

A Critical Assessment of Public Administration and Civil Disobedience in Developing African Democracies: An Institutional Analysis of Mob Justice in Ghana

Emmanuel Yeboah-Assiamah* Thomas Agyekum Kyeremeh

Department of Public Administration & Health Services Management, P.O.Box LG 78, University of Ghana
Business School, Legon-Ghana

* E-mail of the corresponding author: yimmanuel@yahoo.com tomylee1110@yahoo.com

Abstract

Public administration exists primarily to enforce laws and the extent to which this mandate is carried out espouses trust among citizenry in the entire political system. The study aimed at assessing the relationship between institutional effectiveness and civil disobedience in Ghana using the specific case of how perception of unresponsive police and legal systems do contribute to mob justice. The study adopted the case of Nima Community in Greater Accra Region. The study sampled 140 respondents involving 40 police officials and 100 community members using the simple random and purposive sampling techniques. Semi-structured questionnaire was the main research instrument. Findings of the study revealed that mob justice is prevalent in the Nima community not that the people are lawless per se but it is an action to put 'the fear of God' or to deter potential criminals in the community. More importantly, mob action is perpetrated to ensure justice is given to individuals for their actions. The study revealed that whilst respondents view the action as barbaric and affront to human rights and the law, they are compelled to do so because the alternative is probabilistic. The study found out that, the absence or insufficient law enforcement agents, and the perceived unsatisfactory performance of the security agents as well as legal system greatly influence mob violence. The study concludes that people perceive the police system and law courts to be too slow in reacting to issues of stealing, crime, robbery and murder which to the people demand quick interventions; this suggests that the ability of the law enforcement officials and agencies to work conscientiously to the satisfaction of the populace does have a greater implication on how people obey the law and trust the legal regime. Put differently, if the police and law courts work effectively, professionally, and impartially, it will inspire confidence and trust among community members to report crime suspects on daily basis without recourse to mob justice. The study makes four main recommendations to help curb the phenomenon of mob justice.

Keywords: Mob justice, Civil disobedience, Instant justice, Institutions, Developing countries, Ghana

1. Introduction

Being the first country in the sub-Saharan Africa to attain independence in 1957 with a motto "Freedom and Justice", Ghana still suffers from weak a public administrative system which has a spiral effect on moral degeneration and civil disobedience. In spite of such a catchy motto, experience suggests that whilst 'freedom' in Ghana appears cheap, the 'justice' element appears quite expensive. With the proliferation of the media as the fourth arm of government (in the realms) and repeal of the criminal libel law, people easily take their phones to exercise their freedom of speech among others without much restriction (Asamoah *et al.*, 2013). However, seeking as well as obtaining justice in the law courts appears cumbersome and expensive at least to the ordinary and average Ghanaian. Perhaps, majority of the people as a result of the high illiteracy rates do not understand the legal system which may seem to be much expensive to them in terms of time and monetary commitment.

The structures and processes that underpin any organization or entity provide the framework within which activities are carried out. Such rules and processes or systems and the behavior of actors do have greater influence on how the organization works. One could observe fundamental and structural variations in the rules, processes and behavior of officials in the public administration systems of developing countries and developed economies. Scholars note that whilst the advanced countries tend to pay particular attention to institutions, their counterparts in the developing world often tend to pay lip service to the rules and processes. Public administrative system of Ghana comprising the Ministries, Departments, Agencies and the other para-statal organizations that are involved in enforcement of public law and order suffer from huge implementation laxities characterized with apparent partiality and corruption. In the third week of March, 2014; a court in Ashanti Region jailed four armed robbers for 80 years, however, to the utter dismay of key witnesses, the leader of the group was freed by the court. In their reaction, these complainants lamented that freeing the leader of the gang is an affront to justice because they provided enough evidence to the prosecutors who failed to tender these in the court room. Similarly, in the month of March 2014, there was a shooting incident in Aboabo in the Northern Region which led to the death of one person. There was a subsequent attack on a radio station which led to the destruction of several items. The incident was reported to the police and several culprits were arrested by the

police. With the culprits having some allegiance to the ruling party, the regional minister asked the police to free the accused people in the interest of peace in the area.

The literature suggests that developing countries do experience a lot of mob justice often referred to as 'jungle justice' because of the inappropriate enforcement of law and justice. In the scenarios above, the affected or complainants issued threats as 'if the police do not act properly, we will take the law into our own hands'. This usually occurs in developing democracies where the public administrative systems are not well developed, appears unprofessional and patronizes the political elites. Public administrators or officials by their mandate are to enforce the laws impersonally and impartially so that people will see the system as just which will inspire their confidence in the political system. Speaking at the consultative forum on Instant/Mob Justice and National Security at Accra in May 2007, the then Security Minister, Mr Francis Poku noted that the spate of instant/mob justice in the country is an indication of lack of confidence in the country's legal system. He lamented that "public disappointment in the legal system as well as the perception of corruption and delays in trying suspects are some of the causes of mob or instant justice".

A possible cause of this is the lack of trust in the police service, legal system, politicians and the entire political system. When there is mistrust in the system, people are likely to take the laws into their own hands; when public officials exhibit either manifest or latent discrepancies in law enforcement, it has a rippling or trickle down effect on subordinates, entire civic behavior or general moral degeneration (Morris & Klesner, 2010; Della Porta, 2000; Aye, 2000; Hetherington, 1998). This has been noted by Morris and Klesner (2010) that "one perspective posits that low levels of trust nurture corruption of the entire system...distrust thus fosters a tolerant or acquiescent attitude towards corruption and, by creating the expectation of corrupt behaviors among others, feeds individual participation in corruption...basic evaluative orientation toward the government founded on how well the government is operating according to people's normative expectations," (p.1261). Public trust in police can enhance police effectiveness and the legitimacy of police actions (Lyons, 2002; Sunshine & Tyler, 2003). It is linked therefore to the capacity of state police to provide basic citizen security (Goldsmith, 2003). The police institution and the legal systems are not very much trusted by the ordinary people so that the least chance they get, people prefer to harm or lynch the suspected person or persons without due process or state agencies to take charge. A deficit of trust in the police is all too common in sharply divided, post-conflict and post-authoritarian societies (Weitzer, 1995; del Frate, 1998; Mishler & Rose, 1998). However, more generally, wherever there are strong indicators of relative socio-economic inequality, public trust in police tends to be problematic (Reisig *et al.*, 2004). This point has forcefully been brought home by Alemika (1999) who observed that in Nigeria, contacts 'between the police and the citizens are characterized by anxiety . . . more so for those who are poor and powerless' (p. 2).

The literature suggests that states or organizations do not need strong men but institutions that are well functioning and enforced to achieve development. This statement was reiterated by President Obama when he visited Ghana in the late 2009. The public administration systems of developing countries tend to have lax rules, processes coupled with corrupt public officials. Even in situations where the rules or processes exist, people use unorthodox means to maneuver their way through which makes justice often in the bosom and pockets of the rich and mightier. Ghana, as a developing country is very good in 'talking and promising' but when it comes to 'the doing', the zeal to act is not impressive.

The institutionalist school of thought argues that there should be rules and regulations that are well known by the people, well enforced by the public administration system, predictable, and internalized so that they become the practice of the day. Douglas C. North emphasizes that the major role of institutions is "to reduce uncertainty by establishing a stable (but not necessarily efficient) structure to human interaction" and points out that both formal and informal institutions are evolving and changing, thereby continually altering the choices available to us (1990, pp. 6). Goldsmith (2005) provides that establishing trustworthy police in low-trust settings requires fundamental ways of building reflective trust. He further states that 'reasons to trust' needs to be identified, reiterated and built upon in the context of police/citizen contacts and relationships. Equally, indicators of institutional trustworthiness, both formal and informal, need to be consciously developed, maintained and preserved.

This study, therefore, adopts the institutional theory to assess how weak public administrative systems propel people to take the laws into their own hands to engage in mob action or instant justice. Mob justice or instant justice occurs when a mob, usually several dozens or several hundreds of people take the law into their hands to injure, maim and kill a person or persons accused of wrongdoing. In other words, the study examines the extent to which the conduct of public officials and institutions lead to mob justice. The study is organized into five main sections; the first section provides an introduction and background to the paper. Section two discusses the theoretical framework and literature review whilst the third section discusses the methodology adopted for the study. Section four presents, analyses and discusses the research findings whilst the final section provides conclusions, recommendations and implications to public administration and governance.

2. Theoretical framework and Literature review

The institutional theory provided a theoretical foundation for this paper.

The institutional perspective sees rules, processes and systems as very fundamental in the public administration system of any state. Institutions refer to the ‘rules of the game’ that tell how things are to be done. North (1991) defines institutions as humanly devised rules of organization that constrain or enable human behavior. In other words, he argues that institutions are rules, enforcement characteristics of rules and norms of behavior that structure repeated human interactions. Douglas C. North suggests that institutions are the rules and regulations as well as other conventional practices that regulate society and human interactions; he further adds that the effective enforcement of these rules and regulations impartially and neutrally should be the hallmark of political systems. A commonly agreed upon definition is provided by North (1990) who posits that “institutions are the rules of the game of a society, or, more formally, are the humanly devised constraints that structure human interaction. In consequence they structure incentives in human exchange, whether political, social, or economic.” (p. 3). Institutions comprise formal rules created by human beings such as statutes, common laws, and regulations; informal constraints such as conventions, norms of behaviour and self imposed codes of conduct; and the enforcement characteristics of both. The definition suggests three fundamental elements of institutions: The first one is the formal or written rules – political systems, laws governing contracts, crime, product information, the imposition of taxes, tariffs, regulation of banks, universities, etc. As such, they can be created by governments as well as within firms and other organizations. The second one is the informal or unwritten rules – culture, norms of behaviour, customs, values, religions, etc. They are generated from socially transmitted information and imposed by people upon themselves in order to structure their relationships with each other. The last one is the enforcement mechanisms – institutions are ineffective when they are not enforced. Enforcement mechanism is an integral part of the institutional framework of a society and can function fully, marginally, or not function at all.

Peters (2000) defines an institution as ‘a formal or informal, structural, societal or political phenomenon that transcends the individual level, that is based on more or less common values, has a certain degree of stability and influences behavior’. This definition suggests that institutions connote the social structures, stability, norms, rules, values and ideas that underpin society which restrain and enable human activities and actions. This school of thought argues that institutions not only offer and constrain behavioral alternatives, but that they also, up to a certain extent, model individual preferences (Steunenberg *et al.*, 1996; March & Olsen, 1995). This means that institutions directly and indirectly determine the motives guiding individual behavior. Relating it to the study, if institutions are properly enforced and justice delivered, people will have trust in the police and courts so that they will feel free to report and hand over criminals or accused individuals without meting instant justice or mob attack on their victims. In other words, effective enforcement of institutions will restrain people’s action of not engaging in mob justice.

2.1 The institutionalization process

Proponents of this theory suggest that institutions must *become* institutions; being an institution is a variable not a constant, which suggests that institutions should be perfecting and seek perfection in their processes and operations. They should seek fully institutionalization which will be in a state of equilibrium where public confidence will be developed. For example, a new public administration system created in a post-independent state is more likely to have some of the formal structural attributes of similar institutions elsewhere, but would not yet have developed the value structure or the autonomy that would enable us to typify it as fully institutionalized public administration system. But the irony is that, Ghana’s Public Administration system is relatively older than most of the public administration systems in the sub-Saharan Africa and of age with some of the Asian Tigers yet her institutions have not developed to desirable levels.

The theory of institutional effectiveness requires three basic indicators; formal rules, informal rules of behavior; and enforcement mechanisms (North, 2003, p.7). This requires institutional complementarity and enforcement complementarity. Institutional complementarity is the extent to which the formal rules are supported by the informal values and norms of the people in the Ghanaian society. This point has forcefully been brought home by Selznick (1957) that institutionalization involves “infusing a structure with value”, so in the case of emerging public administrations, it would be argued that the structures must be animated by the appropriate values, not just have formal structures than could be recognized as being like those in long-standing democracies (Verheijen, 1999).

The second indicator of institutional effectiveness is *Institutional enforcement* which refers to the extent to which there is enough resource (human and monetary) to enforce the formal rules. Again, is there a powerful agency or public administration to enforce the formal rules? Is there adequate legal backing to force compliance with the rules? Is there a political will in granting independence to officials to professionally enforce the institutions? When this congenial environment

Samuel Huntington has provided four main dimensions through which individuals and scholars could assess the

level of institutionalization of any public administrative structure; autonomy, adaptability, complexity, and coherence.

Taken rather briefly and simply these four concepts can be understood in the following ways:

1. *Autonomy* represents a concern with the capacity of institutions to make and implement their own decisions. Arguably, to the extent that they are not dependent upon another organization or institution they can be said to be institutionalized. This concept might be operationalized in terms of budgets and autonomous sources of revenue;
2. *Adaptability* taps the extent to which an institution is capable of adapting to changes in the environment, or more importantly capable of molding that environment. As with open systems approaches to social life the institution should be able to continue to import needed resources despite changes in the relevant environment;
3. *Complexity* demonstrates the capacity of the institution to construct internal structures to fulfill its goals and to cope with the environment. Again, this conception is analogous to thinking in systems theory and structural-functionalism that discussed the importance of structural differentiation (Almond & Powell, 1967);
4. *Coherence* represents the capacity of the institution to manage its own workload and to develop procedures to process tasks in a timely a reasonable manner. This also represents a capacity of the institution to

2.2 Mob Justice or Instant Justice: A search for conceptual definition

The phenomenon of mob violence/justice or instant justice has been reported from many African nations by diverse sources including the United Nations, United States State Department, non-governmental organisations such as Human Rights Watch, and media outlets including British Broadcasting Company, and numerous African newspapers (Ng'walali & Kitinya, 2006). These reports expose the effects of human rights abuse, specifically resulting from mob violence. Notwithstanding, areas and communities within the African sub region have not systematically investigated violence occurring from within the community (Kobusingye et al., 2010). The phenomenon of mob violence is sometimes referred to as community vigilantism (Adinkrah, 2005; Harris, 2001).

In the view of Ng'walali and Kitinya, mob violence is the practice whereby a mob, usually several dozens or several hundred persons take the law into their hands in order to injure and kill a person accused of wrongdoing (Ng'walali & Kitinya, 2006). This suggests that mob violence may range from few to hundreds of people who through their actions are hungry for justice. The foregoing point has been reiterated by Outwater et al. (2008) that mob violence is the result of a medium to large group of people, using multiple weapons, acting on a continuum from spontaneous to planned action, in concert to kill an individual or a small group. This suggests that mob action may either be planned or unplanned, and involves the use of weapons such as stones, blocks, sticks, iron rods and other metal substances.

The concept of mob justice has adequately been explained by Johnston (1996) to mean the use of force in reaction to crime and social deviance for personal and collective security. The variable of security has been reiterated by Adinkrah, (2005) who noted that most violent acts in Ghana are perpetrated by male community members protecting their neighborhood against social deviants. This is to say that predominantly, males are more active in mob violence than females who occasionally would join the act. Mob violence clearly can be stated as deviant behavior of a group who want to vent their anger on social flaws in the system (Awuni, 2007). The indication is that where the state is unable to provide adequate security and human right justice, the community becomes more viable avenue for self- justice. It comes in the form of community violence to serve as a deterrent and a mechanism of social control for prospective deviants. According to Senechal de la Roche (1996), mob violence can take the form of lynching, vigilantism, rioting and terrorism. This is to say that, non-state unilateral collective violence may come in diverse forms. In the views of Rosenbaum and Sederberg (1974), mob violence is an attempt to defend a given social order by resorting to means that contravene normative rules meant to safeguard that order. The idea is that, perpetrators are seeking to question the state and its legal institutions.

From the above discussion, we define instant justice or mob justice as “*an action perpetrated by a group ranging from spontaneous to semi-organized crowd of people who are mostly violent-oriented and forcefully act to abuse the rights of an accused person or persons ostensibly to ensure social order and to deter potential threats.* Alternatively, mob justice could be conceptualized as “*an act of inflicting pain or agony on person(s) who is (are) believed to have violated societal norms or practices by either organized or unorganized group(s) in the quest to maintain or instill justice and security in the society.* In other words, mob justice is to secure community justice and peace by sending a signal to prospective criminals to desist from transmitting their intentions into actions. In situations where mob justice suddenly becomes rampant in a community, it is an indication from society that confidence in the state security and justice system appears questionable. In most cases, high incidence of mob alert is a resistance against surreptitious police and legal systems; this suggests that the perception people develop about the political regime is very critical to their individual and group behavior.

From the literature review and definition, the concept of mob justice connotes the following characteristics.

1. The action is carried out by a small group of people to a hundreds of people. In most cases, the action begins with few actors but the membership builds up as the process advances.
2. The action is usually goal-oriented and its intention is to deter potential criminals and again to communicate to people that an area is a 'no go zone' for criminals
3. The action could be planned or unplanned; mob action could arise spontaneously by a group of bystanders or passers by who observe an act and start the process of violence or could be a loosely organized group of individuals who would not spare any criminal or accused person. Eg Community vigilante groups. The organized ones are mostly community-sanctioned but the violent aspect is an outlier.
4. The modus operandi is through the use of naked power or physical force. In other words, mob justice is violent-oriented and masculine in nature. This is to suggest that it is mostly perpetrated by males but females with masculine tendencies do join the process.
5. Additionally, perpetrators of mob justice employ the use of multiple weapons ranging from hand slaps, sticks, blocks, stones, iron rods, cutlasses and others.
6. Harm is caused to the suspect either physically or psychologically. Victims of mob justice are subjected to social ostracism and physical harm.
7. Finally, prevalence of mob justice seeks to communicate people's dissatisfaction with the security and justice system provided by state and its institutions. This suggests that the state needs to step in its security and justice delivery systems to inspire public confidence.

2.3 Why do civilians prefer Mob violence to rule of law?

Men can live perfectly decent lives by observing norms of behaviors they learn from others and that are promoted by others; by their families or communities, or by their professions or the religions or philosophies they adhere to. But there is always a question of how men will behave in a situation beyond the direct influence of those situations. Some individuals revert to behavior that is unworthy of their usual standards when they believe they can get away with it. Others, however, have deeper sources that enable them to remain consistent with their publicly scrutinized behavior. They have internalized values; their self-disciplined behavior does not depend on anyone reminding them what the rules are (Newberger, 2007, p.49).

Adults are supposed to be the true reflection of the society, and therefore children behave according to what society teaches them. It is, therefore, with little surprise that children grow up with the slapping, caning, smacking, and spanking they receive from adults upon the accusation of being "bad boys or girls". This point has been noted by Miller (2007) who maintains that many teachers cannot imagine a school system entirely free of such punishment. This is because the teachers themselves grew up in violent environment, so they learned very early to believe in the effectiveness of punitive measures. Miller concludes that neither in their childhood nor during their training were they given the chance to develop sensitivity to the suffering of children. Thus, they have little awareness that in the long run, using physical violence against children, merely teaches them behave aggressively in later lives. To juxtapose Miller's assertion with what is prevailing in most Ghanaian communities as far as mob violence is concerned, Attafuah, (2008), wrote that the abusive conduct by parents, teachers and other authoritative agencies and officials (Police, Military and other state's institutions) deny some children, and some adults their fundamental natural justice rights, and that mob "justice" is the common form of instant justice known to the Ghanaian society.

People also resort to mob violence when certain people in society are shielded against the long arms of the law. This makes people to lose confidence in the police and the judicial systems. In Ghana, protection of the political class is a typical example. In most cases, the Inspector General of police position (IGP) is politically inclined or has a soft spot for the ruling political elites in Ghana. Conquest, political domination, the creation of a police force under the direct control of the political class and for their protection and the protection of the affluent class requires one to complement the web of political and social domination. This has made it extremely difficult to professionally and independently enforce the rule of law against certain political figures due to political patronage, clientelism and rent-seeking tendencies between top police officials and political elites. It will be unheard of that any top politician in power could be jailed accordingly for a hideous crime. People perceive that other people in society who have closer relationship with the political class or able to pay bribes to law enforcers tend to get out of the long arms of the law. Additionally, the laxities and subjectivity in law application coupled with the perceived corruption of public officials make public trust in the political system and order shiver. Hodgson (2006) explains that people obey the laws not only as a result of the incentives and disincentives involved but also how people interpret and value such laws. This appreciation and valuation of rules is unavoidably a process of social interaction. In the view of Hodgson, people will succumb to rule of law if they know or believe others (public officials involving the police and the legal system) will equally apply the laws objectively. This point has forcefully been argued by Wittgenstein (1958) that, "a person goes by a sign-

post only in so far as there exists a regular use of sign-posts, a custom.”(p. 80).

Indeed, punishment as a term used in operant conditioning in psychology refers to any change that occurs after a crime that reduces the likelihood that crime will occur again in the future (Gershoff, 2010). According to Meller (1989), punishment is a more or less rational process. It is administered purposefully and with certain goals or objectives in mind. Meller describes these goals as the prevention of crime and punishment without expectation of crime prevention; from utilitarian and retributive perspective respectively. Therefore, people or communities believe that by inflicting physical and injurious punishments to culprits, it will communicate a message to prospective criminals to rescind on their intentions or actions.

3. Methodology

The study adopted the qualitative case study design in examining the nexus between weak public administration system and mob justice in Ghana using the experience of Nima community in the Greater Accra Region. The study took the case of the Nima Community of Greater Accra Region, Ghana. This setting is one of the communities in Ghana which will not spare any law breaker or a suspect; the people are generally self-protective to the extent that if a suspected thief or robber is arrested they tend to give him or her an instant justice, the people’s way. The choice of this community was based on the location and the fact that the respondents are more prone to mob justice and stand the chance of experiencing mob violence in their life.

A case is examined to understand an issue or provide input to an existing theory (Yin, 1994). The design was deemed more appropriate for the study because it allows a researcher to have an in-depth understanding of the phenomenon under discussion. Qualitative research involves the use of soft data in the form of gestures, impressions, symbols of the respondents and also to employ various research instrumentation (Neuman, 2007).

The respondents for this research were drawn from among the police officers within the Nima Police Command and opinion leaders and individual community members over eighteen years.

Respondents were randomly selected from the community and various police stations that fall under the Nima police command. Questionnaires were randomly distributed to police officers and civilians who were available and willing to participate in the study. The random sampling procedure was employed to ensure objectivity and to avoid biases since each worker had an equal chance of being selected. A sample size of 140 workers was arrived at. A sample size of one hundred and forty (40) was estimated by the researcher. These were, forty Police officers and hundred 100 civilians. 101 were collected at the end of the period. This represented a response rate of 72% of the total questionnaires administered.

The use of simple tally and Microsoft excel was used to input the data in order to generate the frequency distribution.

4. Data presentation and discussion of findings

4.1 Nature, scope and drivers of mob justice

In this section, respondents indicated the nature and reasons for mob violence in the Nima community. In other words, the table presents various reasons that make people engage in mob action and why they resort to instant justice. In other words, respondents were asked to mention what motivates them or community members to take part in mob actions that seek to met instant justice on suspected criminals. The table also presents the commonly used weapons usually applied to inflict harm on suspects.

Table 4.1.1 summarizes the reasons and nature of mob violence. Out of the 101 respondents, majority of them (34 indicating 34%) said that stealing was the alleged offence a mob suspect engaged in. Twenty one (21) of the respondents making 21% said the suspect engaged in murder. Eighteen (18) of the respondents forming 18% said, the suspect engaged in armed robbery, followed by 12 people representing 12% who also said the suspect engaged in open fighting. The findings indicate that suspects involved in alleged stealing, murder and armed robbery stand a high risk or chance of facing instant justice in the Nima Community. In this same section, respondents indicated the weapons that are commonly used to inflict harm on suspects. At the end of the survey, 34 of the respondents representing 33% said that the commonly used weapons for mob justice are stones and cement blocks. A total of 21 respondents being 21% answered that, mentioned the use of sticks whilst 18 of the candidates representing 18% were also aware of the use of cutlasses. 12 and 16 of the respondents representing 12% and 16% were aware of the use of bare hands and iron rods respectively. This indicates that stones and cement blocks as well as sticks are the most commonly weapons used in inflicting pains and harm on suspects. According to the findings, 45 of the respondents representing 44% revealed that, people who engage in mob violence are by standers. Also 25 respondents, representing 25% said these people who engage in mob violence are Area boys, as against 19 and 12 people representing 19% and 12% said these people are vigilant group and passers-by respectively. With respect to factors that motivate people to take part in instance justice, 38 of the respondents representing 38% answered that, they will take part in mob violence when everybody is taking part. 31 of the respondents representing 30% said they will take part in mob action when they want to take revenge.

30 people representing 30% of the target population said they will resort to mob violence when their friends are taking part. Only 2 people representing 2% of the respondents said that when they like taking part in mob violence, they will do.

Table 4.1.1 Nature and Reasons for Mob Justice

PARAMETER	VARIABLE	FREQUENCY	PERCENTAGE
ALLEGED OFFENCE	Arm robbery	18	18%
	Stealing	34	33%
	Rape	16	16%
	Fighting	12	12%
	Murder	21	21%
TOTAL		101	100%
Weapons used to inflict harm	Stones/cement blocks	34	33%
	Sticks	21	21%
	Bare hands	12	12
	Cutlass	18	18%
	Iron rods	16	16%
TOTAL		101	100%
Particular group of people who engage in mob violence.	Passers-by	12	12%
	By standers	45	44%
	Area boys	25	25%
	Vigilant groups	19	19%
Total		101	100%
Factors that motivate people to take part in instant justice	When friends take part	30	30%
	When I feel I should take part	2	2%
	When everybody is taking part	38	38%
	When I want to revenge	31	30%
Total		101	100%

Source: Field data, 2014

4.4 Public Understanding and Dimensions of Mob Violence

The second objective was to assess people's perception and experience with mob justice. Respondents were assessed on the prevalence rate of mob justice, whether mob justice they have witnessed or heard of were justified and their personal convictions of mob justice. Findings have been summarized in the table below.

Table 4.1.2 Public Understanding and Dimensions of Mob Violence

IS INSTANT JUSTICE ON THE INCREASE IN NIMA?	Yes	61	60%
	No	40	40%
TOTAL		101	100%
WERE VICTIMS OF INSTANCE JUSTICE GUILTY OF THE ALLEGATIONS AGAINST THEM?	Yes	19	19%
	No	82	81%
TOTAL		101	100%
DO YOU THINK INSTANCE JUSTICE IS WRONG?	Yes	31	30%
	No	70	70%
TOTAL		101	100%

Source: field data, 2013

In table 4.1.2 mixed responses were received with regards to the questions on public understanding and dimension of mob violence. Specifically on whether mob justice is on the increase in Nima or not, 61 people representing 60% said instant justice is on the increase in Nima. Contrary however, 40 people representing 40% refused the idea that mob justice is on the increase.

4.5 Discussion of Findings

4.5.1 Nature, scope and drivers of mob justice

The reasons and nature of mob violence is very important in studying issues of human rights abuse. Respondents indicated that they have a reduced confidence in the police and judiciary. Also majority of the respondents think the judiciary has a lot of delay systems and an unjustified bureaucratic system. This finding affirms a position held by Rosenbaum and Sederberg (1974) that mob violence is an attempt to defend a given social order by resorting to means that contravene normative rules meant to safeguard that order ostensibly to question the state and its legal institutions. This observation has also been made by Awuni (2007) that mob violence clearly can be stated as deviant behavior of a group who want to vent their anger on social flaws in the system. The finding indicates that institutions and their effective enforcement to a greater have effect on how people in society behave which suggests that the way an administrative system operates has a trickle down effect on civil obedience or disobedience.

According to the study, majority of the respondents (38%) are motivated to take part in instant justice when everybody is taking part. In addition, respondents mentioned factors that can lead to mob violence as; absence or insufficient law enforcement agents and police, the obscure locations of some police stations, perceived unsatisfactory performance of security agents, lack of confidence in the criminal justice system. The study also underscored that lack of support in the investigation and prosecution of criminal cases, delay in the prosecution of accused persons, lack of publicity of court convictions of criminals, acquittals of popular criminals, ignorance of the legal implication of mob violence, weak legislation on mob violence also contribute to incidence of mob justice. The idea is that people will hardly take part in mob actions independently. There is always a driving force that pushes people to resort to mob violence as community members would want defend a given social order and to safeguard that order though the means is unorthodox (Rosenbaum & Sederberg, 1974). These findings buttress previous studies undertaken by Hodgson, 2006; Awuni, 2007, Gershoff, 2009). For instance, Gershoff (2009) provides that punishment as a term used in operant conditioning in psychology refers to any change that occurs after a crime that reduces the likelihood that crime will occur again in the future. This suggests that though mob justice in most cases is unplanned and spontaneous, it is however purposeful and seeks to instil fear in potential offenders or criminals who would be forced to declare an area or community a “no go” area. According to Meller (1989), punishment is a more or less rational process. It is administered purposefully and with two main goals or objectives in mind. Meller describes these goals as the ‘prevention of crime’ and ‘punishment without expectation of crime prevention’ from the utilitarian and retributive perspectives respectively. Though we agree that punishment is appropriate as a tool for crime prevention and retributive purpose, we argue that punishment should not be inflicted through unorthodox means and by illegitimate bodies, because two wrongs, they say, do not make a right.

From the study, almost everyone has ever seen, heard or taken part in mob violence before. The indication is that mob violence appears to be a day-to-day issue of the social system and almost everyone who takes part feels satisfied that at least justice has been done. The study revealed that more of the victims who experience mob violence were alleged of stealing, followed by murder, armed robbery rape and fighting. Some also engage in mob action without necessarily knowing the offence of the alleged. The idea is that people engage in this action in their quest for social justice which takes a considerable long time to be dispensed by the legal systems in the country. The study shows that most people who engage in mob violence are people standing by at the time the alarm was raised. People standing by, passing by, area boys and vigilant groups will take part when the alarm is blown. The study reveals that, perpetrators of instant justice make use of weapons such as stones/cement blocks, sticks, bare hands, cutlass, iron rods, wire among others to inflict harm on the suspects. This means that anything goes for mob violence. Thus, actors can use any weapon available to pursue their task. The finding reiterates an argument made by Outwater *et al.* (2008) that mob violence is the result of a medium to large group of people, using multiple weapons, acting on a continuum from spontaneous to planned action, in concert to kill an individual or a small group.

The respondents of the study exhibited their zealotry for justice when asked how they prefer suspected criminals to be treated. From the study, respondents prefer suspected criminals to be stoned to death, burnt alive, beaten to death, given severe beating, chased away or hooted at as against taking them to police station or setting them free. The indications are that people are really hungry for justice in the various communities and will resort to any means either legal or illegal to get justice dispensed to their satisfaction. The reason they gave to support this position is that at best the law courts and the police system will make the case tarry and at worst would make the case ‘foolish case’. This suggests that popular confidence in the legitimate public administration systems and institutions appear to be more reduced and efforts at restoring confidence in the system would salvage the situation. Hodgson (2006) posits that people obey the laws not only as a result of the incentives and disincentives involved but also how people interpret and value such laws. Therefore, if law enforcers and interpreters do not value the laws, people will have little or no incentive to likewise obey the law.

5. Conclusion

The results of the study indicate that delay in prosecution of accused persons, lack of support in the investigation and persecution of criminals, acquittals of popular criminals, weak legislation on mob violence, absence or insufficient law enforcement agents and police among others cause civilians to resort to mob violence. Findings of the study reveal that mob justice is prevalent in the Nima community not that the people are bad per se but it is an action to put 'the fear of God' or to deter potential criminals in the community. More importantly, mob action is perpetrated to ensure that justice is given to individuals for their actions though it ends up attacking innocent people.

From the study findings and discussions, we therefore, conclude that people perceive the police system and law courts as ineffective or at best too slow in reacting to issues of crime, robbery and murder which to the people demands quick interventions. In other words, the ability of the law enforcement officials and agencies to work conscientiously to the satisfaction of the populace does have a greater implication on how they obey the law and trust the legal regime. Put differently, if the police and law courts work effectively, professionally, and impartially, it will inspire confidence and trust among community members to report crime suspects on daily basis without recourse to mob justice

Secondly, we also conclude that most people in developing African economies do not adequately understand the legal system and how the law enforcement bodies carry out their operations. They do not understand the need to give suspects ample time to prove themselves innocent before the Law. This perhaps, is because of the high illiteracy rate and the failure of the National Commission for Civic Education (NNCE) to effectively carry out its constitutional mandate of sensitizing and educating people on matters related to these and many others including civic duties and obligations. The 1992 Republican Constitution of Ghana posits that no individual is guilty until proven to be so by a law court. Suspects also have rights to fair trial and fair hearing which could delay the process with how the court systems deliver justice (Chapter Five, 1992 Constitution).

5.1 Recommendations

From the conclusions drawn above, the study makes four main recommendations that would have implications for legislator, policy experts, law enforcement agencies, citizens and human right groups.

Firstly, there is the need to speed up the prosecution of accused individuals. This enhances trust in the system of dispensing justice. The police need to be provided with adequate logistics and techniques that are essential for speedy gathering of evidence. Enhancing speedy prosecution of suspects is a collaborative effort between the police and law court which will arouse people's trust in the administrative system.

Secondly, confidence in the criminal justice system needs to be restored. This would take the efforts of players in the judiciary arm of government. This means that interpreters of the law should not be economical with the truth. Prosecutors should present cases without concealing glaring evidence whilst the 'Lords' or Judges are to interpret laws without recourse to possible biases, favoritism or partiality.

Moreover, there is the need for a strong legislation on mob violence. Actors on the corridors of mob violence should be treated without mercy. This would restrain others with same intentions from indulging in mob violence. Laws on mob justice would hardly succeed if hardened criminals arrested to the police would be seen the next day walking freely without any explanation to the people. Police should identify individuals who report issues to them and engage them whilst the case is on-going and in cases where the person is freed with genuine reasons, it is appropriate to give feedback or relevant information to the constituents that reported the issue.

Finally and more importantly, there is a need for popular sensitization, national reorientation and education on how the legal system works. The modern legal system is an adopted system into the Ghanaian culture and appears cumbersome, too bureaucratic, expensive and alien to majority of the people. The people are mostly illiterates who may not understand issues of fair trial, fair hearing, giving enough time to prove a case, therefore, it is imperative to carry out a national reorientation or sensitization exercise to explain the judicial system and policing system to the general populace.

5.2 Implications to Public Administration and governance

The findings and conclusions of the study have various implications on public administration and governance of developing African economies. Public administration, traditionally involves the application or enforcement of public laws and order. The effectiveness with which this mandate is carried out by political system (Ministries, Departments, Agencies and other public authorities) inspire public confidence and trust. Authority and legitimacy is held in public institutions and the extent to which these institutions act legitimately determines the public compliance and confidence. Development administration emerged against a backdrop of the realization that governments and their bureaucracies in less developed countries needed to be recreated, renewed and revitalized in order to bring about the development that is required in the transformation of societies (Gant, 1979). A dominant premise of development administration is that there are significant and fundamental differences between the administrative process in less developed countries and public administration in

developed countries. There is a need to move from the overtly bureaucratic and cumbersome approach with which issues of public services are provided to citizens. The myth surrounding the police and the judicial system needs to be unearthed by providing adequate education and also cutting down the unnecessary delays in execution of services. Islam and Henault (1979) provides that administrative development refers to the ability of administrative structures, institutions and organizations to cope with the formulation and execution of development plans, programmes and projects. Also, it includes the capacity of administrative personnel to perform development responsibilities efficiently.

The study calls for reinvention in the policing and justice system which will arouse public confidence. The people who brought a suspect to the police need to be part of the trial process at least there should be information flow from the police to these law abiding citizens who reported or arrested a suspect to the police. Where the suspect is innocent, the police need to explain to the people lest the people would perceive that the system is not fair or is compromised.

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