

# Implications of Mob Justice Practice among Communities in Ghana

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## Abstract

This study assessed the implications of mob justice practice among communities in Ghana. The study used the descriptive survey technique and the sample size for the study was one thousand respondents. The study comprised all persons who were 18 years and above and were currently residing at Kumasi Metropolis for the past two years and simple random under probability sampling procedure was used in selecting respondents for the study. Questionnaire and structured interview were the research instruments used to collect the data. All the respondents (100%) strongly agree and agree that mob justice has serious implications if not seriously checked and all the respondents (100%) strongly agree and agree that mob justice education, awareness of human rights, improving justice system, police accountability, teaching on non-violence, resourcing the police, citizens' cooperation and community empowerment are required to deal effectively combat mob justice practice in Ghana. The study concluded that mob justice is a social canker in various Ghanaian communities which clearly violates the protection of the fundamental human rights and has serious implications on Ghana's young democracy. The root cause of the mob justice is the people distrust in the legal and security authorities to properly handle suspected criminals compounded with the increase rate of crime and other factors. The study recommended that Ghana needs a decisive evaluation of her Criminal Procedure Code with the purpose of amending the outmoded procedures which impede swift trial and eradicating mob justice practice in Ghanaian communities demands a rigorous effort of the government, state institutions, non-governmental organizations, civil society organizations, and all citizens

**Keywords:** Mob justice, instance justice, rule of law, human rights, justice, Ghana

## 1.0 Introduction

The practice of Mob justice continues to attract a lot of attention globally particularly in developing countries in the face of global efforts to promote human rights. Mob justice or "instant justice" is when usual people take the law into their own hands and aggressively carry judgment and punishment on a suspected criminal. The mob becomes the executor of the law as this act is a direct and undeniable violation of human rights, taking illegal actions without following the due process and in so doing putting the rest of the public at threat alike.

Human Rights are lawfully guaranteed by human rights law, protecting individuals and groups against actions that interfere with fundamental freedoms and human dignity. Mob justice explicitly violates two articles in the Universal Declaration of Human Rights—the right to a fair trial (Article 10) and the right to stand innocent of a crime before being proved guilty (Article 11) and violate chapter five, article 12-33 of Ghana's constitution dealing with the protection of fundamental human rights.

The increase of mob justice continues to take over our airwaves and make newsworthy headlines. This illegal chain of actions has engrossed and engaged various reactions from security agencies, human rights bodied and activists, renowned radio commentators, criminologists, clergy, traditional rulers and a section of general populace. In Ghana nowadays, every single day, we often hear news items from both electronic and print media new narrating and showing the mayhem of mob justice. Scarcely a day comes by with no individual hearing, reading or encountering the incapacitating and gruesome scenes of mob justice in our various communities. Mob justice is extensive and all-encompassing in cities and towns areas in Ghana (Attafuah, 2008).

Mob justice merely takes time for mob to attack suddenly on an alleged crime suspect and the mob makes a decision whether or not to give out justice in their individuals' illegal line of attack. It more often than not takes the form of baseless, unfounded and unlawful brutality. Mob justice usually occurs very fast, unpredictably and dangerously. Mob justice takes numerous forms and shapes: spanking suspected robbers to death; slashing suspected criminals; stripping alleged criminals bare and pounding them with blocks, firewood and iron rods till they die; subjecting alleged criminals to embarrassing and undignified treatments and occasionally setting them in flames. Some sufferers have by a hair's breadth escaped the various punishment connected to mob justice and at the same time as others have been unlucky and ill-fated to stay alive to present description of the tribulation of individual encounters.

In Ghana, the readiness and enthusiasm to opt for instant justice is well known and pervasive with some Ghanaians. Some educated Ghanaians passionately encourage individuals who truly commit these illegal acts which violate both the laws of Ghana and international charters and needs to be condemned fervently. Article 41 of the 1992 Constitution admonishes every citizen to respect the rights, freedoms and legitimate interests of

others and generally to refrain from doing acts detrimental to the welfare of other persons. Instead, people's rights, freedoms and fairness to justice are trampled upon with impunity.

### **1.1 Statement of Problem**

Mob justice creates a series of violence, creates a tradition of fear, and discards individual responsibility and liability for brutal acts that are committed and perpetuated in the name of ensuring justice. No matter what the justification may be, Article 15 (1) (2) of the 1992 Republican Constitution of Ghana guarantees that the dignity of all persons shall be inviolable and that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment, or any other condition that detracts from human dignity and worth as a human being. In spite of all the constitutional provisions, international laws and the independent judiciary arm of government in Ghana that offer satisfactory and sufficient guarantee and protection of each person, from brutality and stopping people from involving themselves in mob justice, this illegal practice is done always.

Currently, we reside in a democratic country founded and established on the rule of law and the principles of human dignity and the advancement of human rights and freedoms. Despite the open chorus of disapproval against the act of mob justice to alleged criminals, the practice is increasing every day. Therefore, this culture of lawlessness, violence and impunity noticeably, has the probable for needless devastation of properties and loss of blameless lives. It is thorny to come to terms with why; in this modern and democratic dispensation inhabitants resort to mob justice to mete out justice in Ghana.

Most research work has focus on the possible causes of mob justice, forms of mob justice and people understanding of mob justice. After reviewing literature on mob justice, it was found out that there is a little literature on the implications of mob justice. Therefore, this study assesses the implications of mob justice practice among communities in Ghana.

### **1.3 Research Question**

The main research question for the study was what are the implications of mob justice practice among communities in Ghana?

Specific questions were the following:

1. What are the reasons why citizens resort to mob justice?
2. What is the extent of human rights awareness among the citizens?
3. What are the views of citizens on curbing mob justice in Ghana?
4. What are the implications of mob justice practice?

### **1.4 Objectives of the Study**

The main objective of the study was to assess the implications of mob justice practice among communities in Ghana. The specific objectives of the study were the following:

1. To determine the reasons why citizens resort to mob justice.
2. To assess the extent of human rights awareness among the citizens.
3. To examine the views of citizens on curbing mob justice in Ghana.
4. To ascertain the implications of mob justice practice

## **2.0 Literature Review**

### **2.1 Meaning of Mob justice**

Mob justice may refer to the situation when an irritated mob takes justice into their own hands to deal with suspected criminals and commonly ends with brutalities and loss of lives. In other words, it is a condition where the irate mob takes upon themselves illegally to dispense justice on without giving the suspect the right to a defence. This frequently results in spanking of suspected robbers to death; stripping suspects' nude and lynching them with stones, till suspects die and occasionally setting them ablaze.

Attafuah (2008) describes instant justice as instantaneous infliction of bodily and mental pain, suffering or death on a person arrested, or otherwise physically overpowered, as punishment for his alleged wrong as he is so subdued. Mob justice can refer to a state where a large unsystematic crowd of people choose violence and demolition in an effort to guarantee fairness and equity for themselves with no way out for the legal state and public bodies entrusted with this task to perform it accordingly.

### **2.2 Legal Provisions against Mob Justice in Ghana**

Chapter 5 of the 1992 Republican Constitution makes provision of protection of fundamental human rights and freedom. Article 13 of the constitution guarantees protection of right to life. Clause 1 of article 13 stipulates that: "No person shall be deprived of his life intentionally except in the exercise of the execution of a sentence of a court in respect of a criminal offence under the laws of Ghana of which he has been convicted." The words of the provision are comprehensible and unequivocal. It is only the court that has the power to order that the life of a person convicted of a criminal offence liable to be punished by death should be taken. Lynching of alleged criminals is an outrage to the Constitution and the rule of law itself.

Mob justice also undermines the right of persons to dignity. Article 15 (1) stipulate that "the dignity of all persons shall be inviolable." Clause 2 states that "no person shall, whether or not he is arrested, restricted or

detained, be subjected to –

- (a) torture or other cruel, inhuman or degrading treatment or punishment;
- (b) any other condition that detracts or is likely to detract from his dignity and worth as a human being.”

Article 15 (3) of the Constitution stipulates that “a person who has not been convicted of a criminal offence shall not be treated as a convicted person and shall be kept separately from convicted persons.” Mob justice is illegal and objectionable in our constitutional democratic dispensation. Article 19 (2) (c) provides that, a person charged with a criminal offence shall be presumed to be innocent until he is proved or has pleaded guilty. The presumption of innocence implies that an individual suspected of having committed a crime is seemed to be innocent until the person has been appropriately arraigned before a court of competent jurisdiction and has been convicted of a crime.

It is clearly stipulated that mob justice is incorrect, illegal and intolerable. Killing of alleged criminals must be avoided. More outstandingly, mob justice is a gruesome violation of natural justice. A main principle of natural justice is that an individual cannot be sentenced without being given the occasion to be heard. Mob justice denies a suspect of the right, occasion and services for the preparation of their defence opposing to article 19(2) (e) of the Constitution.

It must be noted that mob justice qualifies as a criminal offence under our Criminal and Other Offences Act, 1960 (Act 29). Any damage and harm caused in mob justice is illegitimate, the act may possibly make the grade as murder under section 46 of Act 29 where it leads to death, or where death does not happen, the mob justice might amount to criminal assault and battery under sections 84 and 86 or causing prohibited harm under sections 69 and 76 of Act 29. All crimes do not have the same punishment. Article 19(3) (6) of the Constitution provides that, “No penalty shall be imposed for a criminal offence that is severer in degree or description than the maximum penalty that could have been imposed for that offence at the time when it was committed”.

Most provisions in the UNDHR and ICCPR have been entrenched in the constitutions of countless member states, including sub-Saharan African countries. The rights recognised by the provisions are essential to the realisation of formal criminal justice, and the solemn attention given to them underscores them as normative rules of criminal justice, informed by the doctrines of rule of law and human rights. These norms of human rights are meant at ensuring that innocent persons are not convicted or punished. They are also projected to ensure that the human dignity of a convicted individual is not violated through cruel and degrading treatment.

### **2.3 Causes of Mob Justice**

Several reasons have been assigned for the reality of mob justice in our societies. The primary encouraging factor is unwarranted delay in justice delivery in Ghana. Asare (2007) bemoans regular adjournments and delays in adjudication of justice and calls for concerted effort by the judiciary to stem the trend. Asare’s position is corroborated by Neequaye (2007), who identifies that the legal system is too slow in dealing with criminal cases; thereby unnecessarily adjourning cases. Neequaye however, falls short of justifying public’s resort to mob justice by these inefficiencies in the courts system. Perhaps, Neequaye is being guided by these paradoxical legal maxims; “the wheels of justice grind slowly but will certainly reach its destination; and justice delayed is justice denied”. She is however of the opinion that the situation does not warrant any legitimate grounds for people to lynch suspects, since lynching is a heinous crime punishable by law.

A further reason for mob justice is the perceived public unhappiness with the system of criminal retribution. Even though the limits and extents of punishments for offences are statutorily prescribed and defined, they are very fundamentally subject to the discretion of the court. When judges exercise their discretion to impose minimal sentences in hideous offences, people become disgruntled and dismayed. With this discontent, mob justice becomes the paramount option to impose retribution commensurable to the particular offence. However, it is hard to believe that instant justice deters criminals.

Perceived judicial and police corruption in Ghana is an added disturbing causative factor to mob justice. Bribery, corruption, and the unethical conduct of some policemen and judicial officers together with fruitless police investigation stimulate mob justice. People claim that the Ghanaian masses are losing confidence and trust in the Ghana police, the judiciary and other security agencies. Awuni (2007) observes that judicial inefficiency is just one of the many causes of mob violence. He thinks this inefficiency ranges from seeming delays in the judicial process, through seeming unjustifiable acquittal of popular criminals, to lack of publicity of courts convictions of criminals, which make people assume nothing is done to people who are arrested for crime.

The reluctance of citizens to act as witnesses in criminal cases also accounts for the delay.

According to Attafuah (2008), people resort mob justice in order to mirror to some degree, the public’s disgruntlement with the performance of the criminal justice system.

Specifically, the elements of the discontent with the justice system include the following:

- Police corruption and lack of accountability;
- Under-resourced police service;
- Police incompetence resulting in delays and nonchalance and passivity in responding citizens’

- demands for police assistance in on-going crimes;
- Violence by state security agents, especially police and military personnel;
- Poor police-community relations; and
- Corruption real and perceived in all facets of the judicial system.

Another reason is that numerous people in Ghana may be aware that mob justice practice is illegal and contrary to the laws of the land. Again, many people are also ignorant of the implications of mob violence, (Attafua, 2008). Such people may either not know that it is a human right issue, or be oblivious of the ability of a person seeking to settle personal scores to infiltrate the ranks of the mob. Because of this, people do not think twice before raising alarm for mob to help them retrieve their stolen items and the retrieval of their items may end up causing the death or maiming the victim. Mob-justice is illegal, primitive and has no place in civilized community. Public sensitization alone will not curb these atrocities without a reliable justice-infrastructure.

#### **2.4 Human Rights Education**

Human rights according to the Universal Declaration of Human Rights (UNDHR, 1948) are the rights enjoyed by persons in our community regardless of gender, age, race, nationality, socio-economic standing or any other consideration excluding by virtue of being part of the race. Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible. Universal human rights are often expressed and guaranteed by law, in the forms of treaties, customary international law, general principles and other sources of international law. International human rights law lays down obligations

The mandate for human rights education is unequivocal: one has a human right to know his rights. The Preamble to the Universal Declaration of Human Rights (UDHR) exhorts "every individual and every organ of society" to "strive by teaching and education to promote respect for these rights and freedoms." Article 30 of the UDHR declares that one goal of education should be "the strengthening of respect for human rights and fundamental freedoms." According to the International Covenant on Civil and Political Rights (ICCPR), a government "may not stand in the way of people's learning about [their rights]."

Amnesty International defines of Human Rights Education as "deliberate, participatory practice aimed at empowering individuals, groups and communities through fostering knowledge, skills and attitudes consistent with internationally recognized human rights principles." "As a medium to long-term process, human rights education seeks to develop and integrate people's cognitive, affective and attitudinal dimensions, including critical thinking, in relation to human rights. Its goal is to build a culture of respect for and action in the defence and promotion of human rights for all."

Ever since the adoption of the Universal Declaration, the United Nations General Assembly has called on Member States and all segments of the general public to circulate, broadcast and educate people about this fundamental document. In 1993 the World Conference on Human Rights in Vienna reaffirmed the significance of human rights education, training and public information, declaring it "essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace" (Vienna Declaration and Programme of Action). In reaction to an appeal by this World Conference, the General Assembly proclaimed the period 1995 to 2004 the UN Decade for Human Rights Education.

In proclaiming the United Nations Decade for Human Rights Education in December 1994, the General Assembly defined human rights education as "a life-long process by which people at all levels of development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies" (General Assembly Resolution 49/184). The Assembly stressed that the responsibility for human rights education rested with all elements of society--government, nongovernmental organizations, professional associations, and all other sectors of civil society, as well as individuals.

The Plan of Action for the Decade further defines human rights education as "training, dissemination and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the molding of attitudes which are directed to:

- a) The strengthening of respect for human rights and fundamental freedoms;
- b) The full development of the human personality and the sense of its dignity;
- c) The promotion of understanding, tolerance, gender equality, and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups;
- d) The enabling of all persons to participate effectively in a free society;
- e) The furtherance of the activities of the United Nations for the maintenance of peace (Plan of Action of the United Nations Decade for Human Rights Education 1995-2004).

In Ghana, Commission on Human Rights and Administrative Justice, the National Commission on Civic Education, the Mass Media Police, the various Non-Governmental Organisations and other state institutions are providing training, education and disseminating information in effort aimed at the building of a universal culture

of human rights through the imparting of knowledge and the shaping of attitudes. Despite all the efforts that the state institutions and non-state actors are providing, more human rights education and information must be increased particularly the rural folks.

Human rights can only be accomplished through an informed and sustained demand by citizens for their protection. Human rights education promotes values, beliefs and attitudes that persuade all persons to uphold their own rights and those of others. It develops an understanding of everyone's ordinary task to build human rights a reality in society. Human rights education constitutes an indispensable involvement to the long-term prevention of human rights abuses and represents an essential and imperative investment in the undertaking to accomplish a just society in which all human rights of all persons are valued and respected.

### **2.5 Implications of Mob Justice**

Mob justice could have numerous implications which if not addressed. Mob justice is prone to weaken our legal systems and exposing country's criminal justice system as ineffectual and powerless of punishing offenders resolutely according to the laws. The criminal justice system is accountable for the dispensation of justice (allotment of entitlements and deprivations or disabilities) that is due to or deserved by the criminals, victims and society.

The most important responsibility of the criminal justice system is to give out criminal justice in accordance with the due process or rule of law. In realistic terms, criminal justice refers to the determination of the culpability or innocence of a suspect, and the allotment of chastisement that is fair and comparative to the convict's offence. Substantive criminal justice demands equity and equality in the enforcement and interpretation of criminal justice, which, however, can only be achieved with least disparities in political and socioeconomic power.

Mob justice provides a stern intimidation to national and global security, peace and stability. On the global front, Mob justice practice clearly depicts people as primitive and uncivilized. There are many situations where innocent victims have been brutalized and killed as mistaken identity incident owing to the fact that it is also possible that an innocent person fleeing from a scene to avoid a probable suspicious link with a crime committed may be securitized and brutalized.

Mob justice creates a sudden disintegration in the investigation process and the impenetrability or impracticality of arresting other accomplices of the suspected crime. Mob justice at all times offers penalty which is extremely ruthless and brutal, compared to the crime committed. Suspects of burglary, attempted rape, robbery, pick-pocketing, time and again have the same form of retribution. All crimes do not have the same punishment. Article 19(3) (6) of the Constitution provides that, "No penalty shall be imposed for a criminal offence that is severer in degree or description than the maximum penalty that could have been imposed for that offence at the time when it was committed".

In Ghana's constitution, a mob cannot set down sentence for a criminal offence. Article 125(3) stipulates that, "The judicial power of Ghana shall be vested in the judiciary, accordingly, neither the President nor Parliament shall have or be given final judicial power." In Article 25(2), citizens are included in the administration of justice but through institutions of public and customary tribunals, jury and assessor systems. It is our constitutional obligation to work together with legally recognized agencies in safeguarding and conserving law and order as enshrined as stated clearly in Article 41(i) of the 1992 Republican Constitution. Remember the exercise and enjoyment of rights and freedoms are inseparable from the performance of duties and obligations.

## **3.0 Methodology**

### **3.1 Research Design**

In the study, the descriptive survey technique was used. This technique was found convenient because it is a tool that helps to search for detailed information about the characteristics and very simple to use.

### **3.2 Study Area**

Kumasi metropolis is situated in the transitional forest zone and is about 270km north of the national capital, Accra. It is between latitude 6.35o – 6.40o and longitude 1.30o – 1.35o, an elevation which ranges between 250 – 300 metres above sea level with an area of about 254 square kilometres. The exceptional centrality of the city as a traversing position from all parts of the country makes it an extraordinary place for several to migrate to. The metropolitan area shares boundaries with Kwabre East District to the north, Atwima District to the west, Ejisu-Juaben Municipal to the east and Bosomtwe to the south (Ministry of Local Government and Rural Development).

The Kumasi metropolis is the most heavily populated district in the Ashanti Region. During the 2000 Population Census it recorded a figure of 1,170,270. It has been projected to have a population of 1,625,180 in 2006 based on a growth rate of 5.4% p.a and this accounts for just under a third (32.4%) of the region's population. During 2010 Population Census it also recorded 2,035,064 (Ghana Statistical Service). Kumasi has attracted such a large population partly because it is the regional capital, and also the most commercialised centre in the region. Other reasons include the centrality of Kumasi as a nodal city with major arterial routes linking it to other parts of the

country.

### **3.4 Research Population**

The component population of the study comprised all individuals who were 18 years and above and were currently residing at Kumasi Metropolis for the past two years.

### **3.4 Sample Size**

The sample size for the study was one thousand respondents. Fifty respondents each were selected from 20 suburbs of Kumasi Metropolis. The selected suburbs are Bantama, Ashanti Newtown, Old Tafo, Asawasi, Atonsu-Agogo, Oforikrom, Aboabo, Ayigya, Ahinsan, Kwadaso Nsuom, Buokrom/Buokrom Estate, Asokwa, Asafo, Old Suame, New Suame, Adum, Moshie Zongo, Santasi, Mbrom and Ayeduase.

### **3.4 Sampling Procedure**

This study used simple random under probability sampling procedure in selecting respondents for interview and responding to the questionnaire. In this study, respondents were selected based on their willingness and ability to answer the questionnaire.

### **3.5 Research Instrument**

Questionnaire and structured interview and were the research instruments used to collect the data from the electorates. The questionnaire was used in order to get a standard form of answers or responses. The use of structured interview helped the researcher to mould the questions order to get the information require for this research work.

## **4.0 Results and Discussion**

### **4.1.1 The Gender Distribution of Respondents**

The gender distribution of respondents is shown in (Table 1). From the table, 64.4% of respondents are males while 35.6% are females.

### **4.1.2 Age Distribution of the Respondents**

The age distribution of the respondents is approximately equally divided between the youth and adult population. To some extent over half (59%) of respondents are between ages 18 and 41 with 18.5% percent of the respondents are in the age cohorts of 42 and 49; 14% of the respondents are with 50 and 57 and 8.5% of the respondents are 58 years and above. Age-wise, the sample is reasonably representative of the Ghanaian electorates.

### **4.1.3 Educational Background of Respondents**

The educational background of respondents is shown in Table 3. Educational achievement of respondents ranged from 'no school' to those with tertiary education, though the sample is skewed (51%) in favour of those with secondary education and 23.7 % of the respondents have various tertiary qualifications. When respondents are well- educated and knowledgeable, then it is logical to assume that respondents are well-informed about the Mob justice.

### **4.1.4 Reasons for Mob Justice**

In line with the objective of the study, the researcher tried to ask the respondents the causes of mob justice in Kumasi Metropolis. From table 4, 479 (47.9%) respondents strongly agree that delay in justice is a major cause of Mob justice among the residents of Kumasi Metropolis, 450(45%) agree and 40 (4%) disagree with this claim. This result finding supports Asare (2007) claims that habitual adjournments and delays in adjudication of justice cause mob justice and calls for concerted effort by the judiciary to curtail the trend. Prolong Police investigation has been acknowledged as a further cause of mob justice.

The result indicates that 637 (63.7%) respondents strongly agree and 300 (30%) respondents agree with the issue of prolong police investigation. On the reason that citizens provide less support to security agencies, 231(23.1%) respondents strongly disagree with this assertion, 305(30.5%) respondents disagree and 114(11.4%) strongly disagree. Majority of the respondents 812 (81.2%) strongly agree and agree that they are discontent with the criminal sentence sometimes given to the convicted criminals and 188(18.8%) respondents strongly disagree and disagree with the discontent criminal sentence. Majority of the respondents 556 (55.6%) strongly disagree and disagree with the claim that Judicial and police corruption is not a major cause of Mob justice and 444 (44.4%) strongly agree and agree with this claim.

Almost all the respondents 849 (84.9%) strongly disagree and disagree with the claim that perpetrators of mob justice are ignorant and not aware that that their actions are illegal and undermine the protection of fundamental human rights and respondents making 151(15.1%).With the matter of poor police-community relations 175(17.5%) respondents strongly disagree with this cause, 298 (29.8%) respondents disagree whereas 300 (30%) respondents agree and 227(22.7%) respondents strongly agree.

It is clearly established from the result finding that the police service is under-resourced as 609 (60.9%) respondents strongly agree with this cause, 286(28.6%) respondents agree and 24(2.4%) respondents strongly disagree that the police service is under-resourced thereby causing mob justice. The growing of crime rate in the various suburbs of Kumasi Metropolis causes mob justice to serve as a deterrent for suspected criminals to stop

their crimes. Majority of the respondents 795(79.5%) strongly agree and 120 (12%) respondents agree with the claim.

Finally, the respondents 634(63.4%) strongly agree that mob justice is rampant as a result of failure of public institutions to deal with crimes and 180(18%) of the respondents agree and 85(8.5) respondents strongly disagree with the failure of public institutions.

#### **4.1.5 Human Rights Awareness among the citizens**

Mob Justice violates person's right to a fair trial, and right to be held innocent until proven guilty. Educating citizens on rights with which they themselves are endowed and the remuneration they would receive from the promotion and protection of these rights will empower people not to violate others' rights. The researcher asked the respondents questions on human rights awareness among the citizens and grades the extent of human rights awareness among the general populace as they live without them according to excellent, very good, satisfactory, average, below average and poor.

According to table 5, 382(38.2%) of respondents said that they would rate human rights awareness among the citizens satisfactory, 280 (28%) respondents rated it average, below average represented 160(16%) respondents, poor 88 (8.8%), very good 65(6.5%) and 25(2.5%) respondents rated it excellent. More education about mob justice, how it violates human rights, the reasons it happens, and how it can be avoided must be promoted.

#### **4.1.6 Citizens' Views on Curbing Mob Justice in Ghana**

Eradicating mob justice demands a rigorous effort on behalf of the government, civil society organizations, state institutions, non-government organizations and individual people. According to table 6, all the respondents were asked to express their views on curbing mob justice in Ghana. All the respondents (100%) strongly agree and agree that mob justice education, awareness of human rights, improving justice system, police accountability, teaching on non-violence, resourcing the police, citizens' cooperation and community empowerment. The root cause of mob justice is the lack of people's trust in the legal and security agencies to appropriately handle suspected criminals.

#### **4.1.7 Implications of Mob Justice Practice**

To achieve the objective of this research study, the researcher asked the respondents to state the implications of mob justice practice if serious measures are not taken to address this social canker. According to table 7, all the respondents (100%) strongly agree and agree that mob justice has the following implications:

Mob justice is the symptom of a society with weak legal system, shows poor criminal justice. Another grave implication associated with mob justice is the possible misidentification and killing of innocent. Again, mob justice undermines the constitution of Ghana. Article 125(3) stipulates that, "The judicial power of Ghana shall be vested in the judiciary, accordingly, neither the President nor Parliament shall have or be given final judicial power."

Mob justice always dispenses punishments which are excessively harsh and severe, compared to the crime committed. The respondents also agree that mob justice could create national insecurity and global insecurity. Mob justice creates a series of violence, creates a culture of fear among the people

Furthermore, all the respondents agree that mob justice creates loss of life and property. Mob justice clearly tells that the people are uncivilized and could undermine democracy of a country because mob justice disregards the constitution as the supreme law of the land. Finally all the respondents strongly agree that mob justice' implication included bad national image, affects the socio-economic life of the country, curtails police investigations to fight, creates tribal, ethnic war and culture of impunity which discards personal liability for violent acts that are committed under the cover of justice.

### **5.1 Conclusion**

From the findings, it can be concluded that mob justice is a social canker in the Ghanaian communities which clearly violates the protection of the fundamental human rights and has serious implications on Ghana's young democracy. The root cause of the mob justice is the people distrust in the legal and security authorities to properly handle suspected criminals compounded with the increase rate of crime and other factors. Following due process of the criminal justice systems may be unhurried and occasionally exasperating, but it is the surest approach of guaranteeing an individual's human rights, getting and ensuring equity and fairness in the dispensation of justice. Future research should investigate the effects of mob justice on Ghana's criminal system.

### **5.2 Recommendations**

1. Ghana needs a decisive evaluation at the Criminal Procedure Code with the purpose of amending the outmoded procedures which impede swift trial.
2. All citizens must learn to respect and obey fully the laws of Ghana and collaborate with the national security agencies and court to deal with crime and ensure the protection of fundamental human rights.
3. Eradicating mob justice practice in Ghanaian communities demands a rigorous effort of the government, state institutions, non-governmental organizations, civil society organizations, and all citizens.
4. The media and other bodies in Ghana should continue educate citizens and create human rights

awareness among the entire populace particularly the rural folks to desist from the illegal act of mob justice and report suspected criminals to the police.

5. The courts and the security agencies should do their best to ensure speedy trial of cases so as to whip up people's confidence in the judiciary and the security agencies.

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**Table 1: Gender of Respondents**

Responses	Frequency	Percentage
Male	644	64.4
Female	356	35.6
Total	1000	100

Source: Field Survey, 2012

**Table 2: Age of Respondents**

Responses	Frequency	Percentage
18-25	240	24
26-33	185	18.5
34-41	250	25
42-49	195	19.5
50-57	90	9
58 and above	40	4
Total	1000	100

Source: Field Survey, 2012



**Table 3: Educational Level of Respondents**

Responses	Frequency	Percentage
No education	21	2.1
Basic	232	23.2
Secondary	510	51
Tertiary	237	23.7
Total	1000	100

Source: Field Survey, 2012

**Table 4: Reasons for Mob Justice**

Factors	Strongly Disagree		Disagree		Agree		Strongly Agree	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Delay in justice delivery	31	3.1	40	4	450	45	479	47.9
Prolonged Police investigation	18	1.8	45	4.5	300	30	637	63.7
Less Citizens' Support	231	23.1	305	30.5	350	35	114	11.4
Discontent of Criminal Sentence	88	8.8	100	10	405	40.5	407	40.7
Judicial and Police Corruption	305	30.5	251	25.1	285	28.5	159	15.9
Ignorance	699	69.9	150	15	96	9.6	55	5.5
Poor police-community relations	175	17.5	298	29.8	300	30	227	22.7
Under-resourced police service	24	2.4	84	8.4	286	28.6	609	60.9
Growing of crime rate	25	2.5	60	6	120	12	795	79.5
Failure of public institutions	85	8.8	101	11.1	180	18	634	63.4

Source: Field Survey, 2012

**Table 5: Human Rights Awareness among the citizens**

Response	Frequency	Percentage
Excellent	25	2.5
Very Good	65	6.5
Satisfactory	382	38.2
Average	280	28
Below Average	160	16
Poor	88	8.8
Total	1000	100

Source: Field survey, 2012

**Table 6: Citizens' Views on Curbing Mob Justice in Ghana**

Factors	Strongly Disagree		Disagree		Agree		Strongly Agree	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Mob Justice Education	-	-	-	-	55	5.5	945	94.5
Awareness of Human Rights	-	-	-	-	155	15.5	845	84.5
Improving Justice System	-	-	-	-	25	2.5	975	97.5
Police Accountability	-	-	-	-	63	6.3	937	93.7
Teaching Non-Violence	-	-	-	-	105	10.5	895	89.5
Resourcing the Police	-	-	-	-	189	18.9	811	81.1
Citizens' Co-operation	-	-	-	-	350	35	650	65
Community Empowerment	-	-	-	-	417	41.7	583	58.3

Source: Field Survey, 2012

**Table 7: Implications of Mob Justice Practice**

Factors	Strongly Disagree		Disagree		Agree		Strongly Agree	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Weakens legal systems	-	-	-	-	55	5.5	945	94.5
Undermines peace and order	-	-	-	-	155	15.5	845	84.5
Shows poor criminal justice	-	-	-	-	25	2.5	975	97.5
Punishes innocent ones	-	-	-	-	63	6.3	937	93.7
Undermines constitution	-	-	-	-	105	10.5	895	89.5
Excessive punishment	-	-	-	-	189	18.9	811	81.1
National insecurity	-	-	-	-	350	35	650	65
Global insecurity	-	-	-	-	417	41.7	583	58.3
Loss of lives and property	-	-	-	-	250	25	750	75
Uncivilised People	-	-	-	-	450	45	550	55
Undermines democracy	-	-	-	-	150	15	750	75
Bad national image	-	-	-	-	650	65	350	35
Affects socio-economic life	-	-	-	-	521	52.1	479	47.9
Curtails investigations	-	-	-	-	155	15.5	845	84.5
Creates Tribal and Ethnic War	-	-	-	-	887	88.7	122	12.2
Culture of Impunity	-	-	-	-	671	67.1	329	32.9

Source: Field Survey, 2012

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