

Daily Editorial Analysis 31 July 2025

July 31, 2025 • vajiramandravi.com

India's Police Must Get Out of Dirty Harry's Shadow

Context

- In the dim light of a crime scene, **two archetypes of policing emerge, Sherlock Holmes and Dirty Harry and Holmes is the emblem of reason: calm, methodical, and devoted to logic.**
- He sifts through chaos with precision, guided by evidence and a belief that truth must be discovered, not forced.
- **Dirty Harry, on the other hand, represents the opposite: brash, violent,** and dismissive of rules; Justice, for him, is delivered swiftly, regardless of procedure or accuracy.
- **These fictional figures reflect two very real and divergent models of policing in India.** In a nation governed by law, the pressing question is not **just how we catch criminals, but what kind of justice we are willing to accept, one driven by truth or one fuelled by vengeance.**

The Cost of Impunity: A National Crisis

- The **death of 27-year-old Ajith Kumar in police custody** in Tamil Nadu is **not an aberration but a symptom of a deeper malaise.**
- **Despite previous reform recommendations,** including those from **the Tamil Nadu Police Commission, torture and custodial violence remain rampant.**
- Between 2018 and 2023, **687 people died in police custody across Indian,** average of two to three deaths per week. States **like Gujarat, Maharashtra, and Tamil Nadu top this grim list.**
- **These figures are likely understatements.** Many deaths are cloaked under vague labels like suicide or natural causes.
- **Torture often occurs away from formal detention spaces,** in police vans, remote buildings, or even cow sheds, as in Ajith's case.
- **Most victims come from India's most marginalised communities:** daily-wage labourers, Dalits, tribals, migrants, and slum dwellers.
- **Thus, custodial torture is not merely an issue of poor policing, it is an expression of structural violence** rooted in caste, class, and power disparities.

The Legal and Moral Vacuum

- Despite multiple legal safeguards, from the **Supreme Court's D.K. Basu (1996) guidelines to the reaffirmation of bodily autonomy in K.S. Puttaswamy (2017), custodial violence remains**

entrenched.

- The **273rd Report of the Law Commission (2017)** strongly recommended a dedicated **anti-torture law**, but Parliament has failed to act.
- **India still has not ratified** the United Nations Convention Against Torture.
- **In 2025, the Global Torture Index ranked India as a high-risk country**, an indictment that must not be ignored.

The Scientific and Strategic Case Against Torture

- The argument against custodial torture **extends beyond ethics and legality, it is grounded in science.**
- **Torture**, popularised in media as a tool for urgent truth extraction, **is in fact counterproductive.**
- In his book *Why Torture Doesn't Work*, **neuroscientist Shane O'Mara explains how torture disrupts brain regions essential for memory and reasoning.**
- **Victims, impaired and desperate, often provide false information** just to stop the pain.
- Historical examples reinforce this. **During the Algerian War, torture by French forces led to false intelligence.**
- The **CIA's infamous enhanced interrogation techniques failed to produce actionable insights**, as concluded by the U.S.
- Senate Intelligence Committee's 2014 report. **Worse still, these methods misdirected investigations and wasted precious time.**
- **The case of Ajith Kumar, where a coerced confession led to a cow shed** instead of evidence, tragically **echoes this pattern.**

What Actually Works: The Case for Reform

- The **United Kingdom's response to the wrongful conviction of six men** in the Birmingham pub bombings was to **move away from confession-based policing.**
- **It adopted the PEACE model**, Preparation and Planning, Engage and Explain, Account, Closure, and Evaluation.
- This **method prioritises rapport, open-ended questioning, and transparency**, reducing false confessions and increasing both conviction accuracy and public trust.
- **This model has been successfully adopted by other nations**, including Norway, Canada, and New Zealand.
- The **European Committee for the Prevention of Torture endorses it**, and peer-reviewed studies by the U.S. High-Value Detainee Interrogation Group confirm its effectiveness over coercive methods.
- **Real-world examples further affirm this.**
- **Norwegian police obtained a full confession from mass murderer Anders Breivik** through calm, professional questioning.
- In the U.S., **Najibullah Zazi, involved in a terror plot, cooperated fully with investigators who treated him respectfully**, leading to the **dismantling of a broader network.**

Conclusion

- **Every custodial death is not just a tragedy**; it is a declaration of the state's failure to protect its citizens.
- **India must act decisively. Ratifying the UN Convention Against Torture**, enacting a standalone anti-torture law, embedding the PEACE model into police training, and **enforcing zero tolerance for custodial abuse are immediate, achievable reforms.**
- **When truth can be found without violence**, when the facts can emerge through patience and intellect, as Sherlock Holmes shows us, **why should we endorse Dirty Harry's path of destruction?**

India's Police Must Get Out of Dirty Harry's Shadow FAQs

Q1. Who are the two contrasting models of policing described in the text?

Ans. The two contrasting models are Sherlock Holmes, who represents logical and evidence-based policing, and Dirty Harry, who represents violent, rule-breaking policing.

Q2. What does the case of Ajith Kumar highlight about Indian policing?

Ans. The case of Ajith Kumar highlights the prevalence of custodial torture and the failure of the system to protect citizens from police brutality.

Q3. Why is torture considered ineffective according to scientific research?

Ans. Scientific research shows that torture impairs memory and cognitive function, causing victims to give false or unreliable information.

Q4. What is the PEACE model of interrogation?

Ans. The PEACE model is a non-coercive interrogation technique that focuses on preparation, open-ended questioning, and rapport-building.

Q5. What reforms does the essay suggest for Indian policing?

Ans. India should ratify the UN Convention Against Torture, enact an anti-torture law, and adopt the PEACE model in police training.

Source: [The Hindu](#)

Boost the Capacity of Legal Aid Systems

Context

- Access to justice is a constitutional promise in India, **yet the gap between principle and practice remains stark.**
- The **Legal Services Authorities Act, 1987**, mandates **free legal aid** for approximately 80% of India's population.
- Despite this expansive objective, **the actual outreach of legal aid services remains significantly limited.**
- The **analysis of recent trends, particularly between April 2023 and March 2024, exposes both structural strengths and glaring systemic weaknesses** that continue to hinder equitable access to justice.

Concerns Surrounding Free Legal Aid

• Modest Reach Amidst Expansive Mandate

- In 2023-24, only 15.5 lakh people availed legal aid services, an increase of 28% from the previous year's 12.14 lakh.
- Although this rise appears promising, it pales in comparison to the sheer scale of India's eligible population.
- Legal aid services are typically offered through front offices in local courts, prisons, and juvenile justice boards, supported by empanelled lawyers.
- In rural areas, legal aid clinics serve as important access points.
- Yet, the India Justice Report 2025 highlights that there is merely one legal service clinic for every 163 villages, underscoring the skewed distribution and limited penetration of services, especially in remote regions.
- The situation is aggravated by inconsistent financial and human resource support.

• Budgetary Constraints and Skewed Prioritisation

- Legal aid services receive less than 1% of the total justice budget, which includes police, prisons, judiciary, and legal aid combined.
- Funding is provided both by State governments and the Centre through the National Legal Services Authority (NALSA).
- While the cumulative allocation rose from ₹601 crore in 2017-18 to ₹1,086 crore in 2022-23, primarily due to an increase in State contributions, NALSA's share declined from ₹207 crore to ₹169 crore.
- Even more concerning is the declining utilisation rate of NALSA funds, which dropped from 75% to 59% over the same period.

• Inadequate Per Capita Spending

- Per capita expenditure on legal aid has increased from ₹3 to ₹7 since 2019, but remains far from adequate.
- States like Haryana lead with ₹16 per capita spending, while populous and vulnerable states like Bihar (₹3), West Bengal (₹2), and Uttar Pradesh (₹4) fall below the national average of ₹6.
- This unevenness not only highlights disparities in fiscal commitment but also signals an inequitable access to quality legal services across regions.

• Decline of the Frontline: Para-Legal Volunteers

- One of the most alarming trends is the reduction in para-legal volunteers (PLVs), trained individuals who act as community-level intermediaries and educators.

- **Between 2019 and 2024, their numbers dropped by 38%**, with deployment plummeting from 22,000 in 2019-20 to just 14,000 in 2023-24.
- Despite their pivotal role, **PLVs are poorly compensated; in most states, their daily honorarium remains below minimum wage levels.**
- Kerala is an exception, **offering ₹750 per day**, while states like Gujarat and Mizoram pay only ₹250—barely enough to cover daily sustenance.
- This **fiscal neglect severely undermines the sustainability** and motivation of this critical workforce.

Innovations and Missed Opportunities: The LADC Scheme

- **Since 2022, NALSA has attempted to address quality concerns** in legal representation through the Legal Aid Defence Counsel (LADC) scheme, modelled after public defender systems.
- **With ₹200 crore fully utilised in 2023-24** and the scheme operational in 610 out of 670 districts, early indications suggest promise.
- However, its **budget has already been slashed to ₹147.9 crore for 2024-25.**
- While still in its infancy, **the LADC could alleviate the burden on empanelled lawyers and improve legal aid delivery**, but only if sustained through robust policy and financial support.

Structural Deficiencies and the Way Forward

- Despite incremental financial improvements and administrative innovations, **legal aid in India suffers from enduring deficiencies**, uneven quality, low public trust, and insufficient accountability.
- These **challenges are compounded by chronic underfunding** and misallocation of existing resources.
- The **over-regulation of fund utilisation hampers local initiative**, while poor compensation and declining deployment of key personnel like PLVs compromise outreach and impact.
- If legal aid services are to fulfil their constitutional mandate, **a radical recalibration is necessary. And this includes:**
 - **Increasing budgetary allocation** and ensuring it is commensurate with the scale of need.
 - **Flexible and needs-based fund utilisation**, allowing local units to address contextual challenges.
 - **Fair compensation** and wider deployment of para-legal volunteers.
 - **Sustained investment** in promising schemes like the LADC with mechanisms for quality assurance and impact evaluation.
 - **Greater integration with community justice mechanisms** to develop trust and awareness.

Conclusion

- **The legal aid framework in India stands at a crossroads** and while legislative intent and institutional infrastructure exist, the system remains underpowered.
- **Enhancing financial support, human resources**, and decentralised governance **can turn legal aid from a symbolic gesture into a tangible reality.**
- **Only then can India ensure that justice is not just a lofty ideal**, but a lived experience for all its citizens, regardless of economic status or geographic location.

Boost the Capacity of Legal Aid Systems FAQs

Q1. What is the main goal of legal services institutions in India?

Ans. The main goal of legal services institutions in India is to provide free legal aid to around 80% of the population, especially the economically and socially vulnerable.

Q2. Why is the reach of legal aid services still limited?

Ans. The reach remains limited due to low funding, poor resource utilisation, and an uneven distribution of legal aid clinics and personnel.

Q3. What role do para-legal volunteers play in the legal aid system?

Ans. Para-legal volunteers create awareness, help resolve disputes, and act as a bridge between communities and legal services.

Q4. What is the LADC scheme introduced by NALSA?

Ans. The Legal Aid Defence Counsel (LADC) scheme is a central program to provide dedicated legal aid to accused persons, modeled on the public defender system.

Q5. What are some key issues facing legal aid in India today?

Ans. Key issues include inadequate budgets, poor compensation for frontline workers, restricted fund usage, and lack of accountability.

Source: [The Hindu](#)

Source: <https://vajiramandravi.com/current-affairs/daily-editorial-analysis-31-july-2025/>

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