UNIVERSITY OF CAPE COAST

CHALLENGES OF THE GHANA POLICE SERVICE UNDER

CONSTITUTIONAL REGIMES FROM 1992 TO 2008: A CASE STUDY OF

ASHANTI CENTRAL DIVISION

BY

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DECLARATION

Candidate's Declaration

I hereby declare that this dissertation is the result of my own original work and that no part of it has been presented for another degree in this university or elsewhere.

Candidate's Signature:................................. Date:...................................

Name: Joseph Oppong

Supervisor's Declaration

I hereby declare that the preparation and presentation of this dissertation were supervised in accordance with the guidelines on supervision of dissertation laid down by the University of Cape Coast.

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ABSTRACT

The role of the police in any modern society is enormous. Maintenance of internal security is the main responsibility of the police service. It has been emphasized by several scholars that the environment within which the police operate is of great concern to civil society. It was based on this rationale that a study was undertaken into the operations of the police in the Ashanti Central Division of the Ghana Police in the Ashanti Region. A sample of 300 respondents made of 20 SPOs and 280 NCOs were used for data collection. Five research questions were formulated to guide data collection which was done using a questionnaire for data collection. The instruments were pre-tested at the Manhyia Division of the Ghana Police which afforded the researcher the opportunity to test the reliability, validity and consistency of responses. The Statistical Product and Service Solutions was used to do the analysis and it produced frequency tables and percentages. Data collected was presented and discussed both qualitatively and quantitatively.

The findings that emerged indicated that majority of the police officers knew about the rights and freedoms of citizens. It was also found that respondents are very conversant with the concept of rule of law that underpins constitutional rule. Also it was found that some of the challenges that the police face in the discharge of their duties were: inadequate personnel, inadequate logistical support, low morale due to low remuneration, lack of adequate accommodation, among others. Based on the findings the appropriate conclusions and recommendations were made.

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DEDICATION

To my wife, Joyce Ansuaa and my children Evans, Lawrencia, Tina, Jennifer and Yaw.

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ACRONYMS

WAJU   Women and Juvenile Unit

DOVSU   Domestic Violence and Victim Support Unit

IGP   Inspector General of Police

NLC   National Liberation Council

PNDC   Provisional National Defence Council

NCD   National Commission for Democracy

ACDIV   Ashanti Central Division

PTS   Police Training Schools

SPOs   Senior Police Officers

NCOs   Non-Commissioned Officers

SPSS   Statistical Product for Service Solution

HND

MSLC/BECE

WASSCE/ 'O' Level

RSA II & III/ 'A' Level

ASP   Assistant Superintendent of Police

DSP   Deputy Superintendent of Police

SOP   Superintendent of Police

CSP   Chief Superintendent of Police

CHAPTER ONE

INTRODUCTION

Background to the study

The role of the police in a democracy is a daunting one with several scholars attesting to this (Connors, 2008; Barrett, 2008; Kelling & Wycoff, 2002). What then is democracy one may ask? Democracy is defined by broad values involving participation and formal rules about procedures such as elections and freedom to participate in governance (Wikipedia, 2008). But for most persons most of the time, these are removed from daily life. That is not true for the police, the agency of government that citizens are most likely to see and have contact with.

It must be emphasised that democracy, as a form of government, is based on constitutional rule. It places limitations on the powers of government. In countries where democracy is well practised, office holders are made to act strictly within the limits of the law. Democracy therefore prevents arbitrary rule and dictatorship in a country. Additionally in a democratic form of governance, basic human rights are protected by the system. Therefore democracy is a form of governance where there is a congenial atmosphere for people to exercise their freedom of speech. It also allows people to form political movements. The judiciary and human rights movements are protected in a democratic society. Democracy permits a peaceful and smooth change of one government to the other, periodically.

It seems that democratic governance is synonymous with constitutional governance, because in both cases, the rule of law is allowed to operate. A constitution is the supreme law of a country and so in democratic governance, the constitution reigns supreme and every organ of state operates under it.

Under democratic constitutional governance the fundamental human rights and freedoms are enshrined in the constitution. The 1992 Constitution of Ghana followed this constitutional principle by devoting a whole chapter to the fundamental rights of citizens. Chapter Five of the 1992 Constitution outlines the basic human rights and freedoms of citizens and non-citizens alike.

There are several democratic principles that have to be in place to ensure that the citizenry actually are participating in the governance of the state. One of such principles is the rule of law. To ensure the rule of law in a democracy one cannot do without the civilian police. In fact, there is a rich history surrounding the emergence of the police in the maintenance of rule of law.

According to Wikipedia (2008), the police are agents or agencies, usually of the executive, empowered to enforce the law and to effect public and social order through the legitimatized use of force. The term is most commonly associated with police departments of a state that are authorized to exercise the police power of that state within a defined legal or territorial area of responsibility. The Encyclopedia indicates that the word police evolved from a French word 'polis' which was also derived from a Latin word '*politia*' ("civil administration"), which itself was derived from an Ancient Greek word meaning 'city'.

Wikipedia cited other works which stated that the first police force is comparable to the present-day police which was established in 1667 under King Louis XIV in France, although modern police usually trace their origins to the 1800 establishment of the Marine Police in London, the Glasgow Police and the Napoleonic police of Paris. The first modern police force is also commonly said to be the London Metropolitan Police, established in 1829, which promoted the preventive role of police as a deterrent to urban crime and disorder. Law enforcement however has only ever constituted a small portion of policing activity. Policing has included an array of activities in different contexts, but the predominant ones are concerned with order maintenance and the provision of services. Alternative names for police force include constabulary, gendarmerie, police department, police service, crime prevention, protective services or law enforcement agency, and members can be police officers, troopers, sheriffs, constables, rangers, or peace officers. Russian police and police of the Soviet-era Eastern Europe are (or were) called militsiya. In England and Wales, each police force or service is overseen by a police authority (Bayley, 2005; Das & Marenin, 2000; Reiss, 1992; Walker, 1977).

Formal policing in Ghana (formerly Gold Coast) does not have a definite date according to Tankebe (2008). He cited sources from the Ghana Police Service which indicated that there was some controversy as to when formal policing started in Ghana. Tankebe cited Teku (1984) who argued that policing in the Gold Coast started in 1831 when Captain George MacLean formed a body of one hundred and twenty-nine men to maintain and enforce

the provisions of the "Treaty of Peace" which he signed with the Coastal chiefs and the King of Ashanti (Teku as cited by Tankebe, 2008).

Ghana-net (2008) indicates that "probably, the first real effort to document the history of the Police Force in Ghana was the work done by Gillespie" (1844:4). In the writings of Teku who was cited in the Ghana-net publication he could settle on one specific date for the establishment of the police force. Though Teku did not provide some of the key historical occurrences during the period the police force emerged, Gillespie's dating from 1844 captures the famous Bond of 1844 drawn up between the Fante chiefs and Governor George MacLean prior to the Battle of Nsamankow. In another work, Pokoo-Aikins has dated his work only from the start of the Second World War and he did not give any indication as to why he did so (Pokoo-Aikins, 2001).

The writings of Gillespie (1844), Teku (1984) and Pokoo-Aikins (2001) give a rich history to the emergence of the police in Ghana. Teku who has been cited many claimed that some sort of force was in existence in the colonial era. He indicated that in 1831 some men were recruited, trained and deployed to perform civil police duties until their activities were formalised in 1873 when an 'ordinance to provide for the better regulations and discipline of the armed police force' was enacted. As the force grew and expanded, other improvements were initiated. Teku outlined that some of these included the establishment of an Escort Unit, Railway Unit, Marine Police and Criminal Investigations Department. Some of the new regulations enacted to enhance the work of the force and respond to the challenges that it faced were as follows: Police Regulations, 1922, No. 7; Police Reward Fund Regulations,

1922, No. 8; Transport and Private Property (Police Escort) Regulation, 1922, No. 20; Police Force (Volunteer Police Reserve) Regulations 1939, No. 16; and the Unclaimed property Disposal Regulations 1941, No. 37 (Teku as cited by Ghana-net, 2008).

Furthermore, Aning (2006) observes that the importance of the police force in the country became well pronounced in the maintenance of law and order. Owing to this increasing importance and the fact that the police could be trusted, another significant role was given to it. Sensitive State information (materials) was transmitted by the Service. Consequently, a Wireless Division was established in 1949. Such a decision was taken out of the blue but upon expert advice. "The first such major effort dealing with such developmental processes was 'A Report Upon the Gold Coast Police' known as the 'Young Report of 1951' which sought to advise the Gold Coast government on the organisation, training and methods of policing in the colony" (p.5). Aning elaborates on the Young Report. He emphasises that "Young's concerns dealt with several facets of the increasingly growing force among others training, equipment and the prevention and detection of crime" (p.5). Other key areas which the Young Report touched included the status of the Police and the formation of Police Council. But most critically, Young sought the establishment of a Police Force that was truly independent of political and extraneous influences to the service.

Another significant milestone of the Ghana Police was that in 1952 a specialised squad comprising of twelve women was established which focused on women and children related crime. Their functions according to Aning (2006) "were to deal specifically with cases of juvenile delinquency and

offences committed by women" (p.6). In spite of this development as back as 1952, not much seemed to have been done on the feminine front in terms of recruitment and training and promotion. Police women could not rise to the top echelons let alone rising to become an Inspector General of Police (Aning, 2006). He pointed out that there was an increasing perception among the female police officers that the men did not give cases dealing with women to them to handle and therefore after much lobbying and several petitions to the IGP, the Police Administration consented to their pleas and the Women and Juvenile Unit (WAJU) now Domestic Violence and Victim Support Unit (DOVSU) of the Service in October 1998.

In addition to the above, the Ghana Police Service Website (www.ghanapolice.org) indicates that with the attainment of Republican status in 1960, the Ghana Police Force became a Service. This source maintained that with the enactment of the Police Force (amendment) Decree (NRCD. 303) the GPS was removed from the control of Public Service Commission and restored to the status of a self-accounting organisation resulting in the creation of districts, divisions and units to enable it cope with the ever increasing demands of the public. On attainment of independence, the first president of Ghana appointed Mr. E. R. T. Madjitey, Commissioner of Police as the first Inspector General of Police (IGP).

Pokoo-Aikins (2001) gives the chronological background of the Ghana Police Service since 1960. He provides the laws that had been promulgated concerning the service. He noted that the first major post-independence Act to be promulgated was the 1965 Police Service Act (Act 284), which did last longer because it was amended by the National Liberation Council (NLC)

decree 25 (NLCD 25). This decree provided for: The organisation of the Police Service, the appointment, promotion and retirement of Police Officers and the conditions of service, disciplinary proceedings and other matters relating to the Service. He added that the NLC handed over power to a democratically elected government in 1969, which passed another Police Service Act (Act 350) in 1970 and took effect in January 1971. It incorporated all previous Acts and Decrees relating to the Service. Act 350 did not also last long enough; sections of it were amended by the Military government of General Kutu Acheampong in 1974 by National Redemption Council (NRC) in January 1972.

According to Pokoo-Aikins (2001), Act 350 spelt out clearly, the functions of the Police Service. For example Section 1 (1) states that the duty of the Police Service is to 'prevent and detect crime, apprehend offenders and maintain public order and safety of persons and property'. Subsequently in 1974 as was stated earlier the Police Force (amendment) Decree 303 (NRCD 303) amended sections of Act 350. "Critically, the Police Service was institutionally removed from the administrative and bureaucratic control of the Public Services Commission and the Service was renamed the Ghana Police Force" (p.14). In addition to the Acts and Decrees seeking to establish or reestablish the Ghana Police Service, the various Republican Constitutions made provision for its existence. This started in 1963 Security Service Act, 1963 (Act 202); 1969 Republican Constitution, Chapter 13, The Police Service, Sections 142 – 144; 1979 Republican Constitution, Chapter 17, Sections 172 – 175; and 1992 Republican Constitution.

Indeed Ghana has gone through a lot of leadership changes since it gained independence in March 1957 and republican status in July 1960. The country has been a torchbearer in African liberation struggle. It was the first country in Sub- Saharan Africa to gain independence from colonial rule (The British Imperial Government). Because it is a doyen of political premiership it managed to clear that path to constitutional governance after 12 years of military dictatorship. In 1992, a new constitution was put in place to start a new democratic dispensation in which the police played a vital role. Firstly, the Ghana Police Service helped the Interim Electoral Commission to organise a referendum for the citizenry to indicate their acceptance or rejection thereof. Subsequently, the Service and the sister security service together assisted the EC to organise the December 1992 Presidential and Parliamentary elections which ushered in the new democratic governance. The military government of the Provisional National Defence Council (PNDC) handed over power peacefully in January 1993 and the military went back to their Barracks and has since that time allowed the Police Service to take control over the internal security matters. The military had only come in to lend a helping hand because they have understood the new trend of governance.

The transition from military government to civilian led democracy was not smooth sailing. While domestic pressure mounted on the PNDC, there was also the external pressure from the western countries including Britain and America. The World Bank and the International Monitory Fund also attached democracy and rule of law as a condition to their development assistance to Ghana.

In response to the mounting pressure from the donor agencies, the PNDC in March, 1991 set up the National Commission for Democracy (NCD) to organize transitional modalities to democratic rule. The NCD submitted the report it compiled on the regional fora it organised throughout the 10 regions to the PNDC leadership. The report noted that most Ghanaians were unequivocally in favour of multi-party democracy and rule of law.

Consequently, the PNDC put in transitional arrangements in place and this started in May 1991 with the establishment of a Committee of Experts to formulate a constitutional proposal leading to the formation of a Consultative Assembly. The Consultative Assembly deliberated on the report submitted by the Committee of Experts and came out with the draft 1992 Republican Constitution for Ghana. The draft constitution was accepted through a referendum organized by the PNDC government.

Subsequently, the ban on party politics was lifted by the promulgation in May 1992 of PNDC law 281, which opened the floodgates for multiparty activities. In November 1992, presidential election was held and Flt. Lt. J.J. Rawlings, the incumbent head of state won. The opposition disputed the results and went ahead to boycott the December 1992 parliamentary elections. One of the allegations made against the incumbent government was that there was intimidation of voters by security personnel including members of the Ghana Police Service whose traditional duty was to ensure peace and order and to protect life and property. But it was understandable because the police was operating within a military regime and most of the members were loyal to the government (Mendes, 1999; Goldsmith, 1999).

In spite of these turbulent beginnings, Ghana has finally come a long way to embrace democracy and rule of law. Four presidential and parliamentary elections have since been held in 1996, 2000, 2004 and 2008. In all these developments, the Ghana Police Service continued to play its traditional role of ensuring that there is law and order.

Statement of the problem

According to Article 200(3) of the 1992 Constitution of the Republic of Ghana, the mandate of the police is to maintain law and order. Thus, they may legally use force and to deprive citizens of their liberty. This power is bound to generate opposition from those who are subject to it. It also offers great temptations for abuse. Law enforcement requires a delicate balancing act. The conflicts between liberty and order receive their purest expression in considerations of democratic policing (Prenzler, 2001; Goldsmith, 1999).

There is no doubt that the role of the police in a constitutional form of governance is enormous because they are required to give fair and impartial attention to all sides of the political divide. This is part of their traditional role of maintaining law and order, preventing and detecting crime and prosecuting of offenders before the law courts within a reasonable time frame. In order to perform these important functions entrusted to the police by the constitution of Ghana, they seem to be constrained by some challenges as some observers suggest. For instance, the police is reported to be constrained by inadequate personnel, low morale due to inadequate remuneration, inadequate logistical support and inadequate training for personnel.

For policing in a democracy to be effective, the number of police personnel must conform to international standards. Besides the requisite numbers, logistical support should be available in the right quantities and quality. The personnel should have the requisite training in respect of citizens' rights and freedoms, riot control procedures, public-police relations, policing during electioneering, arrest and detention processes. The training is imperative because the police for so long was under a dictatorship where they were not given the opportunity to police according to the norms. Series of training programmes are supposed to re-orientate them to meet the challenges that constitutional democratic rule has brought about.

It is in the light of what has been discussed above that this researcher is investigating whether with the advent of democratic culture in Ghana since 1992, the police service has lived up to the global democratic requirements of policing in a country governed by the rule of law. This is against the backdrop that the Ghana Police Service has gone through turbulent periods in its operations since it was established in Republican Ghana in 1960.

Aims and objectives of the study

This study delved into how the police at the Ashanti Central Division (ACDIV) of the Ashanti Regional Command adjust to the rule of law in the daily discharge of their statutory duties. Specifically, the study was aimed at the following:

- To examine how conversant officers in the ACDIV are with the various rights and freedoms of the citizenry as enshrined in the 1992 Constitution.

- To find out police officers' impressions about rule of law as against dictatorial rule.

- To unearth what contributions police officers can make to consolidate the rule of law and constitutional rule.

- To find out the challenges the police face in the maintenance of law and order.

- To examine the challenges, and how they affect the police in the maintenance of law and order in the operational area of ACDIV.

- To make recommendations and suggestions to policy makers on the way forward depending on the outcome of the study.

Research questions

Based on the objectives of the study the following research questions were formulated to guide the study.

- Are the police officers in the Ashanti Central Division conversant with rights and freedoms of members of the public as catered for in the 1992 Republican Constitution?

- What are the impressions of police officers about rule of law and democracy?

- What are the contributions of the police in the consolidation of rule of law and constitutional rule?

- What are the challenges of the police in a democracy?

- How do the challenges the police face affect their output?

Significance of the study

The police service is an important organ of the security apparatus of the state and any thing that concerns them should also concern stakeholders of good governance. Owing to this assertion, the findings from the study would benefit stakeholders in good governance immensely. The results would add to literature on policing in a democratic world and assist curriculum developers of the police training programmes in fashioning out new ways of training the police to meet the challenges ahead. Finally, policy makers on security, particularly policing in Ghana would be guided by the findings of this study.

Delimitation

This study was delimited to the Ashanti Central Division of the Ashanti Regional Command of the Ghana Police Service. The Ashanti Central Division has its headquarters at Adum and covers the central district of the Kumasi Metropolis. Its characteristics constitute a complete police establishment. It has almost all the departments that a division of the police service in Ghana can boast of. There is a sizeable number of police officers and men who would give the needed information required to answer the questions posed to guide the study.

Limitations

The limitations were time and financial constraints. The limited academic time did not allow the researcher to spend so much time on the field to collect data. With financial limitation, not all personnel of the division could be reached because of the huge expenses involved in making

arrangements to meet a large sample within the police population in the ACDIV.

Organisation of the study

The study is divided into five chapters, references and appendix sections. Chapter one of the study is devoted to the background of the study, statement of the problem, objectives of the study, research questions that guided the study, significance of the study, delimitation and limitation of the study. Chapter Two of this study is devoted to the review of related literature which gave impetus to the study. This review covers the theoretical and the empirical aspects of democratic policing and associated concepts.

Furthermore, Chapter Three of the study is concerned with the methodology that was used in data collection. Chapter Four concentrates on the analysis and discussion of data gathered. The last chapter gives a summary of the study, which includes the findings, conclusions drawn, recommendations made and areas suggested for further study. After these chapters, a reference list of referred literature is presented in acknowledgement and the appendix section contains other information that could not be put in the main chapters but which appear as additional information to the study.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

Introduction

This chapter reviews literature related to policing under constitutional rule. Several sources of literature are used for the review. Among the themes captured in the literature review include Democratic Theory and the Democratization of Policing, the Concept of Rule of Law, Challenges the Police face in the discharge of their duties. The review is done in sections and subsections which made it a presentable essay.

Democratic theory and the democratization of policing

This section starts with a question, 'What is Democracy?' First and foremost democracy as a concept has several definitions from different perspectives. The minimalist definition of democracy can be found in the worlds of Herodotus an ancient philosophical thinker. He defined democracy from the Greek meaning of the word, stating that democracy is the rule of the people and a process of selecting governments (Herodotus in Hornblower, 1992). This view, articulated by scholars ranging from Alexis de Tocquevile, Joseph Schumpeter to Robert Dahl, is widely used by social scientists. In this sense, in order to call a country democratic, it must hold competitive, multiparty elections. When public participation in politics is increased, the country is seen as more democratic.

In democracies, elections must be open and fair. This openness requires that the freedoms of speech and assembly are protected. However, governments produced by elections may be inefficient, corrupt, shortsighted, irresponsible, dominated by special interest or incapable of adopting policies that benefit the public good. Those governments can still be called democratic, but they are not desirable. It is more desirable for a democratic country to guarantee a comprehensive list of social, political, economic and religious rights. It is then that democracy is fully realized (Huntington, 1993).

An individual's autonomy, dignity and freedom from coercion has to be protected. This protection can only be achieved through constitutional liberalism, which is designed to defend the individual's right to life, property and freedom of religion and speech. To secure these rights, the constitution must provide checks on the power of each branch of government, equality under the law, impartial courts and tribunals, and the separation of religion and state (Donnelly, 1998; Dunn, 1992).

Starting with Thomas Hobbes and moving on to John Locke, Adam Smith, John Stuart Mill and Thomas Jefferson, constitutional liberalism argues that human beings have certain natural inalienable rights and that governments must accept a basic law, limiting its own powers, which secure them (Zakaria, 1997). From this meaning, de Tocqueville (1970) warned that — the tyranny of the majority (the absolute sovereignty and power of majority) provided by democracy has to be supported by constitutional liberalism in order to make the democracy desirable. Otherwise, democracies may facilitate the abuse of human rights, contrary to the basic principles of democracy. This is the case with too many of democracies in the world today (Diamond, 1992). On the

one hand, what we expect democracy to be is broadly defined by Schumpeter as cited by Diamond (1992). He simply characterized democracy as a political method, a mechanism for choosing political leadership. People choose politicians from a pool of competitive political leaders who compete for their votes. Then, until the next elections, decisions are made by those chosen people. At the next election, if people are not satisfied, they can choose to replace those officials.

On the other hand, Beetham (1999) explained democracy more narrowly. His definition of democracy has three parts. First, he defines democracy as the substantial participation in local community institutions as well as the self-management of cooperatively owned enterprises. Second, he calls for a bill of rights that goes beyond the right to vote, providing equal opportunity for participation. Thirdly, he defines democracy as providing for social and economic rights to ensure adequate resources for democratic autonomy.

Thus, democracy, by this definition, requires both a high degree of accountability from the state as well as a democratic reordering of civil society. A consideration of these narrow and broad definitions makes it abundantly clear that democracy is a political system. Beyond this, however democracy is also a specific social and economic system in which the primary concern is the government and governmental institutions (Beetham, 1999).

However, while explaining democratic policing in the second part, both the narrow and broad definitions of democracy must be used. It is better to discuss the broad definition first, expanding upon it while explaining democratic policing. The best definition in this sense comes from Dahl (1971).

More than a definition of democracy, he outlines the tenets that are vital for democracy. He emphasizes the responsiveness of the government to the preferences of its citizens, who are characterized as political equals. Citizens must have the opportunity to - formulate their preferences; show their preferences to their fellow citizens and the government by individual and collective action; have their preferences weighed equally in the conduct of government (Dahl in Sorensen, 1998). Sorensen indicated that these three opportunities cannot be guaranteed automatically. They depend on certain institutional guarantees. Those guarantees shape the democracy of a society and they all must exist for a government to be classified as democracy (Sorensen, 1998).

Dahl as cited in Sorensen (1998) outlines eight institutions, which are necessary to guarantee these opportunities:

- Elected Officials - Control over government decisions about policy is constitutionally vested in elected officials.

- Free and fair elections - Elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon.

- Inclusive suffrage - Practically, all adults have the right to vote in the election of Officials.

- Right to run for office - Practically, all adults have the right to run for elective offices in the government, though age limits may be higher for holding office than for suffrage.

- Freedom of expression - Citizens have a right to express themselves without the danger of severe punishment on political matters broadly

defined, including criticism of officials, the government, the regime, the socioeconomic order and the prevailing ideology.

- Alternative sources of information - Citizens have a right to seek out the alternative sources of information that exist and they are protected by laws.

- Associational autonomy - To achieve their various rights, including those listed above, citizens also have a right to form relatively independent associations or organizations, including independent political parties and interest groups

- Institutions for making government policies depend on votes and other expressions of preference.

Most political scientists put these eight requisites for democracy into three main categories: competition, participation and civil and political liberties.

Competition describes the popular election of the parliament or legislature and the head of government. The extent of popular control can be divided into many sub-categories to explain and to argue its meaning. For instance, popular control may be characterized by the degree of fairness between parties; independence from the current government; inclusiveness with no formal or informal exception in terms of any parties, candidates or voters (Sorensen, 1998).

Participation describes an open and accountable government. Accountability is also multidimensional and can be broken down to political, legal and financial accountability; accountability directly to the electorate, through the public justification for its policies; or indirectly to agents acting on behalf of the people. Accountability depends upon public knowledge of what

the government is doing from sources that are independent of its own public relations organizations (Sorensen, 1998). Along these lines, an independent and democratic oversight body is needed to assess the power and independence, both legal and actual, of different governmental bodies. In addition, all those accountability issue, - openness refers to the governments responsiveness to public opinion through a systematic process of consultation with relevant interest groups and organized citizen groups (Beetham, 1999; Sorensen, 1998).

The third category covers all civil and political liberties (Sorensen, 1998). The specific guaranteed civil and political rights and liberties include: freedom of speech, association, assembly and movement and the rights to due legal process. Without them, one cannot mention popular control over government. These rights and liberties are necessary if citizens are to communicate and associate with one another independently of government and if they are to express dissent from government or to influence it on an ongoing basis (Beetham, 1999). Essentially, if all requisites indicated above are present at a meaningful level, civil and political liberties will be protected.

Significantly, competition, participation and civil and political liberties are the essential categories that characterize democracy. Many social and political scientists agree that it is necessary to have a society that responds to all three. It would then be a — civil society, a nexus of associations through which people organize independently to manage their own affairs. This nexus could also act as a channel of influence upon government and a check on its powers. This would be society that believes democracy is its fundamental tenet (Beetham, 1999; Dunn, 1992; Diamond, 1992). All disagreements, all

requests, all demands occur in society or come from society or are directed to society.

The concept of democratic policing

According to Jensen and Heller (2004), the meaning of the term police has changed over the last five centuries. The word comes from "polity", meaning the form of government of a political body. In Europe in the 15th century it referred broadly to matters involving life, health and property. There was no distinct policing. Policing was done intermittently by the military and society was largely "unpoliced". With the formation of modern states with clear national borders beginning in the 18th century, policing became concerned with internal security and the prevention of public danger. With the expansion of the law over the next several centuries police came to be increasingly concerned with internal security and the prevention of the crime (Das & Otwin, 2000). According to Das and Otwin (2000), over the past several centuries police came to be increasingly concerned with internal security, the prevention of public danger and the prevention of breaches of law. The police themselves also came to be more controlled by the law.

There is no simple or widely agreed upon definition of a democratic police. Indeed it is easier to define a non-democratic police and non-democratic police behaviour than their opposites. But viewed abstractly all democratic police systems share the ideal that police powers are to be used according to the rule of law and not according to the whims of the rulers or the police agent (Jordan & Zager, 2001; Silva, 1999). The state's power must be used in a restrained fashion and proportional to the problem. In the original

British model there was to be policing by consent and hence an unarmed policing was the norm. Ideally, citizens would accept police authority out of respect, rather than out of intimidation (Jordan & Zager, 2001; Silva, 1999).

A democratic police is defined by both its means and ends (Russell, 1997). Some means are simply too abhorrent and are prohibited under any circumstances: torture and summary execution, kidnapping and harming family members out of suspicion. Other means involving the use of force, the denial of liberty and interrogation must only occur with due process of law. Due process does not refer to questions of guilt or innocence, but with the way in which guilt is determined (Glensor, 2000; Goldstein, 1990).

In most countries stringent actions such as wiretapping or holding a suspect in custody for more than a short period of time must be sanctioned by independent judicial or executive authorities. Should force be required it should be the minimal amount necessary for self-defense or to ensure an arrest. Punishment (if called for) should only occur after a judicial process. The laws that police enforce and the way they use of power, is determined by a democratic process (Glensor, 2000; Goldstein, 1990). They added that the idea of a democratic police is a neutral police. For example in a racial or labour disturbance the police are not to take sides, nor should they spy on, or disturb the legal actions of an opposition political party.

Jordan and Zager (2001) noted that in democratic societies there is always a constant strive for equal law enforcement by the police. In such societies citizens are to be treated in equivalent ways. Police are then trained to behave in a universalistic fashion. They pointed out that in democratic societies, "the police service is expected to show neutrality in the enforcement

of the rules (laws) regardless of the characteristics of the persons or group(s) involved (for example their race, social class or political or religious persuasions)" (Jordan & Zager, 2001 p.76).

Jordan and Zager (2001) noted that even though the police are expected to be neutral in their dealings with the citizenry, in real life situations, it does not always happen this way. Sometimes, the police cannot show neutrality in so far as the state, which employs and controls them is concerned. There are citizens who will always disobey basic rules or break the law; to such individuals they would see the police as being neutral. This is one reason why even in a democratic society police are likely to be much more controversial than other agencies of government (Jordan & Zager, 2001).

The concept of democratic policing has received a lot attention from many scholars. One of such scholars is Salih Hakan Can (2002) who notes that "The most common dilemma arises from the need to respect the individual arrestee's rights while ensuring the safety of the greater community" (Sherman as cited in Can, 2002 p.3). It is the peace officer's duty to follow the rules while enforcing the law. The police are trying to discover ways to maintain an appropriate balance between governing others and controlling themselves (Harrison, 1999 as in Can, 2002). When police are confronted with the crime, they must think rationally, carefully balancing the individual rights of the offender against the peace of the community.

Can (2002) continues that democratic policing is an important initiative in recent decades to transform police organizations to better balance governing and self-control. Democratic policing therefore means that the police should respect due process, rights and freedoms of the citizenry. It also

means that the police should not discriminate unjustifiably in law enforcement practices and follow priorities which are in line with popular sentiment where this is clear or which discreetly balance contending priorities in a divided community (Kratcoski, 2000; Marenin, 2000; Waddington, 1999 all cited by Can, 2002). However, transforming police into better and more self-controlled governors may require more than mere organizational tinkering.

Democratic policing is no panacea for the ills of the police in society. Of course, there is little that reform of the police can accomplish on its own to bring about democracy, unless a regime is dedicated to become democratic (Can, 2002). Bayley (2001) explained that the police can weaken democracy or they can strengthen it, but they cannot create it. Most scholars agree with Berkley (2001) who argued that the police system could not be changed unless the society it serves was changed as well. Consequently, initiatives to change the police are limited by the capacity of the society served.

According to Bayley (2005), democratic policing "is rooted in the theory of democracy" (p.64). Consequently, in order to fully understand the concept of democratic policing, theory, practice and process of democracy have to be known. In addition, common areas of democracy must be fully understood and the commonalities between policing and democracy must be clarified (Das, 2000; Kratcoski, 2000).

Comparative studies of democratic theory clearly indicate that in functioning democracies, the police, political norms and society are congruent. If disagreements occur, they are resolved by legitimate and established legal and political procedures (Can, 2002). But, in transitional democracies, where both politics and policing are shifting, there must be resolution without the

benefit of established legal and political procedures (Marenin, 2000). It is necessary, then, to study the concepts of democracy and democratization of policing separately. These concepts can then be combined to provide the organizational requisites for democratic policing (Das, 2000; Kratcoski, 2000).

According to Can (2002), "the concept of democratic policing recently became used to describe a specific model of policing. Democratic policing is intended to achieve low crime rates, diminished bribery, corruption, brutality, and maximum community satisfaction via problem and community oriented policing" (p.8). Scholars who advocate for democratic policing have identified several tenets that are fundamental to democratic policing, such as the rule of law, accountability to the public, open decision making, minimal use of force, involvement of public in policing, maximum respect for human rights and internal democracy in the organization (Das, 2000). In order to implement these tenets, many policies have been formulated throughout the course of time. Civilian oversight, unionism, centralization or decentralization, problem oriented and community policing, ombudsman (its equivalent in Ghana is the CHRAJ) and civilian complaint boards, to use of advanced technology to investigate crime and increased representation are just a few of the initiatives adopted in the name of democratic policing (Das, 2000; Kratcoski, 2000).

Can (2002) in bringing down the curtain on his contribution to the literature review touched briefly on models of policing. He wrote about Centralization and Decentralization of policing. He explained that in the centralized model, a central government establishes a police force that is imposed on the population, as is the case in France, Japan, the former Soviet Union and Finland. With the decentralized model, Can indicated that it is

separated into two types. They are generally referred to as the coordinated and fragmented models. The coordinated model involves a considerable sharing of power between the central government and local authorities. England and Wales, Australia and Canada, all operate as coordinated models. In the fragmented model, also known as federalist model, the centralized government is responsible for the enforcement of the laws that have national application, the state has the responsibility to enforcement the laws specific to that state, and the local government formulates laws that are applicable in that jurisdiction. The U.S. is an example of a federalist or fragmented model.

Constitutionalism, despotism and fundamental human rights

Constitutionalism has a variety of meanings. Most generally, it is "a complex of ideas, attitudes, and patterns of behaviour elaborating the principle that the authority of government derives from and is limited by a body of fundamental law" (Fehrenbacher, 1989, p.1) These ideas, attitudes and patterns of behaviour, according to one analyst, form "a dynamic political and historical process rather than as a static body of thought laid down in the eighteenth century" (Tunick, 2006, p.4). A political organization is constitutional to the extent that it contains institutionalized mechanisms of power control for the protection of the interests and liberties of the citizenry, including those that may be in the minority (Gordon, 1999).

Additionally, Fellman (1974) stated that constitutionalism is descriptive of a complicated concept, deeply imbedded in historical experience, which subjects the officials who exercise governmental powers to the limitations of a higher law. He indicated that constitutionalism proclaims

the desirability of the rule of law as opposed to rule by the arbitrary judgment or mere fiat of public officials. Throughout the literature dealing with modern public law and the foundations of statecraft the central element of the concept of constitutionalism is that in political society government officials are not free to do anything they please in any manner they choose; they are bound to observe both the limitations on power and the procedures which are set out in the supreme, constitutional law of the community. "It may therefore be said that the touchstone of constitutionalism is the concept of limited government under a higher law" (Fellman, 1974, p.2).

Despotism is the direct opposite of constitutionalism. It is a form of government by a single authority, either an individual or tightly knit group, which rules with absolute political power. In its classical form, a despotism is a state where a single individual (the Despot) wields all the power and authority embodying the state, and everyone else is a subsidiary person. This form of despotism was common in the first forms of statehood and civilization (Tunick, 2006). The term now implies tyrannical rule. Despotism can mean absolutism (dominance through threat of punishment and violence) or dictatorship (a form of government in which the ruler is an absolute dictator, not restricted by a constitution, laws or opposition, etc) (Fay, 1993). Most of the time, despotism is seen as dictatorship. Dictatorship is defined as an autocratic form of government in which the government is ruled by an individual, the dictator, without hereditary ascension. It is a government controlled by one person or a small group of people such as during military rule (Fay, 1993).

For some scholars, dictatorship is a form of government that has the power to govern without consent of those being governed, while totalitarianism describes a state that regulates nearly every aspect of public and private behaviour of the people. In other words, dictatorship concerns the source of the governing power (where the power comes from) and totalitarianism concerns the scope of the governing power (what is the government). In this sense, dictatorship (government without people's consent) is a contrast to democracy (government whose power comes from people) and totalitarianism (government controls every aspect of people's life) opposes pluralism (government allows multiple lifestyles and opinions). Though the definitions of the terms differ, they are related in reality as most of the dictatorship states tend to show totalitarian characteristics. When governments' power does not come from the people, their power is not limited and tend to expand their scope of power to control every aspect of people's life (Fay, 1993; Tunick, 2006).

Among the features of constitutionalism is the respect for the fundamental human rights and freedoms of citizens. Human rights refer to the "basic rights and freedoms to which all humans are entitled" (Alston, 2005 p.807). Examples of rights and freedoms which have come to be commonly thought of as human rights include civil and political rights, such as the right to life and liberty, freedom of expression, and equality before the law; and economic, social and cultural rights, including the right to participate in culture, the right to food, the right to work, and the right to education.

In Ghana, the 1992 Republican Constitution made provision for the fundamental human rights and freedoms of citizens. Specifically, Chapter Five

Sections 12-33 embody the rights and freedoms. The rights are: Protection of Fundamental Human Rights and Freedoms, Protection of Personal Liberty, Respect for Human dignity, Protection from Slavery and Forced Labour, Equality and Freedom from Discrimination, Protection of Privacy of Home and Other Property, Fair Trial, Protection from Deprivation of Property and General Fundamental Freedoms among others. The constitution also makes it clear how these rights may be protected, especially by the police who have the power of arrest and detention and the role the courts play in freeing or restricting the rights of the individual.

The concept of rule of law

The rule of law, in its most basic form as indicated in the writings of Shklar (1987), is the principle that no one is above the law. In England, the issuing of the Magna Carta was a prime example of the "rule of law." The Great Charter forced King John to submit to the law and succeeded in putting limits on feudal fees and duties. Perhaps the most important application of the rule of law is the principle that governmental authority is legitimately exercised only in accordance with written, publicly disclosed laws adopted and enforced in accordance with established procedural steps that are referred to as due process. The principle is intended to be a safeguard against arbitrary governance, whether by a totalitarian leader or by mob rule. Thus, the rule of law is hostile both to dictatorship and to anarchy. Samuel Rutherford was one of the first modern authors to give the principle theoretical foundations in Lex, *Rex* (1644), and later Montesquieu in The Spirit of the Laws (1748).

Wikipedia (2008) indicates that in Continental Europe and legal thinking, the rule of law has frequently, but not always, been associated with democratic governance. According to modern Anglo-American thinking, hallmarks of adherence to the rule of law commonly include a clear separation of powers, legal certainty, the principle of legitimate expectation and equality of all before the law. The concept is not without controversy and it has been said that the phrase "the Rule of Law has become meaningless thanks to ideological abuse and general over-use" (p.8).

Furthermore, Wikipedia (2008) notes that the contrast between the rule of men and the rule of law is first found in Plato's "Statesman and Laws" and subsequently in Aristotle's *Politics*, where the rule of law implies both obedience to positive law and formal checks and balances on rulers and magistrates. According Wikipedia, in his treatise, Law of the Constitution, Dicey (1885) identified three principles which together establish the rule of law: (1) the absolute supremacy or predominance of regular law as opposed to the influence of arbitrary power; (2) equality before the law or the equal subjection of all classes to the ordinary law of the land administered by the ordinary courts; and (3) the law of the constitution is a consequence of the rights of individuals as defined and enforced by the courts" (p.9).

The concept of rule of law since it was formally propounded by Dicey has caught up well with all and sundry. Many scholars have made their own modifications and have suggested ways the concept could be operationalised in governance. In the subsequent deliberations under this section, Helen Yu and Alison Guernsey of the University of Iowa Center for International Finance and Development treatise on the concept is reviewed extensively. Yu

and Guernsey (2006) started with a remark that " economic growth, political modernization, the protection of human rights and other worthy objectives are all believed to hinge, at least in part, on 'the rule of law'" (p.1). They then attempted to joggle with the definition of concept. Yu and Guernsey agree that rule of law like any other social concept does not have a precise definition and that its meaning can vary between different nations and legal traditions. Generally speaking however, it can be understood as a legal-political regime under which the law restrains the government by promoting certain liberties and creating order and predictability regarding how a country functions. In the most basic sense, the rule of law is a system that attempts to protect the rights of citizens from arbitrary and abusive use of governmental power by agents of state such as the police or military or the security forces.

The Ghana Police Service and rule of law

The Ghana Police Service has a checkered history of being a force and at the same time a service since its official birth in 1921 in the then Gold Coast. Before then, chiefs in the Gold Coast Colony had their own guards whom they used as coercive authority to ensure law and order. Among the Ashantis, they were known as "Abrafuo" or "Ahenfie-police," that is, palace policemen. The police served both the colonial masters as well as all the regimes after independence. During the Convention Peoples Party's regime of Dr. Kwame Nkrumah, the Commissioner of Police (as the then head of police was known) was arrested by the government for his alleged involvement in a conspiracy to overthrow it (Pokoo-Aikins, 2001).

The government that overthrew the CPP government included police officers in the governance of the state. The then Inspector-General of Police, Mr. W.K. Harley was made a member of the ruling junta. The police service has since then served every government including both civilian and military regimes diligently (Aning, 2002).

The Ghana Police Service is designed on the British model to be a professional body but interestingly, all regimes - both civilian and military have come with their new Inspector-General of Police. At one time, it was known as Ghana Police Force until 1970 when Act 350 changed its name to Ghana Police Service and placed it under the Public Service. Article 200 clauses 1-3 of the 1992 Constitution of Ghana provides that (1) There shall be a Police Service of Ghana (2) No person or authority shall raise any police service except under the authority of an act of parliament (3) The police service shall be equipped and maintained to perform its traditional role of maintaining law and order (Constitution of Ghana, 1992).

The structure and administration of the Ghana Police Service

Ebbe (2008) highlights the Ghana Police Service from another perspective and indicates it has a centralized system of administration. The members of the service are recruited from all eleven regions of the country, because Tema is considered as a region in terms of police command. The police districts report through their divisional commanders to the regional commanders, who in turn report to the Ghana Police Service Headquarters in Accra.
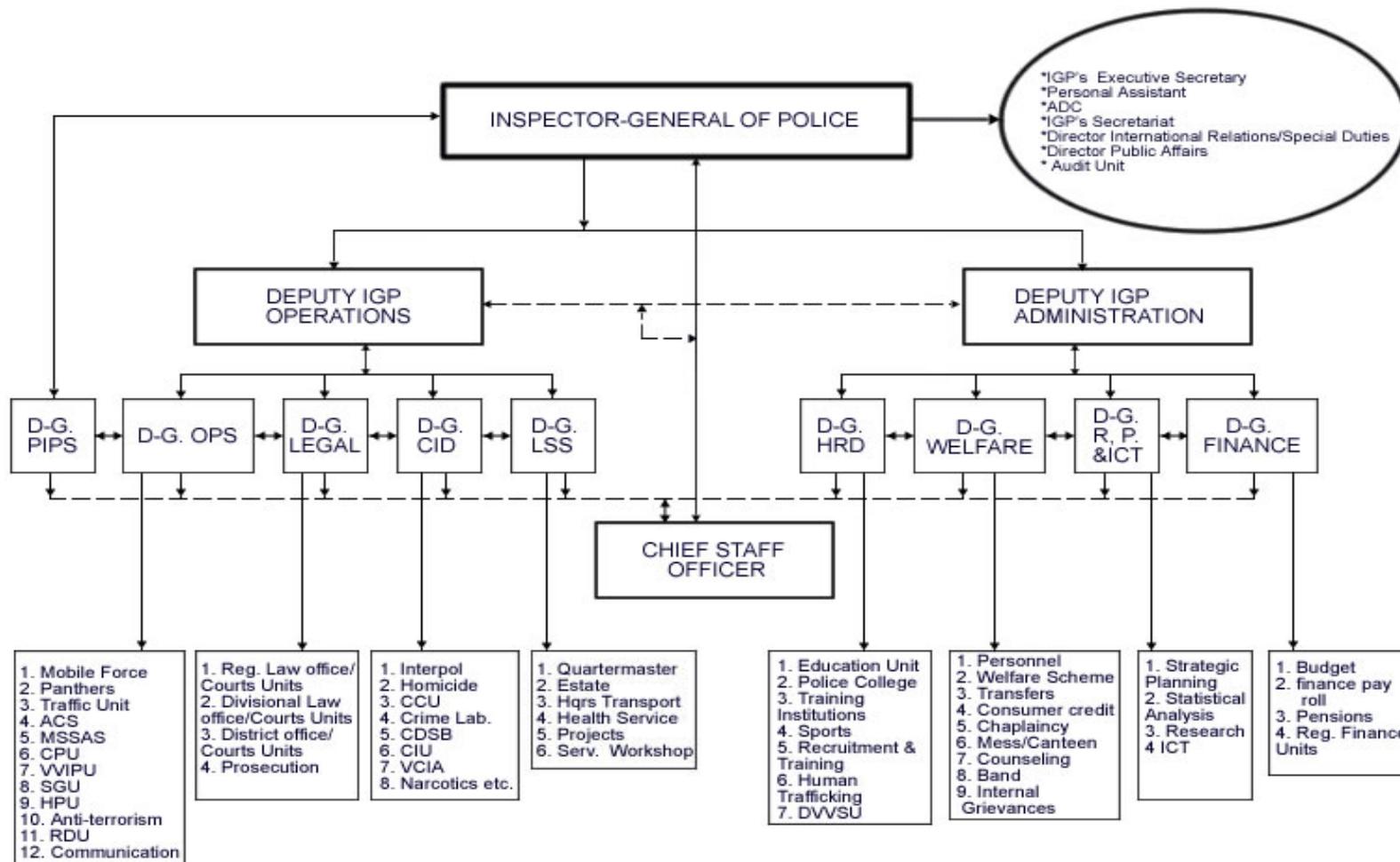
Figure 1: Organisational chart of the Ghana Police Service

Source: www.ghanapolice.org

The Republican Constitution of 1992 empowers the President of Ghana to appoint the Inspector General of Police, who can be described as the Chief Executive Officer of the Ghana Police Service. The service falls under the authority of the Ministry of the Interior. The rank order of the Ghana Police Service (from highest to lowest) is depicted on Figure 1 as follows: Inspector General of Police (The Chief Executive Officer), Deputy Inspector General of Police, Commissioner of Police, Deputy Commissioner of Police, Assistant Commissioner of Police, Chief Superintendent, Superintendent, Deputy Superintendent, Assistant Superintendent, Chief Inspector, Inspector, Sergeant, Corporal, Lance-Corporal, Constable and Recruit (Ebbe, 2008).

Again, Ebbe (2008) reveals that the senior officer category includes positions from the Inspector General to the Assistant Superintendent. The senior non-commissioned officers include the positions of Chief Inspectors and Inspectors, while the positions of Sergeant, Corporal, Lance-Corporal, Constables and Recruits constitute the category of junior non-commissioned officers. There are eleven police regions, including the Ghana Police Service Headquarters in Accra. Almost all police regions are administered by an Assistant Commissioner of Police with few of them being headed by a Deputy Commissioner. Each region is divided into divisions and each division is subdivided into police districts with many police stations and posts operating in each district (Ebbe, 2008).

Within the Ghana Police Service, the Inspector General of Police (IGP) is the overall commander of the Service. A Deputy Inspector General is in charge of Operations and another Deputy Inspector General is charge of Administration. Apart from the Criminal Investigation Department, which is

headed by a director, there are five other departments operating under the authority of a separate commissioner or a deputy commissioner. These five departments include the Human Resource Department, Welfare Department, Services Department, Technical Department, and Operations Department. The Ghana Police is responsible for the detection of crime, offender apprehension, law and order maintenance, protection of lives and property, the licensing of guns, escort and body-guard services for ministers and senior government officials, the prosecution of offenders, riot control, traffic control, and the escort of convicted offenders to prisons (Ghana Police Website, www.ghanapolice.org, 2010) .

It must be noted that the annual expenditure of the Ghana Police is not available, however, IGP presents his department's annual budget to the Minister of the Interior who in turn, presents it to the Cabinet and to the Parliament for debate. In terms of logistics and equipment, the service is equipped with patrol vehicles and a host of electronic equipment. Specifically, the police are equipped with radio communication devices, computer recording devices and riot control devices. In respect of weapons, the mobile police unit is a para-military division which is heavily armed with automatic rifles for controlling syndicated criminals, highway robbers, and land-based, armed international smugglers. General duty police officers do not carry firearms, except in emergencies or when they are involved in assignments that carry a high likelihood of deadly violence.

On training and qualifications of personnel of the Ghana Police Service, there are Regional Police Training Schools (PTS) in Kumasi, Ho, Koforidua, Bolgatanga and Winneba. Additionally, there is the National Police

Training School in Accra. Together these training schools train recruits for a six month duration. Individuals aspiring to enter any of the Police Training Schools must be at least 18 years but no more than 35 years-old and be at least five feet, eight inches tall. The minimum educational requirement for recruits is Senior High School Certificate or its equivalent. The individual must be free from sight, vocal and physical impairments (Kaplan, Irving, McLaughlin, Marvin, Moeller, Nelson & Whiteker, 1971; Quaye, 1993).

The Ghana Police College in Accra trains cadets to become police officers. Before being admitted into the Ghana Police College, cadets are required to have a Higher National Diploma or First Degree or a higher certificate. In addition, senior Inspectors and Chief Inspectors, who pass an entrance examination may be admitted to the college. Cadets spend at least six months at the Police College in order to graduate as commissioned officers. Today, individuals with a university degree in the social sciences and other sciences may join the Ghana police service directly. However, these individuals must also undergo at least six months training at the Ghana Police College (Agyapong, 1993).

In the exercise of discretionary use of force, the Ghana police use deadly force only when an offender resists an arrest or is armed and refuses to surrender. Again, they stop and apprehend suspects. It is a matter of fact that the Ghana Police has wide discretionary powers in the areas of arrest, search and seizure and in determining the cases they bring to court after thorough investigations. An offender reaches a district court or a magistrate's court only if the police decide to take the matter to court. Furthermore, with the decision to arrest, searches and seizures, the police are required to obtain a warrant

from the District Magistrate before any search and seizure may take place. However, in practice, a warrant is not always obtained. Even if the police engage in a warrantless search and seizure, the case can still be brought to court (Kaplan, et al, 1971; Quaye, 1993).

The role of the Ghana Police Service in the era of democracy and rule of law

This section is started with the question: 'Can the Ghana Police Service stand between citizens and danger? This is because recent political developments in Ghana have once again brought to the fore, the contentious issue of public protection on the continent. The dash between expectations and reality – between what the Police are supposed to do and what they can realistically do in a democracy like Ghana – is one of the major issues at the heart of policing in the country and indeed the whole African democracies.

The universal expectation of the role of the police is to protect citizens by preventing crime and ensuring access to justice and rule of law. Citizens ought to have access to the Police and feel safer as a result of the protection they offer. Yet most African Police Services have failed to meet the standard set by the United Nations for effective policing of the citizens. The United Nations says that at least the ratio of police officers to the populace should be one per 450 (1:450) in order to maintain security, law and order. Unfortunately for Ghana's democracy, the situation is different (See Table 1).

Typically emergency calls to the Police either go unanswered or when answered the Ghana Police Service most often lack the capacity for rapid response and thus arrive at crime scene too late or not at all. It is not

uncommon for personal callers to Police stations to pay bribes before being served. No wonder, many Ghanaians have lost confidence in the Police Service and seek alternative sources of protection. Numerous cases of engagement of land guards in land litigations, surge in small arms acquisition and high rate of incidents of instant justice are few examples of the extend of loss of confidence in the Police Service and the delivery of justices as a whole.

Table 1: Police to Population ratio in selected countries in Africa

Country	No. of Police	Year	Population	Ratio
Botswana	6,500	(2007)	1.8 million	1:280
South Africa	132,000	(2007)	48.0 million	1:360
Nigeria	300,000	(2006)	135.0 million	1:450
Zimbabwe	25,000	(2004)	12.0 million	1:520
Algeria	60,000	(2006)	33.0 million	1:550
Libya	10,000	(2005)	6.0.million	1:600
Ghana	20,000	(2006)	21.0 million	1:1000
Kenya	31,000	(2007)	36.0 million	1:1160
Uganda	14,000	(2007)	25.0 million	1:1800
Mali	4,800	(2004)	12.0 million	1:2500

Sources: Library of Congress Website, Uganda, Botswana and South African Police Website, International Institute for Strategic Studies; CIA Factbook.

Similarly, the populace complains that Police check points serve more as collection points for bribes than place to check crime and instill a sense of security. One only has to travel from Accra to Paga or from Elubo to Aflao to understand the reason for the public outcry. Indeed, the situation is not

different from other Sister West African countries which have also accepted rule of law and democracy. From the Seme Border (between Nigeria and Benin) through Togo, to Aflao Border, the situation is not different. It is even worse, Police corruption abound. These tend to make mockery of 'free movement of goods and peoples' across our democratic West Africa (Aning, 2006).

There have been several public debates on the conduct of the Public service vis-à-vis the democratic dispensation in Ghana since 1992. The Ghanaian Chronicle newspaper recently carried an editorial discussing a number of alleged incidents involving the police irresponsibility in discharging weapons which resulted in civilian deaths in which it said it has "lost count of the number of people who have died through so-called 'stray bullets'. The editorial bemoaned the fact that, unlike some other African countries where demonstrations are controlled using water cannons, "here in Ghana, the Police personnel go to demonstrations with cocked guns, ready to fire" (p.15).

The reason for these alleged practices of abuse, incompetence and corruption by the Police Service is what a Nigerian Writer, Funmi Olomsakin called, "symptomatic of governance deficits". With decades of authoritarian rule, it is expected that the Ghana Police Service would be diverted instead to propping up the various regimes. It is not surprising that out of this history has come badly- paid and poorly trained police officers with little sense of their mission as protectors of the citizens in the new era of democratic freedom and rule of law.

Historically, the police have been neglected at the expense of the more effective and influential, Armed Forces (Military) in the past. The police was also politicized for a particular regime survival and interest. Invariably, the securities Services, including the Ghana Police Service, have been used to repress the very people they were meant to protect. Nevertheless it has been shown by analysts that functioning police can be seen as good measure of good governance, democracy and development. For example, African's process of political "liberalization" has, in some instances, translated into police reform. The various committees by government to delve into the operations of the Ghana Police service, including the Archer committees, are a good example. However, most of their recommendations remain unimplemented (Aning, 2006).

All said and done, the work of the police service has seen tremendous improvement in both physical structure and morale of the men in the past sixteen years when Ghana embraced democracy and rule of law, most of these development programmes are largely supported from outside Africa by the western donors. One should not however forget the assistance of the Nigeria Government in the form of provision of transport in 2001. The assistance received from the western world is recognition by their governments that a basic equation exists in the developing world. Law plus order equal stability and improved economy, which further equals development. Therefore, the international support has not taken the form of only skills training but also financial aid. This has the effect of improving motivation among the ranks of the Ghana Police Service (Aning, 2006).

In trying to draw a contrast among the police in Africa (in this contest Ghana) and the developed world the difference will not be far-fetched. This stems from the fact that all industrialised societies use the police to control crime and to contribute to public order (e.g., mediating and arbitrating disputes, regulating traffic and helping in emergencies). But the conditions under which police operate, the means they use and the ends they seek vary greatly between democratic and non-democratic societies. The police were central elements of democratic societies in the past and they continue to play the same role and even bigger role than in times of old. Indeed one element in defining such a society was/is a police service that is subject to the rule of law, rather that the wishes of a powerful leader or party; can intervene in the life of citizens only under limited and carefully controlled circumstances and is publicly accountable (Das & Marenin; 2000; Reiss, 1992; Walker, 1977).

It is a myth that all that stands between total chaos and social order is the police. Social order has multiple sources. These include socialization to norms, a desire to have others think well of us, reciprocity, self-defense and the design of the physical environment. Yet police are an important factor. Their importance increases with the heterogeneity and size of a society (Bayley, 2001).

The need for an effective police education and training

Bossman and Frost (1996) amply emphasised the importance of police education and training using the case of South Africa when that country changed from dictatorial apartheid regime to a constitutional democracy regime in 1994. in effect they stated that the South African Police Force (as it

was then called) seen against the backdrop of a difficult and repressive history, the challenges that South Africa faced were by no means insignificant. The country needed to be rebuilt, a need spelt out in the reconstruction and development programme adopted by the government of national unity. Specifically, Bossman and Frost (1996) indicated that:

> "On an educational level, the biggest challenge lies in addressing the enormous imbalances in skills and experience between different sectors in the community, as well as in the police. The role distance education can play in this regard, is undeniably important, although we are of the opinion that significant progress is not possible through traditional distance education, or "correspondence". To enable distance education to address economy of scale, while still providing sufficiently skilled police officials, a new approach to distance education in general but for police in particular is needed. We propose an integrated learner-centred model as an effective tool in addressing mass education without compromising on the quality of the education" (p.8).

It is seen that Bossman and Frost (1996) advocated that the police personnel can be adequately educated and trained through distance education. Consequently, they stressed that the challenge to police education, in particular tertiary education, is by no means small and it needs a bold new approach. "Correspondence" education, and in fact education alone, will probably never be able to eliminate the skills and experience gap in the South African Police Service, while simultaneously realigning experienced, skilled police officials from a "force" to a "service" orientation. They also touched on

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three key components of police transformation, which are: rationalisation, amalgamation and transformation. In the specific case of South Africa, Bossman and Frost explained the three terms as follows:

- The rationalisation of staff from all the police agencies that policed in the "old" South Africa, for example, the TBVC 2 countries and other self-governing states. This includes such basic tasks as counting government officials, a task that still needs to be completed.

- The amalgamation of these forces and the old South African Police (SAP) into one South African Police Service.

- The transformation of the police from a force to a service in line with the principles and objectives of community policing (p.12).

Essentially from the view point of Bossman and Frost, rationalisation, amalgamation and transformation must result in changing the attitudes of society towards criminality and victimisation. This requires a community based and supported police service, which in turn requires new skills and competencies to be developed by police officials. These skills and competencies are essential in breaking down barriers that have been erected between the community and the police over many years. In a large part of the South African community, the police need to change from being the enemy to being an essential "friend" in the community. The same can be said of Ghana in the sense that during dictatorial regimes the police service became repressive and by extension enemies instead of an ally. It is unfortunate that today, 16 years into constitutional rule the police service does not have the confidence and cooperation of many citizens because it has not totally been transformed as it is expected of a democratic police service (Ossei, 2008).

Additionally, Bossman and Frost (1996) indicated that transformation within the SAPS must lay the framework for the orientation of policing to be receptive to community needs. Community participation is included in this regard. It must also succeed as reconstruction and development is dependent on a basic level of stability and all people have the right to live in a safe and secure environment. The transformation must relate to eliminate bureaucratisation, under-resourcing and unequal distribution of resources. Also of importance is enhancing consultation and participation regarding the policing function; educating and training role players; optimising policing functions, procedures and methods; optimal use and co-ordination of resources and effective service delivery.

Nemphos (2008) dilates on police training in Cheshire, a district in the state of Connecticut of the United States of America. He reveals that a great deal of time, effort and money is committed to every person who is hired as a police officer in Cheshire. He maintains "not only is training required on how to be a police officer, but also there is a large amount of training required to stay a certified police officer" (p. 2). Nemphos continues to emphasise that the responsibilities of the Cheshire Police Department training officers include providing updates on constantly changing legal issues, researching new police equipment, officer safety tactics, proper response to highly stressful situations and the ability to make sound decisions to peacefully resolving those stressful situations. He particularly stressed that if the police institution fails to properly train officers it can lead to poor decisions by the officers and may result in civil law suits, which could directly affect the entire community. Besides, the lack of realistic training can also lead to officers being hurt or killed when

responding to crimes of violence, dealing with individuals who are under the influence of drugs or alcohol and subjects who pose a threat to the public.

At this juncture, it must be noted that content of police education and training play important role in making an effective and efficient police personnel capable of functioning in constitutional environment. On this basis, Marais and Rauch (1992); Brogden (1991) who wrote extensively on the South African Police Service intimated that the apartheid police training was marked by its faulty theoretical basis and its focus on theory and "chalk and talk" teaching, instead of interactive teaching entailing skills training for discretionary policing activities. The end product was police officers who have been through full "education" courses, but who were nonetheless totally under-skilled to deal with the practical realities of policing in post apartheid South Africa. They indicated that the existing training failed dismally to equip police managers to deal with the rapidly changing demands of police reform within a society in transition. This was a particularly costly liability considering the need for rapid change in the police force in the period that led to the April 1994 elections in South Africa. These scenarios seem to have happened in another country, but similar thing happened in Ghana and similar remedial measures need to be adopted to save the situation. In view of this the succeeding paragraph touches on effective training of police personnel as a vehicle for change – that is, policing a dictatorial regime to a constitutional democratic environment.

Still using a South African perspective, Levin, Ngubeni and Simpson (1994) noted that one way of impacting on the transformation of a police service is through new and different training. Such training courses are limited

as a change strategy, however, because of the urgent and immediate need for change coupled with the large number of policing personnel people who need to be trained or re-trained in the short period of time available. Another limitation on the effects of new training programmes, relates to the self-sustaining organisational culture of the South African Police. They stated that training may not be an effective mechanism for transforming such a culture - especially a culture of racism - unless accompanied by major structural changes both internally within the police organisation and within the society at large. Thus, Brogden (1991) and cited by Levin, Ngubeni and Simpson (1994) noted that "any initial impact of anti-racist training is lost soon after the trainee officer is placed 'on the street' as the prevailing police culture - with its particular 'on the job' guidance - resumes as the major practical guide" (p.7). Thus, for training or re-training to be effective, it must be in line with other internal and external developments. There are three arenas of training which nonetheless have considerable potential as transformative vehicles to professionalise the police service and render it more accountable and representative. These are: the (basic) training of new recruits; the re-training and upgrading of serving police officers; and training of change agents' at the management level (Levin, Ngubeni & Simpson, 1994).

CHAPTER THREE

METHODOLOGY

Introduction

This chapter discusses the methodology that was used for the study. It includes data collection procedures, the development and design of the instruments for data collection, the population for the study, sample and sampling techniques, pre-testing of instruments and data analysis procedures. In addition, the profile of the study area (ACDIV) is embodied in this chapter.

Profile of Ashanti Central Division (ACDIV)

The Ashanti Central Division of the Ashanti Regional Command of the Ghana Police Service is one of the few divisions in the region which enhances the management and command of the region. It was created in 1975 under the command of Chief Superintendent, Mr. Isaac Kwakye. The administration at that time was made up of the divisional commander, a staff officer and six other officers. ACDIV was the biggest and largest division in the Ashanti Region which embodied districts within the Kumasi metropolis and rural districts. The districts that fell under the division included 'A' District, Suame, Abuakua, Nyinahin, Tepa, Konongo, Ejisu, Juaso and Mankranso Districts.

Presently, most of the districts that formed part of the original ACDIV have been elevated to divisional status leaving only the 'A' District. It is significant to note that Konongo, Nkawie, Suame and Tepa are divisions with

districts under their command. ACDIV now comprises Ridge, Railways, Kejetia and Central Police Stations. This division has a vibrant Criminal Investigations Department because it operates in the central district of the Kumasi Metropolis. The divisional crime department is headed by a divisional crime officer who is answerable to the divisional commander. The Crime Officer (as the head of CID is known) works with a team of detectives with the most senior being a Detective Chief Inspector who is the second in command to the crime officer. The divisional CID manages crime within its area of jurisdiction. Its core duties include: investigation of complaints, arrest of offenders, detection of crime, preparation of reports, giving of evidence in court and other operations as may be directed by the crime officer.

One important component of the divisional CID is the Arms & Ammunition unit. It is a branch of the CID and the personnel under it report to the crime officer on all matters concerning: Arms and Ammunition, Vetting of Applicants to possess arms, Registration of arms and ammunition bearers, Renewal of Registration and Monitoring of magazines. The Arms & Ammunitions unit is headed by a chief inspector. Personnel who work at this unit may be drafted to perform other duties in times of emergency as may be assigned to them from time to time by the crime officer. They do not however handle military rifles and ammunition. In the Ghana Police Service, rifles and their ammunition are handled by the Police Armourer. An organogram depicting ACDIV Command Structure is presented at Appendix B.

Research design

     The descriptive survey design was used for this study. This design was considered appropriate because as Osuala (1987) puts it "survey is oriented towards the administration of the status of a given phenomenon rather than towards the isolation of causative factors" (p.180). In this case, the study is concerned with policing in a democracy which had gone for close to 16 years. The police have had some challenges and experiences that can be measured and described.

     Ary, Cheser and Asghar (1990) add another dimension that data collected through the survey method are usually responses coming from predetermined questions, which are asked of a sample of respondents. The intention of the researcher is to generalize the findings to the total population from which the sample was taken.

     In addition, a descriptive survey describes and reports the way things are, in their natural state. The descriptive sample survey is appropriate when a researcher attempts to describe some aspects of a population by selecting unbiased samples of individuals who are asked to complete questionnaire or give answers to interview guides or respond orally to interviews. Moreover, the design offers the researcher the opportunity to observe phenomena as they happen or exist in their natural state and report what he or she sees. It is in the light of the above features of the descriptive design, that this researcher adopted it for the study.

Population of the study

The target population for this study was police officers and men of the Ashanti Central Division of the Ashanti Regional Command of the Ghana Police Service. The total number of police officers and men at the division was 350. This was made up of 30 officers and 320 men.

Sample and sampling techniques

There were two samples for this study – the Senior Police Officers' (SPO) sample and the Non-Commissioned Officers' (NCO) sample. The sample sizes were 20 and 280 respectively for SPOs and NCOs.

On the methods used for selecting the respondents, both SPOs and NCOs were selected randomly. Twenty SPOs were selected from the 30 who were at post at ACDIV at the time of data collection. The names of the SPOs were written and placed in a bowl and with the help of a research assistant, 20 of them were selected randomly. The selection of the NCOs took two stages – first, proportions were assigned as per the total number of personnel in each unit. As was done in the case of the SPOs, names of personnel in each unit were written and placed in a bowl. The lottery method was used whereby after every pick the names were shuffled before the next pick was done until the required number was reached. This ensured that every personnel had the chance of being selected for the study.

Instruments for data collection

Two data collection instruments were used for this study and they were a questionnaire and an interview guide. The interview was used to collect data

from SPOs and the reasons were that they were supposed to give more information than the NCOs. The interview was conducted using the same questionnaire that was used to gather data from NCOs. Kvale (1996) outlined that an interview guide is an essential component for conducting interviews. He explained that "an interview guide is the list of questions, topics and issues that the researcher wants to cover during the interview" (p.38).

David and Sutton (2004) on their part likened the interview guide to a structured interview and gave the strengths of interview guide as that the researcher has control over the topics and the format of the interview. Besides, "there is a common format, which makes it easier to analyze, code and compare data" (p.160). In addition, a detailed interview guide can permit inexperienced researchers to do a structured interview. Above all, promptings can be included in the course of questioning and if responses are inappropriate further explanations can be sought from the interviewee (David & Sutton, 2004).

The use of questionnaires for data collection was supported by the views of scholars in research methodology. Nwana (1981) outlined some merits that the use of questionnaire has over the use of interview. He stated that questionnaire is useful if the respondents cannot give information in the project unless complete anonymity is guaranteed. NCOs normally would not want to grant interviews on issues relating to their work if they had not been permitted to do so. To avoid this, questionnaires were used because it afforded them the anonymity required. Koul (1997) on his part indicated that

questionnaire is popular means of collecting all kinds of data in

research. It was on the basis of what these researchers have said that this researcher was compelled to adopt it for data collection.

The questionnaire has 31 items making up of biographical information on respondents and items covering the five research questions. There are six sections which correspond with the bio data and the research questions as they appeared in chapter one. The items were made of 12 open and 19 close ended questions. The close-ended items were mostly statements with predetermined responses such as Strongly Agree, Agree, Disagree and Strongly Disagree.

Pre-testing of instruments

The instruments were pre-tested at the Manhyia Division of the Ashanti Regional Command of the Ghana Police Service. This division has the same characteristics as the ACDIV. The Manhyia Division is situated within the Kumasi Metropolis as the ACDIV. It is confronted with similar challenges as the division under study.

A sample of 50 respondents was used for the pre-testing. Ten SPOs and 40 junior police officers were selected through the stratified and simple random sampling methods as was in the case of the main study. As a requirement in research procedures, a student need to be introduced to the agency he or she intends conducting the research in; in this instant, this researcher used his acquaintance with the divisional commander to waive the formal introduction through an introductory letter and was permitted to contact the required persons for the exercise which last for two weeks because some of the questionnaires given out initially were misplaced by respondents and

the researcher had to replace them until all were finally retrieved. All this lasted for three weeks.

After the pre-tested instruments were administered they were edited, coded and analysed on the computer using the Statistical Product for Service Solution (SPSS) version 16 software. The analysis of data collected through the pre-testing process afforded the researcher the opportunity to check for the reliability and validity of the instruments.

Main data administration

The final data administration was conducted personally by the researcher in the Ashanti Central Divisional Command of the Ghana Police Service. The researcher introduced himself to the divisional commander as per his student's identity card. Upon a little interrogation from the commander, he asked one of his assistants to assist the researcher to conduct the exercise and if I faced any difficulty should not hesitate to inform him for the necessary action. In the end two and half months was spent in retrieving all the questionnaires sent out. As the questionnaires were given out to the NCOs, unit heads were contacted for the interviews to proceed which was easy to do because they were very open and frank in their responses.

Data analysis procedures

Data collected were first grouped manually, edited and coded. The coded information was keyed and analysed on the computer using the SPSS software. After all the information had been inputted into the computer, it was transformed into simple frequency tables and percentages. The results that

could not be analysed into simple frequencies were done through relative frequencies. These modes of analysis are reflected in the presentation of results in Chapter Four.

CHAPTER FOUR

RESULTS AND DISCUSSION

Introduction

This chapter presents the results of the analyses of data collected for the study which had to do with the challenges of policing in a constitutional regime. Data was collected from selected senior police officers and non-commissioned officers of the Ashanti Central Police Division in the Ashanti Region of Ghana. Findings are presented based on the objectives and the research questions that were formulated to guide data collection for the study. Apart from the results from the research questions, data was collected on six issues relating to the biographical information of respondents. In effect, the biographical information precedes the presentation of the main data for the study. The main data presentation is done based on how the research questions appeared in test.

Biographical information of respondents

With the biographical information of respondents six issues were deemed relevant for this study and they included age and sex of respondents. Others were the number of years each respondent had served with the Ghana Police Service, level of education of respondents, rank and unit of schedule of respondents. Tables 2, 3, 4, 5, 6 and 7 present the respective responses of the

issues enumerated. Table 2 for instance presents the respondents' responses relating to their age ranges.

Table 2 shows that a total of 46.6% of respondents were 39 years or below. This means that these respondents are quite youthful in age and good for policing which demands some level of energetic personnel.

Table 2: Distribution of respondents by age

Age Range	Frequency	Percentage
Below 30 years	55	18.3
30 – 39 years	85	28.3
40 – 49 years	65	21.7
50 – 59 years	95	31.7
Total	300	100.0

Source: Fieldwork, 2008

On the other hand, Table 2 indicates that 53.4% of the respondents (who arguably are in the majority) were 40 years or older. In the Ghanaian traditional setting, it is believed that by age 40 an individual is matured and is ready to go through life properly. Such a person is expected to put up good and acceptable behaviour at all material times; this can also be said of a person who is supposed to be a peace officer. The younger ones who are also energetic can be used where youthful exuberance is needed especially during night patrols. In spite of the advantages that youthful age could bring to bear on the work of the police, it can be disadvantage in that they are more likely to infringe on the rights of citizens due to their inexperience.

Table 3: Sex distribution of respondents

Sex of Respondent	Frequency	Percentage
Male	240	80
Female	60	20
Total	300	100

Source: Fieldwork, 2008

Table 3 shows the sex distribution of respondents. It is clear that the Ghana Police Service is male dominated with 80% of respondents being males. This is a true reflection of what pertains in the Service across the country. Culturally, it is believed that policing requires a great degree of perseverance and physical exhaustion, which few women can withstand. One case in point is the handling of heavy equipment and weaponry, which traditionally has been the preserve of males. Females are appointed into the service to perform auxiliary and special duties which may not be appropriate for male police personnel to do for instance the handling of female suspects among others (Glensor, 2000; Goldstein, 1990).

Table 4: Distribution of respondents by the number of years served with the Ghana Police Service

Number of Years	Frequency	Percentage
Below 5 years	55	18.3
5 – 9 years	45	15.0
10 – 14 years	45	15.0
15 – 19 years	35	11.7
20 years and above	120	40.0
Total	300	100.0

Source: Fieldwork, 2008

Table 4 shows that 48.3% of respondents had worked with the Ghana Police Service for 14 years or less. What this means is that these respondents were not in the Service during the era of military rule in Ghana. They were employed during the early stages of constitutional rule or somewhere along the line. They would only have read or been taught about policing under military rule in books or in the training school. Respondents who fall under this category are expected to champion the rights of citizens and should be seen to be doing the right thing all the time. If they fail to do things as are required of democratic police then there is problem with their formal training and orientation.

On the contrary, Table 4 indicates that almost 52% of respondents had worked with the Police Service for more than 14 years implying that most of them were in the Service prior to constitutional rule in Ghana. Definitely, they have some experience about policing in an unconstitutional regime where human rights are not fully respected and that the police have some leeway to operate with very little restriction. But in a constitutional governance there are checks on police actions so that the rights of citizens cannot be taken for granted. The police can only do their duties well in a constitutional environment if only they are given the requisite logistics to carry through their functions, in effect the number of years a police personnel have served in the service may not factor so much in the scheme of affairs. Certain institutional measures have to be put in place besides the logistics talked about (Nemphos, 2008; Bossman & Frost, 1996). The institutional reforms being talked about can be linked with the educational and professional qualifications of police

personnel. Consequently Table 5 presents responses on the academic qualifications of respondents.

Another equally important aspect of policing in a constitutional rule is the knowledge base of the personnel of the police set up (Wikipedia, 2008). Consequently, Table 5 shows educational qualification of respondents. The table shows that a total of 65% of respondents had Middle School Leaving Certificate, Basic Education Certificate, Senior Secondary Certificate or School Certificate (Ordinary Level). This clearly shows that majority's level of academic qualification is low in so far as modern democratic policing is concerned (Beetham, 1999; Dahl, 1971; Sorensen, 1998). The researcher had not asked of their professional qualifications, so it could be that apart from their academic qualification they may have had series of in-service professional training which put them in good stead to police a democracy.

Table 5: Distribution of respondents by their educational qualification Level

Type of Qualification	Frequency	Percentage
MSLC/BECE	75	25.0
SSSCE/WASSCE/ 'O' Level	120	40.0
RSA II & III/ 'A' Level	15	5.0
HND/First Degree	45	15.0
Others	45	15.0
Total	300	100.0

Source: Fieldwork, 2008

Again, Table 5 shows that 20% respondents can be said to have higher academic qualifications (First Degree, Higher National Diploma, etc). This is a good basis for policing because policemen and women are supposed to be knowledgeable and be abreast with the legal framework of the state (Aning, 2006; Yu & Guernsey, 2006). Additionally, the Table shows that 15% of remaining respondents had other academic qualifications which include post graduate degrees, stenographer I & II, CTC I & II and other technical certificates.

It must be emphasised that the Ghana Police Service needs the competences of several professionals and people with varied qualifications as a prerequisite to function properly in constitutional regime. This assertion is attested by what the views of Marais and Rauch (1992); Brogden (1991) who indicated that police officers may have gone through theoretical education but may lack the practical and discretionary tactics to deal with issues that need self-judgement. What they need rather is interactive teaching entailing skills training for discretionary policing activities.

Table 6: Distribution of respondents by rank designation

Rank Designation	Frequency	Percentage
Junior Non-Commissioned Officer	107	35.6
Senior Non-Commissioned Officer	173	57.7
Senior Police Officer	20	6.7
Total	300	100.0

Source: Fieldwork, 2008

The police service as a regimental institution uses the ranking system strictly – which is called in modern administration as chain of command and scalar chain (Thompson, 2003). In the Ghana Police Service, there are two broad categories of rank designation – Non-Commissioned Officers and Senior Police Officers. Table 6 shows that junior non-commissioned officers (junior NCOs) constituted 35.6% of the total number of respondents. The specific ranks that come under the Junior NCOs are Recruit Police persons, Constables, Lance Corporals and Corporals. The Senior NCOs are made up of Sergeants, Inspector and Chief Inspectors. The proportion of the senior NCOs of the total respondents for this study according to Table 6 stood at 57.7%.

Furthermore, Table 6 shows that Senior Police Officers who were selected for this study constituted 6.7% (20) of the total number of respondents. The SPOs captured in this study were made up of Assistant Superintendent of Police (ASP), Deputy Superintendent of Police (DSP), Superintendent of Police (SOP) and Chief Superintendent of Police (CSP). They were mostly heads of units or sections. The information shown in Table 6 is given credence by the expositions of Ebbe (2008). Indeed the relevance of the ranking system is well pronounced on how the police is structured and managed. Commissioned Officers are supposed to ensure that NCOs behave appropriately at any point in time so the task given to the service to perform by government is carried to its logical end.

To complement the ranking system and how the police service had been structured in terms of department, sections or units, Table 7 presents the units and departments within the Ashanti Central Division of the Ashanti

Regional Police Command. From the table, one can see clearly some of the units which the larger populace can easily identify.

Table 7: Distribution of respondents by unit of schedule

Unit of Schedule	Frequency	Percentage
Criminal Investigations Department	85	28.3
Domestic Violence and Victim Support Unit	10	3.3
Motor Traffic and Transport Unit	72	24.0
Court Unit	20	6.7
Administration	5	1.7
General Duties	35	11.7
Armoury	8	2.6
Special Duties	65	21.7
Total	300	100.0

Source: Fieldwork, 2008

Table 7 shows that the Criminal Investigations Department (CID, 28.3%) and Motor Traffic and Transport Unit (MTTU, 24.0%) put together have the highest number of respondents. The reason is that most members of the general public interact with personnel of these two units on regular basis. Besides, most of the things they do impact directly on the lives of the citizens and they are visible on daily basis. Recently, the Domestic Violence and Victim Support Unit (DVVSU, 3.3%) has assumed an important organ of the police service. The functions of this particular unit in this constitutional dispensation are significant. Not long ago it used to be called WAJU (Women

and Juvenile Unit) but was changed with agitations from members of the public particularly the men folk (Aning, 2006).

It can also be seen from Table 7 that there are other units shown as General and Special Duties. The General Duties personnel are mostly orderly staff (popular known as counter back) and those who work in the commander's office. On the other hand, the Special Duties personnel work under the Rapid Deployment Force, Buffalo unit, Tailoring section, Information Room, Accounts Unit and Band Section. They perform specialized functions to make policing one of the most important organs of internal security and maintenance of law and order within the community.

Personnel's knowledge of the rights and freedoms of the citizenry

The study sought the views of respondents on whether they were conversant with the rights and freedoms of members of the public as catered for in the 1992 Republican Constitution of Ghana. Tables 8 and 9 present two aspects of the issues that were given to respondents to deal with.

Table 8: Respondents' responses to whether they knew that the rights and freedoms of citizens exist in the Constitution of Ghana

Responses	Frequency	Percentage
I know them very well	265	88.3
I have very little knowledge about them	35	11.7
I do not have any idea about them	-	-
Total	300	100.0

Source: Fieldwork, 2008

Table 8 presents responses to the question whether respondents knew that the rights and freedoms of citizens are enshrined in the 1992 Constitution of Ghana. Three alternative responses were supplied for respondents to choose from. It should be made clear that the responses displayed in Table 8 are the consolidated views of both senior and junior police officers. The responses are being presented and discussed irrespective of their respective academic qualifications rather as responses from professional police officials.

Table 8 indicates that the vast majority (88.3%) of respondents indicated that they knew very well about the rights and freedoms of citizens as embodied in the 1992 Republic Constitution of Ghana. Only a few (11.7%) indicated that they had very little knowledge about the rights and freedoms of the citizenry they serve. It can be said that these few policemen/women who said they had little knowledge about the rights of members of the public could trample on the rights because of ignorance of the laws of Ghana. It is however heartening to note that majority of the law enforcers are very much aware of their responsibilities regarding the rights and freedoms of citizens juxtaposing it with the coercive power of the police. In spite of this however, Ossei (2008) observed that 16 years into constitutional democratic governance, officers of the Ghana Police Service do not command the needed respect, the confidence and cooperation of the citizenry because they have not changed their attitude as required by the new dispensation of constitutional rule. Citizens are arrested without warrant and told of their offence and detained at will in many instances. It must be emphasised that police officers have been going through series of on the job training to ensure that they are abreast with the challenges of constitutional governance.

Furthermore, respondents were asked to explain their choice of response and some of the explanations they gave included the fact that a suspect has the right to a counsel of his/her choice before he/she could make a statement to the police; every Ghanaian should be treated fairly and policemen/women had been taught in the training school and subsequently in-service training sessions. Other explanations were that Chapter Six of the 1992 Constitution provides for the rights and freedoms of the citizen and the rights and freedoms of criminals are guaranteed. Suspects or criminals should not be tortured under any circumstance. All that the respondents said are in consonance with what earlier research had found.

Table 9 gives other responses to research question one. Respondents were given statements relating to the rights and freedoms of citizens to consider and the responses were in the form of 'Agree' or 'Disagree'. At least one of the statements required that respondents gave explanation to the position taken.

Table 9: Respondents' views on some of the rights and freedoms of citizens of Ghana

Statements Concerning Rights and Freedoms of Citizens	Agree N (%)	Disagree N (%)
I know that suspects should be informed of the offence For which they are being arrested.	300 (100)	- (-)
Suspects should not be detained for more than 48 hours unless the laws of Ghana demand that.	295 (98.3)	5 (3.3)
Some suspects cannot be given bail after 48 hours of arrest and detention.	285 (95.0)	15 (5.0)

Source: Fieldwork, 2008

Table 9 shows some of the specific rights or freedoms citizens have and which police officers should know. Concerning the statement that suspects should be informed of the offence for which they are being arrested, all (100%) respondents agreed that was true. This view point of respondents confirms the majority's decision in Table 8 which indicates that police officers have knowledge of the rights and freedoms of citizens. But the contrary operates almost on daily basis, whereby suspects who had asked of the offence(s) for which they are being arrested, had been threatened for challenging police authority (Aning, 2006).

Again, Table 9 shows that 98.3% of respondents agreed that suspects should not be detained for more than 48 hours unless the laws of Ghana demanded that. Surprisingly, few (3.3%) respondents disagreed with the statement. Indeed, if there are some policemen who do not accept simple constitutional requirements, then that could pose problems for policing generally, and the protection of citizens' rights and freedoms in particular.

Closely related to the statement discussed above is the fact that some suspects cannot be given bail after 48 hours of arrest and detention. To this statement, 95% of respondents agreed whilst only 5% disagreed with the position. Once again, the minority's view point corresponds to the ideas of the few in the statement above. They both disagreed with the norm that not all suspects can be detained for more than 48 hours; this general principle can be disobeyed under some circumstances indicating that the offences under which suspects could be detained beyond the maximum 48 hours are enumerated below.

It is instructive to note that respondents gave several offences by which suspects will not be released by the police unless a court gives order to that effect. The offences include: rape, treason, armed robbery, murder, manslaughter, hijacking, narcotic related offences, defilement, attempted murder, attempted suicide, piracy, subversion and arson.

Impressions of police officers on rule of law and democracy

This section of the presentation presents responses to research question two, which asked respondents to express their opinions on the concept of rule of law and democracy. It must be noted that the concept of rule of law and democracy are the features of a constitutional rule and the study looked at policing in a constitutional rule in Ghana. Table 10 presents five statements regarding what rule of law stands for in a constitutional era. Respondents were required to agree or disagree with each of the proposed statements. The responses as shown did not consider the age of respondents, their level of education, their ranks and length of time they have served in the police. However, some of the responses indicate clearly that those who joined the service during the military regimes expressed reservations policing in a constitutional era which put a lot of inhibitions in the way of policemen.

Table 10: Respondents' impressions on the concept of rule of law and democracy

Proposed Statements	Agree N (%)	Disagree N (%)
The meaning of rule of law is not clear to me.	40 (13.4)	260 (86.6)
I have not heard of the term rule of law before.	55 (18.3)	245 (81.7)
The opposite of rule of law is dictatorship.	250 (83.3)	50 (16.7)
Policing in a democratic era is a good thing.	280 (93.3)	20 (6.7)
I prefer policing in dictatorship than in a democracy.	45 (15.0)	255 (85.0)

Source: Fieldwork, 2008

It is clear from Table 10 that majority (86.6%) of respondents disagreed with the assertion that the meaning of the concept of rule of law is not clear to them. Indeed, this position of majority of the respondents is consistent with earlier responses particularly the knowledge of rights and freedoms of citizens. It has been stated that a knowledgeable police institution is a prerequisite to rule of law and constitutional rule (Farah, 2006; Waldron, 2002). By further implication, the meaning of rule of law is that police officers should follow due process in all their dealings with the citizenry. In the writings of Shklar (1987),

> "Perhaps the most important application of the rule of law is the
> principle that governmental authority is legitimately exercised only
> in accordance with written, publicly disclosed laws adopted and
> enforced in accordance with established procedural steps that are
> referred to as due process" (p.6).

Indeed, elements of the 1992 Constitution of Ghana had spelt out clearly what the police or for that law enforcement agencies should do to guarantee the rights and freedoms of the citizenry. It was not all that rosy because some (13.4%) respondents agreed that the meaning of rule of law was not clear to them. This number of respondents is sizeable enough to cause a stir because their misunderstanding could undermine constitutional rule if nothing is done to forestall abuse by police personnel.

Consistent with the responses above, Table 10 shows that 81.7% of respondents indicated that they disagreed with the suggestion that they have not heard of the term rule of law. If the majority had agreed with the proposition it would have run contrary to the earlier views expressed by respondents. It is worthy of note that consistently most personnel in the Ghana Police Service are familiar with the constitutional obligations that lie on their shoulders. Nonetheless, few of them do not appreciate the present constitutional dispensation which hovers around democratic order the concepts of rule of law and concept of human rights, etc may be because they have not been schooled on it or they are refusing to change with the new trends in policing in a constitutional environment where most of their unchallenged powers have been taken away.

Looking at the concept rule of law from another angle, Table 10 indicates that 83.3% of respondents agreed that the opposite of rule of law is dictatorship. This line of thinking is also consistent with the responses that have elicited so far under this section of the results. Clearly dictatorship is the form of governance where the rights and freedoms of citizens are hardly respected but the opposite holds for rule of law regimes (Diamond, 1992;

Zakaria, 1997). Once again, Table 10 indicates that the majority (93.3%) of respondents showed that they agreed that policing in a democratic era (constitutional era) is a good thing. The police service as an institution is evolving from long period of subjugation from military rulers; it is beginning to assert itself and enjoy the freedom that goes with democratic policing. To top this up, Jordan and Zager (2001) note that all democratic police systems share the ideal that police powers are to be used according to the rule of law and not according to the whims of the rulers or the police agent. They explain further that in a dictatorship the rulers use the police to intimidate citizens and sometimes the policemen themselves become victims on trumped up charges. Records available indicate that a former police commissioner was arrested and detained based on a trumped up charge thus disgracing him. Specifically, Pokoo-Aikins (2001) states that Mr. Madjitey (Commissioner of Police) was arrested with the charge that he was planning a coup d'etat to overthrow the regime of Dr. Kwame Nkrumah.

In concluding on respondents' impressions on policing under a constitutional era (rule of law), Table 10 shows that 85% of respondents indicated their disagreement with the proposition that, "I prefer policing in a dictatorship than in a democracy." Still some respondents agreed with the statement which should not be surprising because this category of respondents may have operated under a dictatorial regime with glee and that democratic rule inhibits them from achieving their personal aims (Aning, 2002; Bayley, 2001; Waldron, 2002).

Furthermore, the views of the minority could be seen from the direction that restrictions that are put on the police are not a sufficient

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guarantee for freedom. Taken too far, they may even guarantee its opposite, as private interests reign unchecked and/or citizens take the law into their own hands (Das, 2000; Kratcoski, 2000). This will clearly be disincentive to policing for officers who may have operated under a dictatorship before. Respondents were asked to explain their choice of response and they indicated that in a democracy the rights and freedom of suspects are protected to the detriment of victims of crime (especially victims of armed robbery attack among others). Besides, in a democratic dispensation, civilians have upper hand in whatever they do and tend to disrespect the police.

Those who disagreed with the proposition explained that a dictatorial regime will push a policeman to do something against his convictions. Also in a democratic constitutional regime every citizen enjoys the freedom of speech and in this direction, the police also enjoy this freedom too as opposed to a dictatorship where a show of slight disagreement amounts to treasonable offence. Others explained that in some of the advanced democracies like Switzerland there is no police but there is peace because citizens behave appropriately.

The rationale for agreement or disagreement with the propositions suggested concerning the concept of rule of law has been sufficiently discussed. Whichever way respondents expressed their views confirms the democratic environment they operate within presently because both commissioned and non-commissioned officers had the opportunity to express their sentiments on issues that bordered on their individual convictions as public officers and law enforcers.

The Ghana Police Service and the nurturing of constitutional rule

The role of the civilian police in a constitutional rule or a democratic state is enormous because the role they play in the protection of life and property is overwhelming (Barrett, 2008; Connors, 2008). Research question three was devoted to finding the views of respondents on how the police help in the nurturing of rule of law and constitutional governance. The first part of the items that elicited information from respondents was statement which they were required to agree or disagree to. In their responses, 270 (90%) respondents agreed with the proposition that the police service has a special role in the nurturing of rule of law and constitutional in Ghana. The remaining 10% of respondents disagreed with the statement.

To be able to put the views in the right perspectives, respondents were asked to give explanations to their responses. Those in agreement with statement pointed out that the police should be able to enforce laws that are made by the legislature of Ghana. Again, the police are to prevent, detect and prosecute perpetrators of crime to ensure orderly society. Also, they should protect lives and property of all citizens. Above all, the police should be neutral in their day to day duties and be accountable to the general public which finances the services. Those who disagreed indicated that the Ghana Police Service has no special role in the nurturing of rule of law because the rule of law is a set of laws which every member of the country should abide by without any prompting from any quarters. May be this view point is reinforcing an earlier point that even in some countries in Europe there is no police but the people are law abiding and the rule of law reigns supreme.

In a follow up to the exposition above concerning the role of the police in the nurturing of constitutional rule in Ghana, respondents were asked to give the specific functions of the Ghana Police Service from their points of view. Table 11 presents the responses that followed a discussion of the views.

There are six main functions respondents gave in their responses. The pre-eminent one function according to respondents is the maintenance of law and order in the country. Table 11 shows that about 21% of the total responses indicated that the maintenance of law and order is the one of the main functions of the Ghana Police Service. This is buttressed by the Section One Subsection One of Act 350 (Ghana Police Service Act) of 1970. Respondents explained that the maintenance of law and order requires a wide range of activities to achieve.

Table 11: Respondents' responses on the functions of the Ghana Police Service

Functions	Relative Frequency	Relative Frequency %
Maintenance of law and order	0.207	20.7
Apprehend and prosecute offenders	0.155	15.5
Enforce laws made by the legislature	0.147	14.7
Protection of life and property	0.202	20.2
Prevention of crime	0.159	15.9
Investigation of crime and prosecute offenders	0.130	13.0
Total	1.000	100.0

N=580

Source: Fieldwork, 2008

Table 11 also shows that 20.2% of the total responses indicated that the protection of life and property is paramount among the police functions. To achieve this function of protection of life and property, various policing methods and systems are advised to protect lives of individuals and safeguard private and public property. In this direction the police are equipped adequately to cater for events such as disasters, fire outbreaks, floods, accidents all of which threaten life and property.

Again, Table 11 indicates that, 15.5% of the responses emphasised that the police are tasked to apprehend and prosecute offenders. To this end, Act 350 explains that this function entails the arrest of offenders where the police have to identify and initiate actions to bring these offenders to lawful custody. In the prosecution of offenders, the police are required to collect relevant evidence to establish the complicity of offenders before the law courts.

Closely related to the apprehension and prosecution of offenders is the function of investigation of crime and prosecuting those found culpable. The distinction between these two lies in the fact that in the former, culprits are arrested with substantial evidence or exhibits such that prosecution does not take long. In the latter, the police needs a considerable length of time to investigate alleged complicity in crime using hypothetical evidence to arrive at concrete evidence before prosecution can proceed otherwise the police or for that matter the state may loose the case before the courts for lack of evidence against the accused person.

Another equally important function of the police is the prevention of crime. Table 11 indicates that 15.9% of responses said the police are enjoined to prevent crimes before they are committed by criminals. The question is how

do the police carry out this function. According to relevant sections of Act 350 of 1970, this function is performed in two ways, which are pro-active and re-active duties and activities. Being pro-active means the police put in place measures that ensure that crimes do not occur by using beats (a police officer keeping watch over a designated place), day and night patrols, and the use of informants among others. With the re-active duties, measures are put in place such that when the crimes are committed, prudent investigations could be undertaken to arrest the actual perpetrators and bring them to book.

The last function which the police perform is the enforcement of the laws passed by the National Parliament and bye laws promulgated by other statutory bodies such as district assemblies. This is a constitutional obligation which the police is enjoined to carry out at all cost. All the functions outlined in Table 11 and discussed above have been adequately catered for in Act 350 and Article 200 of the 1992 Republican Constitution of Ghana.

Challenges of the Ghana Police Service in carrying out its mandate

Research questions four and five were formulated to elicit series of responses regarding the staffing, logistics and other facilities that impact on the operations of the police. Table 12 presents the first part of the challenges which are in the form of proposed statements which respondents are supposed to indicate their agreement or disagreement based on facts on the ground.

Firstly, Table 12 shows that 60% of respondents disagreed with the position that the staff strength of the Ghana Police in ACDIV is appreciable. This is the view of the majority and the implication is that the personnel currently at post are overstretched because police work within this central

district of a metropolis such as Kumasi is daunting. In spite of this fact, 40% of respondents indicated that the staff strength of the police is okay and that the personnel there are not overstretched as the majority said. Considering the two views and the general idea concerning police to citizen ratio, one cannot help to agree with the majority view of shortage of staff in ACDIV (refer to Table 1).

Table 12: Responses on the adequacy of staffing and logistical support at ACDIV

Propositions	Agree	Disagree
	N (%)	N (%)
The Staff Strength of the police in the ACDIV is appreciable	120 (40)	180 (60)
The police have the requisite logistical support for its operations	40 (13.3)	260 (86.7)

Source: Fieldwork, 2008

Again, Table 12 shows that the vast majority (86.7%) of respondents disagreed with the proposition that the police have the requisite logistical support for its operations. The Ghana Police like any other police organisation across the world require adequate equipment and logistical support to carry out its functions (Das & Otwin, 2000; Jordan & Zager, 2001). According to Bayley (2001), the use of modern technology may make policing more efficient. Consequently, powerful software that analyze crime patterns may help solve crimes and locate perpetrators. New forms of identifications involving DNA or computerized fingerprinting may help convict the guilty

and protect the innocent. Indeed the literature reviewed contains many advanced forms of policing technology which the Ghana Police cannot do away with, if it wants to match up with modern trends.

Table 13 presents the second part of the challenges that police in ACDIV face. Five main challenges are shown Table 13.

Table 13: Responses on some challenges of the Police Service

Responses	Relative Frequency	Relative Frequency %
Lack of adequate personnel	0.229	22.9
Lack of required equipment	0.213	21.3
Lack of accoutrements	0.197	19.7
Lack of staff quarters	0. 197	19.7
Lack of in-service training	0. 164	16.4
Total	1.000	100.0

N=610

Source: Fieldwork, 2008

First and foremost, Table 13 indicates that 22.9% of responses noted that lack of adequate personnel is a big challenge that confronts police work at ACDIV. This finding confirms an earlier finding that indicated that there are not adequate personnel to carry out the numerous police duties at ACDIV because it is situated within the busy district of a metropolis.

Also, Table 13 shows that 21.3% of responses indicated that lack of required equipment is a challenge to policing within ACDIV. The issue of logistical support had been dealt with earlier and it seems to be a challenge

that needs urgent attention to facilitate policing in the division under study. Again, Table 13 shows a challenge that is somehow related to the question of equipment is the lack of adequate police accoutrements. By the nature of their work, the police require specialized working gear (specialized uniform), which is specifically designed for police work. Nineteen point seven percent of the responses pointed to the lack of accoutrement for the police personnel in ACDIV.

Furthermore, the table indicates that another 19.7% of responses showed that the lack of staff quarters is a challenge which militates against policing in ACDIV. Once again by the nature of police functions, personnel are supposed to stay within a barracks so that in times of emergency or even normal deployment it becomes easy for the officers in charge. A situation where police personnel stay at different locations far away from the police station is not desirable because summoning personnel for duties especially in times of emergency becomes a great challenge.

Another challenge that Table 13 shows is the issue of lack of in-service training for personnel. The results indicate that 16.4% of responses indicated that lack of in-service training is a challenge to policing within ACDIV. Bayley (2001); Stone and Ward (2000) point out that policing requires knowledge, both theoretical and practical; besides, policing is a process and not an event. Therefore, the knowledge base of personnel must be enhanced to meet the challenges ahead. Consequently, police officers should be given regular in-service training to be abreast with modern trends, especially, in the use of modern technology in evidence gathering and crime detection. In-service training is also a way of sharpening the skills of personnel to enhance

their productivity and so if policemen/women claim there is lack or inadequate in-service training then it is a challenge that needs to be dealt with immediately by the authorities in charge of policing.

The effects of the challenges on policing in ACDIV

As part of the objectives of the study the research elicited some responses from respondents concerning the challenges in police work and how they affect policing within the area of operation of ACDIV. Table 14 presents the views of the respondents.

Table 14: Respondents' views on how some of the challenges affect police work

Statements	Agree	Disagree
	N (%)	N (%)
The lack of adequate personnel put pressure on the few presently at post	270 (90)	30 (10)
The lack of adequate equipment impedes our operations	285 (95)	15 (5.0)

Source: Fieldwork, 2008

Table 14 shows that 90% of respondents agreed that the lack of adequate personnel put pressure on the few who were at post at the time of data collection. This issue of inadequate personnel had run through the discussion in respect of the challenges that face the police in ACDIV. In reference to Table 1, the required police to citizen ratio as prescribed by the United Nations is one police officer to 450 individuals. In Table 1, the ratio for

Ghana is 1:1000 (as at 2006). Once again, from Table 1, Nigeria, Botswana and South Africa met the requirement with Botswana and South Africa beating the limit with 1:280 and 1:360 respectively.

Again, Table 14 shows that 95% of respondents agreed with the suggestion that the lack of adequate equipment impedes the operations of the police service. It has been established that the availability of the required equipment for effective policing is a *sine qua non*. Bayley (2001) says that the modern policing requires sophisticated equipment to undertake video surveillance, computer dossiers, and various forms of biological and electronic monitoring and environmental manipulations. These equipment are needed apart from the weapons and ammunitions that are used for protected duties. The emphasis is on inadequate and not lack of the equipment, because there is some amount of stock in place which are used for the duties they carry out.

Apart from the statements that were given to respondents to consider, they were also asked to give some other challenges and their effects on policing within the Ashanti Central Division of the Ashanti Regional Police Command. One challenge, 180(60.0%) of respondents touched on was the frequent breakdown of police vehicles. This comes under logistical support and equipment. The police are required to be mobile and respond to situations promptly such that if vehicle dispatching personnel to incident scene were to break down then crime prevention and detection will be very difficult. Additionally, 210(70.0%) of respondents indicated that lack of information from the citizenry impedes their function of crime prevention and detection. The police use informants a lot in crime prevention and detection according to police training manuals.

Other challenges which respondents indicated were based on issues that affect personnel's welfare. They included delayed promotion leading to demoralized staff; low job satisfaction and unsatisfactory job performance due to lack of conscious staff training. Again, they said that because of inadequate logistical support, sometimes criminals outwit the service and perpetuate more criminal activities and low morale leading to high labour turnover and indiscipline among the ranks. Finally, some of the respondents touched on the issue of corrupt practices due to low salaries. Aning (2006), Pokoo-Aikins (2001) testify to this challenge in studies they undertook into the operations of the police service.

The presentation and discussion of the results have brought some pertinent issues to the fore. Firstly, it came to light that all respondents had been orientated towards constitutional rule. The results indicated that a little above 88% of respondents knew the fundamental rights and freedoms of citizens relative to policing. Additionally, an average of 95% of respondents has fair knowledge on the procedures of arrest and detention of suspects such that police officers will not infringe on the rights of citizens.

Secondly, majority of respondents indicated their familiarity with the concept – rule of law. They indicated their preference of policing in a constitutional rule than in dictatorial one. The presentation and discussion of results, also showed that the police have a lot to contribute to the nurturing of democratic rule. Among the specific functions the police perform include: maintenance of law and order at all times, prevention of crime, enforcement of laws made by constitutional bodies and the protection of life and property.

In the performance of their duties, the police encounter a couple of challenges, some of which are inadequate staff strength, inadequate logistics and lack of periodic in-service training for staff. The chapter also highlighted the effects of the challenges the police face in the discharge of their constitutionally mandated duties.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Introduction

This chapter is devoted to the presentation of the summary of the study and conclusions. Also, the recommendations that are made from the findings and suggested areas for further study form part of the chapter.

Summary

Findings from the study showed that about 88% of respondents were conversant with the freedoms and rights of citizens very well, whilst close to 12% claimed they had very little knowledge about them. Respondents explained that they have been taught that suspects or accused persons have the right to a counsel of their choice. They indicated specifically that Chapter Six (6) of the 1992 Constitution provides for the rights and freedoms of the citizen and that the rights and freedoms of suspects are guaranteed. Besides, suspects should not be tortured under any circumstance.

Another finding of the study showed that respondents have fair knowledge of the concept, rule of law, which is the pivot on which constitutional rule revolves. They indicated that they are very familiar with the concepts and that they know the difference between constitutional rule and dictatorship. Also, majority of respondents agreed that they preferred policing in a democracy than in a dictatorship for good reasons.

Furthermore, the study showed that among the specific functions that the police perform in a constitutional dispensation are: the maintenance of law and order, apprehension and prosecution of offenders, enforcement of laws made by the legislature (parliament) and other quasi-legislative bodies, protection of life and property, the prevention and investigation of crime and prosecution of the offenders. It was found that the functions that were outlined had been catered for in the Police Service Act 350 and the 1992 Republican Constitution of Ghana.

Fourthly, the study found that some of the challenges that are associated with policing a democratic governance included: inadequate staff strength, lack of adequate logistical support, lack of the required equipment, lack of personal accoutrements, lack of staff quarters (inadequate staff accommodation) and lack of in-service training for staff. Other challenges include: indiscipline among staff, both junior and senior, low morale due to poor remuneration, which also culminates in corrupt practices by way of extortion of monies from accused persons.

Finally, it was found that the effects of the challenges are far reaching. For example, inadequate staff strength put pressure on the few police personnel available; also, inadequate equipment and logistical support impede the smooth performance of the police in ACDIV. Besides, the lack of adequate accommodation for staff makes summoning personnel for emergency a bit difficult. Lack of in-service training for majority of staff does not help especially in a constitutional era when most citizens are aware of their rights and freedoms. Again, indiscipline among staff affect the chain of command

and control procedures. Low remuneration results in low morale and corrupt practices among staff.

Conclusions

Throughout the study, it has been realized that the police play important role in the maintenance of law and order. They are also the main agents for the protection of life and property in Ghana. The police having a fair knowledge of the fundamental human rights and freedoms of citizens will go along way to nurture democracy and constitutional rule. This is because all other things being equal, there would not be arbitrary arrests and detention of citizens as pertained in military regimes where the police themselves were victims. Also, the police are familiar with the features of constitutional rule particularly the concept of rule of law. With this concept, suspects are informed of the offences for which they are being arrested and for how long they could be detained. All these help build confidence in the system and allow citizens to go about their work in peace and tranquility, which eventually culminate in national development.

In spite of the importance of democratic policing to the development of the country, the police are constrained by a myriad of challenges. Inadequate police personnel at any point in time, does not help in the maintenance of law and order. Because of this inadequate numbers of police, government has no choice than to invite the military to assist in the maintenance of peace and order in most conflict situations with its attendant human rights abuses.

Other challenge like inadequate staff accommodation does help in mobilizing personnel for emergency situations. Logistical support is another challenge that inhibits the police from performing effectively. Policing in a constitutional rule is demanding because citizens will demand accountability of police actions and therefore the police should have been better resourced to discharge their functions efficiently.

Recommendations

The following recommendations are made to reflect the findings of the study:

- Firstly, it is recommended that the few (12%) staff who claimed they were not familiar with the rights and freedoms of citizens should be schooled on this constitutional injunction so that they would be able to respect the rights and freedoms accordingly.

- Once more, few of the respondents indicated that they preferred policing in a dictatorship than in a constitutional era because the majority of respondents had indicated their preference for democratic policing. It is important that all the members of the police service should understand the change that evolved over the years in respect of how policing was done in the past decades.

- Thirdly, it must be emphasized that the functions of the police generally is enormous and therefore every encouragement should be given so that they would continue to carry them out successfully. In the course of the performance of their functions, they encounter several challenges and all efforts should be made to meet the challenges,

especially the provision of adequate and habitable accommodation for staff, improvement in the staff strength particularly at ACDIV, increase in the staff remuneration, improved logistical and equipment support and the regular in-service training for all category of personnel.

Suggested areas for further research

First and foremost, it is suggested that the topic under study should be replicated in the other divisions of the Ashanti Regional Command in particular and the other divisions across Ghana.

Again, a study should be undertaken into the corrupt practices of police personnel in Ghana. This is being suggested because the citizenry have accused the police of complicity in many of the crimes that are perpetrated by collecting bribes from criminals.

Finally, a study should be conducted into the role of the community protection unit of the National Youth Employment module which is used to assist the Ghana Police in recent times. These community police people do not receive extensive training as the regular police but they are seen to perform some of the roles that police undertake. A sustained research study would put the issue into the right perspective.

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APPENDICES

APPENDIX A

QUESTIONNAIRE

Dear Respondent, this questionnaire is for the purposes of an academic research which has the sole aim of investigating policing in a democratic environment The researcher, who is a graduate student of the University of Cape Coast, is urging you to be very frank in your responses to the questions posed. Your responses would bring the situation on the ground to light. Please feel free to answer the questions as objectively and truthfully as you can. Note also that, responses given would be treated with the utmost confidentiality. Please no names are required.

Instructions: Please tick [√] or provide the appropriate answer(s).

SECTION A

1. Age Range of Respondent   below 30 years   [   ]

                                      30 – 39   years   [   ]

                                      40 - 49   years   [   ]

                                      50 - 59   years   [   ]

2. Sex of Respondents   Male   [   ]   Female   [   ]

3. The number of years Respondent has served with the Police

                          Below 5 years   [   ]

                          5 – 9 years   [   ]

                          10-14 years   [   ]

                          15- 19 years   [   ]

                          20+ years   [   ]

4. Level of Education of Respondent:

    MSLC   [   ]

    SSSCE/WASSCE/'O' LEVEL   [   ]

    RSA II & III / 'A' LEVEL   [   ]

    HND/FIRST DEGREE   [   ]

    Other, state:……………………………………………………

5. Please State Your Rank in Service: ……………………………………

6. Your Unit of Schedule (e.g. CID): ………………………….

SECTION B

7. I know that members of the general public have rights and freedoms

enshrined in the 1992 Constitution of Ghana.

    I know them very well   [   ]

    I have very little knowledge about them   [   ]

    I do not have any idea about them   [   ]

8. Please briefly explain your response in item 7 above: ……………….

9. I know that suspects should be informed on the offence for which they are

being arrested.   Strongly Agree   [   ]

                 Agree   [   ]

                 Disagree   [   ]

                 Strongly Disagree   [   ]

10. Suspects should not be detained for more than 48hrs unless the laws of

Ghana demand that.   Strongly Agree   [   ]

                 Agree   [   ]

                 Disagree   [   ]

11. Some suspects cannot be given bail after 48hrs of arrest and detention.

        Strongly Agree   [   ]

        Agree   [   ]

        Disagree   [   ]

        Strongly Disagree   [   ]

12. If your response in item 11 was in the affirmative, kindly state some of the offences that suspects cannot be bailed after 48hrs of arrest.

……………………………………………………

SECTION C

13. The meaning of Rule of Law is not clear to me.

        Strongly Agree   [   ]

        Agree   [   ]

        Disagree   [   ]

        Strongly Disagree   [   ]

14. I have not heard of the term Rule of Law before.

        Strongly Agree   [   ]

        Agree   [   ]

        Disagree   [   ]

        Strongly Disagree   [   ]

15. The opposite of Rule of Law is dictatorship

        Strongly Agree   [   ]

        Agree   [   ]

        Disagree   [   ]

<div align="center">Strongly Disagree   [   ]</div>

16. Policing in a democratic era is a good thing.

        Strongly Agree   [   ]

        Agree   [   ]

        Disagree   [   ]

        Strongly Disagree   [   ]

17. I prefer policing in a dictatorship than in a democracy.

        Strongly Agree   [   ]

        Agree   [   ]

        Disagree   [   ]

        Strongly Disagree   [   ]

18. Give reason for your answer in item 17 above:

…………………………………………………………………………

SECTION D

19. The Ghana Police Service has a special role in the nurturing of rule of law.

        Strongly Agree   [   ]

        Agree   [   ]

        Disagree   [   ]

        Strongly Disagree   [   ]

20. E plain the response you gave in item 19 above:……………………

21. What are the functions of the Ghana Police Service as captured in the 1992

Constitution? Please itemize them as briefly as you can.

i……………………………………………………………………

ii………………………………………………………………………

iii………………………………………………………………………

iv………………………………………………………………………..

v………………………………………………………………………..

SECTION E

22. The staff strength of the police in the ACDIV is appreciable

          Strongly Agree   [   ]

          Agree   [   ]

          Disagree   [   ]

          Strongly Disagree   [   ]

23. Briefly explain your response in item 22 above……………………………

24. The police has the requisite logistical support for its operations.

          Strongly Agree   [   ]

          Agree   [   ]

          Disagree   [   ]

          Strongly Disagree   [   ]

25. Please briefly explain your response in item 24 above

…………………………………………………………………………

SECTION F

26. Some of the challenges of the police is:

        lack adequate personnel   [ ]

        lack of required equipment   [ ]

        lack of accoutrements   [ ]

lack of staff quarters   [   ]

Others, state…………………….…………………………

27. The lack of adequate personnel put pressure on the few presently at post.

Strongly Agree   [   ]

Agree   [   ]

Disagree   [   ]

Strongly Disagree   [   ]

28. Gives brief reason(s) to your answer in item 27 above

……………………………………………………………………………

29. The lack of adequate equipment impedes our operations.

Strongly Agree   [   ]

Agree   [   ]

Disagree   [   ]

Strongly Disagree   [   ]

30. What other challenges does your organisation face other than the ones that

were   given   above?

………………………………………………………………………….

31. Please indicate how these challenges affect your operations. Please itemize

your explanations.

i.…………………………………………………………………………

ii.………………………………………………………………………….

iii.…………………………………………………………………………

iv.…………………………………………………………………………

APPENDIX B

AN ORGANOGRAM DEPICTING ACDIV COMMAND STRUCTURE

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                    ┌─────────────────────────────┐
                    │   DIVISIONAL COMMANDER      │
                    └──────────────┬──────────────┘
                                   │
      ┌─────────────────┐          │          ┌──────────────────────────┐
      │  DIVISIONAL CID │──────────┼──────────│  DIVISIONAL ORDERLY ROOM │
      └─────────────────┘          │          └──────────────────────────┘
                                   │
                       ┌───────────┴───────────┐
                       │     'A' DISTRICT       │
                       └───────────┬───────────┘
                                   │
```

KEJETIA POLICE STATION	RIDGE POLICE STATION	RAILWAYS POLICE STATION	CENTRAL POLICE STATION