstretch their ability to cope with geographic, structural and geological challenges. The result can be an accumulation of excessive waste or such a high demand for housing or transport. In such situation, planners and police may appear to face insurmountable obstacles in delivering security and other basic services.

Building links between police and other government institutions is critical to developing new and innovative strategies of crime control. Such links are needed to incorporate security concerns into wider governance efforts. They also enable police and government officials to build effective relationships with the population in order to better guarantee security and ensure both order and respect for the rights of citizens.

The list below includes some of the main challenges of law and order in cities:

- Order maintained by informal local structures
- Conflict over resources

- Illegal provision of basic urban services
- Informalisation of city spaces and services
- High levels of absolute deprivation
- High levels of tension between wealthy and poor
- Police are targets of terrorism and political violence

3.3 CHALLENGES OF URBAN LAW AND ORDER

One of the basic challenges facing authorities maintaining law and order does not possess a thorough knowledge of the urban terrain. Rapid and irregular urban expansion has created entire regions within cities that might not be mapped and that follow complex and often disordered street patterns. Rapid construction projects can close off previously passable streets, and create unstable buildings that may collapse and change the layout of the area. Natural and man-made disasters, such as floods and mudslides, can destroy entire neighbourhoods and reorganise urban space. In addition, infrastructure may be of poor quality.

The narrowness of streets and closeness of buildings may also make it hard for police to tactically appraise areas and may limit the ability of strategic decision makers to apply policies effectively. Operating in such areas is especially difficult since there are usually no accurate addresses or ways for police to access them without substantial local cooperation. Usually, the criminals operating in them will be more familiar with the areas and will have stronger personal relationships with individuals in the area than will the police seeking to control criminal activity. In addition, if the government is not effective in maintaining high-quality infrastructure, it will also generally not have an accurate picture of criminal activities in a specific area. The density of urban space and the variety of criminal activities that might occur in a specific area make tracking crime difficult. In situations where governments have trouble keeping up with the structure of neighbourhoods, they will have greater problems knowing where and at what rate crimes occur. All of this makes developing effective crime control strategies difficult, especially in the neighbourhoods most in need of better crime control.

Planned communities also create challenges for police. Police increasingly face substantial challenges in managing urban space within gated communities. The privatisation of space and the difficulty police face in gaining access to private space can make law enforcement particularly challenging. Without direct access to certain parts of the city, police may depend on the assistance of private security forces. Private security guards and firms may abuse the law and crime suspects in the areas for which they have responsibility.

The various challenges include:

- Few accurate maps available; irregular and inconsistent streets; poor quality of infrastructure
- Reluctance to work with police and vice versa; lack of mutual trust essential for building better public safety strategies
- Lack of data on crime in many regions
- Existence of gated communities and private protection services, which limit access by law-enforcement entities

- Irregular transportation services (informal collective transportation services)
- Poverty and economic and social exclusion of large portions of the population
- Rich and poor resorting to self-management of neighbourhoods in a governing system that is ill-functioning

In these sessions you have read about the urban disorder and challenges of law and order and now you will be able the answer the questions given in *Check Your Progress 1*

Check Your Progress 1

Note: a) Write your answer in about 50 words.

b) Check your answer with possible answers given at the end of the unit.

1) What are the main challenges of law and order in urban india?

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2) How planned communities create challenges for policing?

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3.4 URBAN REVITALISATION MEASURES TO IMPROVE LAW AND ORDER

At the heart of a secure urban space is good design that minimises the risks facing individuals and increases the flow of citizens through the city. However, ensuring that ongoing collective observation will help to control crime and thus reduce law and order expenditures. The ideas underlying this new approach to urbanism have been extensively applied in contemporary policing in North America, Europe and some parts of Asia. In seeking to restructure communities and cities to create a greater degree of safety; architects, landscape designers and police have developed the concept of “defensive/ defensible space”. This strategy was pioneered by a United States-based city planner who had noticed that in the rising urban violence of the 1960s, neighbourhoods that had managed space in particular ways had significantly lower crime rates than other areas. The approach suggests that individuals maintain basic order and security in spaces towards which they feel ownership. If individuals feel disconnected from a space they will let it fall into disrepair and crime may rise. At a certain point, however, if too many individuals have a voice regarding what will happen with a space no one will invest in taking care of it. This approach argues that people feel they

have a right to and responsibility for a particular place if it is shared by many. Thus, securing a space requires that people living in the area are committed to making it safe.

Building on this underlying concept, security in a particular residential neighbourhood could be achieved by following certain strategies in organising the area.

First, neighbourhoods need to have some form of access control. This is often interpreted to mean creating gated streets even if the gates are not guarded. At another level, it simply means that a street is to be frequented by a relatively limited number of people. A thorough street can attract additional foot traffic that may encourage crime under some circumstances and discourage it under others. Controlling crime often involves, therefore, a collaborative management of space that brings together local residents and other users of that space, with city planners, elected officials and police to develop strategies that effectively manage that space.

Second, promoting a defensive space means promoting forms of natural surveillance. In this approach, police and planners think about how to structure space so as to ensure that individuals can watch the space during their normal routines and thus discourage crime.

Third, reinforcing a space can entail the use of mechanical devices to make crime less likely and the creation of organisational structures such as community oversight boards to organise efforts to control disorder. Space management or defensive space approaches have also supported the planning of parks and buildings to discourage illegal activity through such means as growing hedges in ways that minimise cover for criminals or providing proper street lighting to promote pedestrian security.

The key is to integrate law enforcement and planning practices into an understanding of local uses of particular spaces and to use that understanding to develop case specific police strategies. In collaboration with communities, police should be involved in planning, and planners should contribute to security discussions aimed at developing environmental security programmes that work to resolve the particular challenges.

There is no straightforward recipe to solve the problems. Rather, controlling crime through design involves the effective integration of planning, police and community representatives in developing effective security and space policies to protect basic rights and control crime.

3.4.1 Crime Prevention through Environmental Design

Over time, urban design concepts such as defensive space have evolved into a more comprehensive planning approach to using building and design to control crime, known as crime prevention through environmental design. The approach is broad and contains many variants but follows six basic principles that derive from earlier approaches.

Natural surveillance: Space needs to be built in such a way as to promote passive observation. This includes creating opportunities for individuals frequenting the neighbourhood to watch the goings-on and removing covers that can contribute to criminal activity.

Access management and natural access control: Neighbourhoods and other urban spaces need to be built to control access to them and to limit the possibility of entrance by criminals. At the most basic level, this could mean installing gates, more broadly, however, it could mean shaping city regions so that criminals have difficulty entering those regions or escaping from them after committing a crime.

Territorial reinforcement: This element of the approach suggests that buildings and space need to be made safer by creating a sense of ownership. When individuals feel no responsibility towards a place, as noted above, they are more likely to let it fall into disarray or simply not pay attention to it. At the same time, however, a space separated from the street by high walls can create the risk that individuals will just only take care of themselves and not think of the broader community. Furthermore, high walls and barriers can create additional risks by isolating public thoroughfares and keeping them from view. To prevent this and even foster a sense of ownership of public space, territorial reinforcement seeks to increase ownership of places by strategically using porches, low fences and sparse hedges to demarcate property and at the same time link it to the neighbourhood.

Physical maintenance: Police and other stakeholders seek to maintain the overall structure of the neighbourhood, reducing litter and other sources of disorder in the community. This will encourage area groups to maintain the quality of dwellings and other features that increase the safety of and respect for the area.

Target hardening: In order to increase neighbourhood security, individual residents and business owners need to proactively secure their homes and belongings. This involves a comprehensive effort, for example to ensure that good locks are installed on doors and that windows cannot be opened from the outside.

Minimising disorder and establishing well-used space: Law and order authorities and stakeholders must reduce the level of perceived disorder in the neighbourhood and ensure ongoing use of the space to prevent opportunities for crime.

Today of course, the concept of crime prevention through environmental design goes well beyond the constraints of law enforcement and has been applied to the design, planning and management of public spaces. The strategy enables State officials, police and the managers of spaces to work together to build security into the environment effectively.

In this session you have read about the urban revitalization to improve law and order and now you will be able to answer the questions given in *Check Your Progress 2*

Check Your Progress 2

Note:a) Write your answer in about 50 words.

b) Check your answer with possible answers given at the end of the unit.

1) What are basic principles of crime prevention through environmental design?

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2) How safety of women in city transport be increased?

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3.5 URBAN GOVERNANCE AND MAINTENANCE OF LAW AND ORDER FOR SAFTY AND SECURITY

At the most basic level, city leaders and managers should develop institutions through which security concerns are included in broader city development. Design plans should reflect not only the safe usage concerns included in fire codes, but also how spaces are constructed to more effectively guarantee the safety of users. Such plans can include proper lighting and the positioning of walkways to ensure visibility and easy exit.

Even the best-designed building or park can present risks for citizens if it falls into disuse or poor repair. Law enforcement officers can be the first to make the managers of spaces and other city officials aware of developing problems in different areas of the city. Thus, if a park or market becomes the setting for a high number of assaults, police officials should ensure that such information is available to the managers of those spaces and to local leaders in the communities that use the space. This initial information should not only be used as a basis for planning solutions that might involve an increased deployment of police resources but should also include decisions about whether or not changes need to be made to the space. The establishment of local committees that bring together police, government officials and local leaders in different areas to discuss security issues in those places can facilitate the efforts. The meetings should cover a sufficiently limited urban space to enable individuals at the meeting to have a stake in the outcomes. They should be held regularly, on a schedule that is convenient to the stakeholders.

Some of the strategies to be adopted by the municipal government for the maintenance of law and order and safety and security in urban areas are narrated below:

i) Public-private partnerships in security initiatives

One area of innovation in public policy strategies is the creation of public-private partnerships. These efforts bring together public and private resources to achieve outcomes that would be difficult to accomplish independently. In some cases, the efforts bring together public and private funds where States and Corporations do not independently have the resources to support a construction effort. Alternatively, in some areas such as health, the efforts can involve bringing together public and private entities in efforts to promote service delivery and education.

ii) Security and participatory governance initiatives

One of the most substantial innovations in urban governance over the past 15 years has been the advance of participatory governance strategies. Perhaps the most prominent of the efforts has been the participatory budgeting measures developed in the State of Rio Grande do Sul in Brazil, which was later applied in a variety of other States in that country as well as in a variety of other countries, including Ecuador, Spain, and Venezuela. There are also a variety of other participatory governance strategies that have been developed in other countries, including the *panchayat* system in Mumbai (India), decentralised planning techniques in Kerala, India, the *barangay* system in the Philippines and habitat conversation programmes in the United States.

At heart, such strategies seek to involve the population in local decision-making and governance with the aim of bringing local knowledge into policymaking and of creating a popular stake in policy. This is achieved by offering opportunities, including for the population and locally chosen representatives, not only to speak out about policies but also to actively participate in deciding the direction of those policies. In Brazil's participatory budgeting programmes, local assemblies come together to decide on spending in certain areas. The priorities are passed up to higher-level elected budgeting councils that make further budgeting decisions. Similarly, in Kerala, *gram sabhas* (ward assemblies) meet to discuss local policy priorities that are then incorporated into the development plans of progressively higher-level governance institutions.

Relatively few efforts have been made to apply such strategies to the area of security but there are some clear lines of action that could be adopted to move efforts in that direction. Creating local assemblies sponsored and supported by the government can help to bring communities together to build a local consensus on justice and security issues and help to decrease local crime. Third, there is little reason why a portion of the local security budget cannot be put in the hands of neighbourhood residents. For example, a portion of a budget for crime prevention could be spent according to the wishes of local budgeting committees.

Finally, police and other government officials working on security could give presentations at participatory budgeting meetings, where they could contribute their expertise to helping local groups decide how to spend portions of their local budget to improve security.

iii) Community watch groups

Another strategy for engagement between State officials, police and the wider society is through the formation and support of local security organisations. The relative ineffectiveness of policing in some low- and middle-income cities has led to groups that seek to ensure order within their own neighbourhoods through regular patrols and the arrest of the perpetrators. By creating a local presence that inhibits crime from occurring and builds channels through which communities can develop locally relevant solutions to crime problems, the groups can be extremely effective in helping to enforce the law in situations where there are few police resources. They can also act as an important conduit through which residents can voice their concerns to police and through which police can implement new law enforcement strategies.

Their work can develop local knowledge and, in conjunction with police, they can apply that knowledge to controlling local crime. In addition, the groups can participate in city planning commissions that help with mapping and produce spaces that are, by their nature, safer.

Policing with *panchayat* in Mumbai (Bombay)

Police in Mumbai (Bombay) have pioneered a participatory policing strategy in which the residents of poor neighbourhoods are directly incorporated into policing activities through *panchayats*, groups of 10 local residents, who actively collaborate with police in developing law enforcement strategy in their neighbourhoods. The members of the *panchayats* receive an identity card that indicates they are police “helpers”. The members of the *panchayat* are appointed by local representative organisations and community groups, which provide the police with a room within the neighbourhood to support their efforts. Most *panchayat* members are women and the groups exercise their moral authority in the community to control violence and crime. The *panchayat* volunteers help police with patrol activities and seek to provide informal dispute resolution to neighbourhood residents in efforts to free up police resources for controlling criminal activity. While volunteers do not have policing authority, they are able to use their official position to enforce local norms, to limit domestic abuse and control public drunkenness and other activities that can lead to other crimes. All of this is achieved with a minimum of financial resources from the Government.

iv) Integrated urban policies and the police

The above discussion suggests that controlling disorder in large cities involves bringing the police into wider policy discussions. While the primary role of police will always remain daily law enforcement and investigation efforts, police have a role to play in discussions about the structure of urban spaces. There should be police as well as fire department input into large-scale urban planning and administration.

Police also have a role to play at the local level in considerations regarding modifications to ordinances applied in neighbourhoods, changes to parks and the issuing of business licences. Ongoing consultations with the police at these levels are essential to developing urban practices that adequately protect the populace.

Police should, however, be careful not to overstep the boundaries of their expertise. The role of police is not to tell elected officials how to build urban spaces or to decide if individuals have a right to express themselves. Rather, it is to effectively enforce the law and lend their expertise in the area of crime control to city officials and groups working to make the city safer. Police may need to develop special expertise in community relations to support these efforts as they work to participate in the discussions at the local level.

A component of this planning is having the police work with city administrators to achieve results in the area of security. Police and city leaders need to use information about the city to determine the best policies to implement. Data enable police to know what ideas are working and which are not.

The role of police in local partnerships, however, goes beyond this. Police also work with local authorities on such issues as preventing public nuisances and enforcing by-laws or ordinances. These efforts require good professional relationships between police and local officials as well as a clear notion among police about how the efforts contribute to wider public safety. The “broken windows” approach to policing suggests that the rigorous policing of public nuisances and enforcing ordinances can contribute to maintaining a low crime environment. Police, however, need to be careful in pursuing these types of activities. Police must collaborate with local authorities but they also need to be certain that these efforts are an efficient use of police resources.

Dealing with policing in urban areas involves interacting with local and national political institutions in the context of particular regional dynamics. Police working to develop innovative strategies to secure urban places need to find ways of working with local officials to implement programmes in the existing conditions in the cities in which they work. This is a complicated and collaborative process undertaken with other officials and civil society groups.

In this session you have read about the urban governance and safety and now you will be able the answer the questions given in *Check Your Progress-3*

Check Your Progress 3

Note: a) Write your answer in about 50 words

b) Check your answer with possible answers given at the end of the unit.

1) How security can be enhanced through regional urban governance?

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3.6 LET US SUM UP

Most experts in urban development are of the opinion that youngsters taking to organised and unconventional crime, poor conviction rate, long delays in trials, cyber crime, and modern weapons with criminals pose an unprecedented challenge to law enforcement. “The present decade is the decade of organised crime- extortion, kidnapping for ransom, forcible dispossession of landed property, gang rape, contract killing, theft of automobiles to name a few”. Detection in the complicated urban scenario with huge floating population is a complicated affair and citizens’ inputs are most valuable for the same. David H Bayley an international authority on law enforcement writes “Studies have found that the critical ingredient in solving a crime is whether the public- victims and witnesses provide information to police ...”Special needs of law enforcement agencies in urban India, strategies to respond to urban crime and to anticipate the trends thus require immediate attention.

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3.8 CHECK YOUR PROGRESS: POSSIBLE ANSWERS

Check Your Progress1

1) What are the main challenges of law and order in urban India?

Ans. The list below includes some of the main challenges of law and order in cities:

- Order maintained by informal local structures
- Conflict over resources
- Illegal provision of basic urban services
- Informalization of city spaces and services
- High levels of absolute deprivation
- High levels of tension between wealthy and poor
- Police are targets of terrorism and political violence

2) How planned communities create challenges for policing?

Ans. Planned community also create challenges for police. Police increasingly face substantial challenges in managing urban space within gated communities. The privatization of space and the difficulty police face in gaining access to private space can make law enforcement particularly challenging. Without direct access to certain parts of the city, police may depend on the assistance of private security forces. Private security guards and firms may abuse the law and crime suspects in the areas for which they have responsibility.

Check Your Progress2

1) What are basic principles of crime prevention through environmental design?

Ans.i) Natural surveillance.

ii) Access management and natural access control.

iii) Territorial reinforcement.

iv) Physical maintenance.

v) Target hardening..

vi) Minimising disorder and establishing well-used space.

2) How safety of women in city transports be increased?

Ans. Addressing the concerns of women can involve building safer urban spaces by improving lighting in public spaces and conditions at market places. Police can contribute to these efforts by tracking where crimes against women tend to occur and participating in discussions with city officials and civic actors about what types of accommodations and changes in space may be necessary to minimize such attacks. Governments across the world have adopted different strategies to deal with these problems. One of the most prominent is the establishment of police stations oriented to women's concerns. These have emerged in Brazil, India and the Philippines.

Check Your Progress 3

1) How security can be enhanced through regional urban governance?

Ans. Improvements in transportation and communication make it possible for individuals committing crimes to operate, in some cases, over a wide territory. Responding efficiently to these types of challenges involves building governance networks and coalitions that go beyond the constraints of individual cities. In many countries, police forces operate at the State or national level, facilitating regional anti-crime efforts; even in these circumstances, however, police need to develop relationships with different municipal governments, often led by competing political parties, to support broad urban security initiatives. One effective way to overcome the tension is to build broader regional coalitions of cities and civic actors that can consider the impacts of local police and urban issues on problems in a wider metropolitan region. In the case of heavily urbanised areas, State governments can help in this process.

These efforts can be undertaken through a variety of strategies. On one level, a higher governmental authority can undertake to form a regional government or civil society council to address the issues. Business and civic groups spread across a set of urban agglomerations may constitute a natural actor on the issues.

