

## COMMENTARY

## Civil-Military Participation in Hostility Model: Theorizing attack of security personnel by civilians and vice versa

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**Received:** May 3, 2024;

**Accepted:** August 14, 2024;

**Published:** August 19, 2024.

**Citation:** Norman, I. D. (2024). Civil-Military Participation in Hostility Model: Theorizing attack of security personnel by civilians and vice versa. *International Journal of Arts and Humanities*, 5(1), 234-242. <https://doi.org/10.25082/IJAH.2024.01.005>

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**Abstract:** Theorizing civilian attacks on military and police officers in Ghana, the author adopted the Direct Participation in Hostilities concept applied in International Humanitarian Law during war time to protect civilians in the “Civil-Military Participation in Hostility Model”. It seeks to theorize the factors coalescing into incidence of hostilities during peace time by civilians against agents of State Security and vice versa. The Direct Participation in Hostilities refers to the cancellation of security protection of civilians during war, when they opt to participate in hostilities caused by the enemy, military or police intervention or operations. That conduct evaporates the expectation of protection from the military or police personnel, which makes the civilians targets in war times. In peace time, when civilians attack security personnel for cause or without cause, the withdrawal of protective performative services by State Security services should be the same as if it is war time situation justified by the concepts of self-defence and State Security. The “Civil-Military Participation in Hostilities Model” is a constructivist and realist approach to the resulting harm either perpetrated by civilians on the security personnel or the security personnel attacks due to civilian infractions or breach of public order. The eruption of hostilities from either angle may be due to the absence of a capable guardian or legal framework; and the absence of culpability, probity and accountability in security services delivery post-facto.

**Keywords:** civil-military participation in hostilities, civilian attacks on military, military attacks of civilians, police attacks of civilians, civilian attacks on police, escalation of conflict, mitigation of public order encroachment

## 1 Introduction

In International Humanitarian Law, Direct Participation in Hostilities concept is applied to when civilians become or participate in war as enemy combatants. In today’s world, the nature of warfare has changed making it difficult to isolate civilian populations from militants, or terrorists as has been seen in several places in the Middle East: Lebanon, West Bank and Gaza Strip, or in the Horn of Africa: Somalia and Kenya. How to differentiate between civilians and combatants in such a situation, is a challenge that the international community and humanitarian organizations have not been able to resolve even after relying on the Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law (ICRC, 2024). At any rate, this paper or model is not about Direct Participation in Hostilities as understood in International Humanitarian Law. The “Civil-Military Participation in Hostilities Model” (CMPHM) could be said to be a progressive and balanced reversal of rational thinking on the philosophy of the notion of Direct Participation in Hostilities. It does not purport to have any positive relationship to Direct Participation in Hostilities concept on the international scale, but only as a source of inspiration to arriving at the alternative: - The Civil-Military Participation in Hostility Model. It is, therefore, a constructivist and realist approach to the resulting harm perpetrated by either civilian on security personnel or the security personnel’s attacks due to civilian minor infractions or breach of public order and, or, commission of a crime. The eruption of hostilities from either angle may be due to the absence of a capable guardian or legal framework; or the absence of administrative or judicial finding of culpability, probity and accountability regarding security agencies service delivery and interactions with civilian post-facto. It could also be due to wanton disrespect to members of the Security services by either shooting at them, killing or beating them by a criminal posse as a show of force, or initiation into the group, and as the demonstration of anti-establishment act. Whatever the cause

for hostilities between civilians and security services personnel, the cardinal point to keep in mind is the role of the judiciary in the adjudication of prior offences allegedly committed by members of the security services against civilians or civilians against members of the security services.

The judicial system in nations like Ghana are skewed in favor of government operatives, irrespective of the perception or the reality of corruption allegation. It is seldom that the public gets to hear about the outcome of an inquisitory commission after a major public crisis that calls for a special commission to investigate the circumstances leading to the confrontation, for example, between police or military personnel and the public.

“Most importantly, the conduct of a great number of the judges in Ghana appears to undermine national development, the interests of the nation and the majority of the people of Ghana. This assertion is based on the general observation that a significant number of Ghana’s Judges have the propensity to support government’s position, act and decide cases on partisan lines than any other interests, unless the position of the government is by all subjective and objective standards clearly indefensible.” (Norman, 2023a). Partisan interpretation of the laws in Ghana, led the Minister of National Security, Albert Kan Dapaah to caution Ghanaian Judges to stop taking “one-sided approach” in the adjudication of cases. The caution was issued at a meeting with the judiciary to discuss the role of the judiciary in Ghana’s national security architecture. In addition, the Minister said: “If you [judges] are going to be able to address security challenges that we have, especially the domestic ones, we need to ensure that there is a judicial system that works. If you do not have a judicial system that works, many people will simply take the laws into their own hands and misbehave and do what they want.” (Norman, 2023a). He added that, “if the interpretation of the law is tilted in governments favor all the time, people will start accusing the judiciary and will not have the confidence that they need” (Norman, 2023a). The frequency of attacks on security personnel and the incidence of security personnel killings, brutal confrontations with the civilian population calls on researchers to advance a model or theory for analyzing this phenomenon: Civil-Military Hostilities in peace time.

## 2 Approach used in this paper: The Research goals

The primary research goal was to articulate analytical model or a concept for discussing the civil-military participation in hostilities in society, and find solutions to the phenomenon which happens in many locales and nations, despite many of these nations having strong criminal justice regimes. It is reasonable to say that, there is a nexus between police use of force and harm caused by the security agencies to civilians and the resulting retaliatory hostilities. However, the analysis tends to rely on conventional and realist approaches as well as the sheer power and legitimacy of State, rather than the deliberative review of hostile acts from either side: civilians or security agencies personnel, in a cause-and-effect-continuum (VanderWeele, 2019). The cause-and-effect-continuum is the relationship between two separate events where the causal act directly and in a linear way, creates the effect without temporary gaps, whether the effect was or is intended or unintended (Sturmborg & Marcum, 2024). For example, if a police officer throws a hand grenade into the stands filled with people in a stadium, people will die, stampede and some will suffer cuts and bruises. The cause is the throwing of the grenade into the stands filled with spectators. The effect is the people that died or are dying from injuries sustained. The person to be held responsible for the act of throwing the grenade is the person who threw the grenade. In fact, this scenario happened in Ghana on 9<sup>th</sup> May, 2001 where 126 people died as a result of a police officer throwing a smoke grenade into the stands during misunderstanding over the decision of a referee.

This study aims to show that, the Police Administration in Ghana and elsewhere, ought to pay more attention to intersubjective relationships between the police and the civilians. The Civilian Complaints Board of the various security agencies have to become more proactive and dispassionate in investigating complaints brought by civilians against alleged police brutalities and extra-judicial acts and drop the “us against them” mentality. The Ghana Police Professional Standards Bureau (PPSB), under the direction of the Inspector General of Police (IGP), is responsible for monitoring compliance with International Police Professional Standards, Human rights and enforcement of democratic policing principles. The nation’s PPSB is also responsible to conduct periodic inspection of police stations, equipment, records, documents, and other logistical needs of the various units consistent with the recommendations of Service Instructions’ guidelines. The mandate pertinent of PPSB includes the charge to investigate the complaints from the public against police officers, instances of malfeasance and any other act of omission or commission (Ghana Police Service Regs, 2017). The same statement can also apply to

military personnel and for the Army Disciplinary Board, or military high command to take a more detached approach in investigating personnel misdemeanors, infractions and crimes.

High numbers of civilians have been killed through the administrative mechanism of police use of force whether the force was legitimate or not. Using Ghana as a case study, the author examined sources of the use of force mandate of the 1992 Constitution of Ghana, Article 13(1-2), the 1966, the United Nation's *Covenant on Civil and Political Rights*, the 1984 *Convention Against Torture*, the 1998 *Rome Statute of the International Criminal Court*, the 1981 *African Charter on Human and Peoples Rights* and the 1998 *Protocol to African Charter on African Countries* and other domestic legislations on offences and crime including the Ghana Criminal Code of 1960, (Act 29). The "use of force" policy as couched in GPS-SPO-04-15, which relies also on the strength of the *Criminal Code, 1960, Section 36 and 37 (Act 30, Act 653)*, the *Criminal Procedure Code of 1960*, the *Police Service Act of 1970*, the *Criminal Offences Act of 2012* and the *Prison Service Act of 1972, Section 46*, and for that matter, they are instead of it is essential to the analysis as reference documents.

### 3 The necessity of a model/concept for analyzing hostilities in the Civil-Military Relations

Some researchers do not see the need for theory in research (Glaser & Downs, 2006). Yet, it seems overwhelming majority of social sciences, sociology, physiologist, scientists and researchers agree that theory helps to organize a body of concepts and principles intended to explain a particular phenomenon such as civilian hostilities on the police and military personnel and vice versa (Yahaya, Oyediran & John, 2019). Theory are a set of analytical principles or statements constructed to align with our observation, perception and description of the world (Carpiano & Daley, 2006; Yahaya, Oyediran & John, 2019). Those researchers who believe that theory is critical to research include researchers as Yahaya et al. (2019) and Bennetti (2009). Yahaya et al. (2019) have provided the features of theory to include, stability, coherency, consistency, prediction and explanation, uniqueness, generalizability and conservatism. By Stability, Yahaya et al., explained it to mean one which is unchanged over time. Coherency of theory requires that its content has to be comprehensive and non-contradictory with internal harmony. Consistency suggests that it should not be possible to arrive at different outcomes when the theory is applied. Predictive quality of the theory should explain how and why a particular approach ends up in the way it does, and uniqueness simply means the theory should be different from all others for it to be useful. Generalizability is that the theory should allow the researcher to look at a particular case and be able to generalize to other cases similarly. By conservatism, it means the theory cannot simply replace an existing theory which is still useful and applicable to the same phenomenon that the new suggested theory is proposing. The proposed civil-military participation in hostility model actually contains the variables described by Yahaya et al., and others, and even offer additional variables for its evaluation and uses.

### 4 Literature search approach

Internet searches at sites such as Journals of Criminology and Law, Law Journals, PubMed, Medline, Page Press, Google Scholar for peer reviewed papers and others for the public health aspect of the use of force, extra-judicial killings and the effect on the people, were done, with phrases like "What causes hostilities between civilians and security personnel", "What is objective reasonableness in the use of force", "How is intra-department reporting of incidents done", "Who evaluates intra-departmental reporting of incidents or after action reports", "what are the modalities for employing deadly force" and "what is de-escalation and how does a police officer know when to de-escalate", "What is the public health impact or effect on the use of force in a community", were employed in finding relevant literature. The author expanded the search to include 'case law on police immunity', 'issues of privilege', 'issues of permissible police conduct' and 'what is lawful arrest, or what is lawful investigative arrest'. Legal and other information culled from all the sources were organized into their various units and analyzed, based on the professional understanding of the author of law, public health and ethics as well as human rights issues. The author assessed both the public health, human rights, constitutional and procedural approaches to the topic to evaluate whether it was sound policy to grant immunity to police officers in their rendition of their duties to maintain law and order but, who; in some limited instances; end up killing some of the members of the population they are to protect and serve without cause? This was to identify how to manage events involving the use of force, so as to prevent criminalizing Police Officers for doing the work they are entrusted

to perform. The data set collated was analyzed based on the author's skills and abilities in both analytical and empirical research, public health and human rights law vis-à-vis international best practice.

## 5 Outcomes and discussion

The "Civil-Military Participation in Hostility Model" is a constructivist realism model in terms of the actions from the military and police operations against the civil libertarian rights of the civilian populations because, the state is the only provider of both subjective and objective security, irrespective of the personal protective motivations of the individuals or the broader members of society (Aradau, 2004; Huysmanns, 2004a; Buzan & Hansen, 2009; Vileikeine & Janusauskiene, 2016; Eroukhamanoff, 2018).

Realism in international politics relates to the pretenses of the nation-state that, its actions are motivated by communitarian and universal concerns; rather than egoism and its national interests. That is to say, realism as a political approach is predicated on subterfuge, but which may be cloaked as either over-riding egalitarian or moral conduct on the part of the State, for the greatest number of people and for the greatest good, which actually isn't so. The political concept of Statism, assumes that the political authority of a given State has legitimacy to conduct the economic, political and social affairs of the nation. The combination of Realism/Statism in governance provides that, the State is the main actor (Referent Object) in international politics because of the State's control over economics, military, and politics as well as society. (Snyder, 2004; Norman, 2022).

### 5.1 The Ghana Experiences with Security Agencies hostilities and vice versa

Ghana has had a checkered history of hostilities between the military and police on one side and the public on the other side. The relationship between the security agencies and the civilian population of Ghana is characterized by collegial rivalries, where there is a significant number of the members of the security agencies who consider the civilian population as social nuisance to State power (Ghana National Security Strategy, 2020). Apart from the National Security Strategy,

Other legislations that hold the citizens in inferior status to the State are Ghana's National Security and Intelligence Agencies Act, 2020 (Act 1030) together with its National Security Strategy, 2020. Both of these legislations re-enforce the notion that, the State is the Referent Object, and the citizens must be subservient to the State interest, which in turn, emasculates the people (Buzan, 1991). The National Security Strategy goes as far as to list the citizens as enemies of the State and against whose machinations or potential assault on the State interests must be guarded against (Norman, 2022). The practice and operations of the national security ministry in a nation like Ghana or even in the more populous nation of Nigeria, are informed by such philosophical appreciation of the relationship between the State and the citizens. The compendium National Security Strategy to Act 1030 of 2020 labels the "domestic security landscape" as problematic with the following statement that: "The domestic environment of Ghana is by itself as a society is a source of a number of threats to national security and stability. The nature and characteristics of the Ghanaian society, its diversity in demography, ethnicity, languages, cultural values, belief systems, the lack of a national youth orientation program, socio-political history and economic potential are all factors that tend to pose challenges to Ghana's national security and stability."

To claim that the domestic environment of Ghana itself inspires the type of conduct that is not consistent with the norms of the society, presumes a strong standing force of some kind, or domestic terrorists, maneuvering to attack the State interests (Huffman, 2015). If the very architecture of Ghanaian society is itself a security threat to the National Security apparatus or operatives and government, it appears there is very little wonder that the National Security and Intelligence Agencies view Ghana by itself and by extension the people of Ghana, as existential threats to State safety, peace and tranquility, under the concept of Statism. Therefore, it justifies why Act 1030 of 2020 makes the State the Referent Object to protect the State from the machinations of the citizens of Ghana (Norman, 2021). Herein lies the State's schizophrenia in how it appreciates its citizens, which is no different from a father saying his children are his enemies (Norman, 2022).

The perception of the citizens as a nuisance or a source of trouble for the state, happens when public institutions operate as regime forces intimidating the citizens for the benefit of

the government in power. One such case is the results produced by the operations of Ghana's National Security Ministry since the commencement of the 4th Republican 1992 Constitutional rule. The operatives of the National Security Ministry as well as other high police organizations and agencies such as the National Investigations Bureau, have given cause for concern due to the manhandling of citizens in recent times (Norman, 2022). For example, there was a case of manhandling of a reporter from a national television station CitiNews, for taking photos of vehicles imported for service but left in an open lot to the vagaries of the weather for months on end in a so-called security zone. Men led by a Colonel from the 64th Infantry Brigade, stormed the offices of the Television Station, CitiNews and arrested the two reporters (Serebour, 2021; Brodeur, 2007). "Such institutions have also, historically, placed the citizens in an inferior position in relation to State powers, interests and ego, and have meted out serious abuses, and denial of civil liberties including allegations of torture and murder of innocent civilians during district by-elections and national general elections through State-sponsored vigilantism. The State, however, shows a great deal of alacrity in distancing itself from such political shenanigans, after it has benefited vicariously from such violence" (Norman, 2022). On the military side, in 2017, military personnel who was on duty was allegedly intentionally presumed to be an armed robber and beaten to death by a civilian mob in Denkyira Obuase in the Central Region. Again in 2020, two military men were attacked and killed in Faase (2020), and Ashiaman (2020) both in the Greater Accra area; with two other police officers being killed in an abandoned building in Ablekuma South in 1998 (Ghanaweb, 1998; BBC, 2023; Asante, 2023).

## 5.2 The U.S experience with Civilian hostilities against security agencies and vice versa

The conflation of events that lead to hostilities between the civilian population of Ghana or any of the nations in Africa and a section of the security forces, namely, the military and the police, often times emerge out of excessive exercise of State power over the citizens and the responses against such conduct on the part of the civilians (Obasogie & Newman, 2017). The excessive use of police powers is not unique to Ghana or Africa. It happens particularly in the United States of America. For example, in July of 2016, it was reported by Reuters that "eight police officers were ambushed and gunned down in Dallas and Baton Rouge. Three of those officers were gunned down in Baton Rouge, Louisiana by a U.S. Marine Corps veteran with ties to an African-American anti-government group, Washitaw Nation, a black offshoot of the Sovereign Citizen movement. On July 7, another former U.S. serviceman espousing militant black nationalist views killed five Dallas officers" (Sullivan, 2016). "The Dallas shooting happened at the end of a peaceful protest denouncing the fatal police shootings of two black men days earlier, one of them in Baton Rouge" (ibid, para. 7).

The shooting was "the kind of retaliatory violence that people have feared through two years of protests around the country against deaths in police custody, forcing yet another wrenching shift in debates over race and criminal justice that had already deeply divided the nation" (Fernandez, Perez-Pena & Bromwich, 2016). Such developments have led to several movements across the world, if not more: Rodney King's beating by white police officers in 1991, another and most recently, George Floyd's murder by police officers in Minneapolis, Minnesota, the killings of Trayvon Martin, Michael Brown, Eric Garner, Rekia Boyed and others, (could not have triggered a retaliatory violent response, instead, the nation was blessed with a more accommodating alternative): - Black Lives Matter in 2013 (Clayton, 2018). Incidentally, the originators of the BLM were all women: Alicia Garza, Patrisse Cullors and Opal Tometi, which may explain their choice of protest over direct civilian hostilities against the police. The BLM movement was lunched on social media with the hashtag Black Lives Matter, following the acquittal of George Zimmerman in the shooting death of Trayvon Martin, an African American youth. By 2014, BLM was recognized as a national mass movement against racial injustice and police brutalities against black people and others, due to the fact that "the legacy of slavery and Jim Crow laws has left a residue of systematic racism that has devalued the lives of African Americans" (Clayton, 2018). American Blacks continue to restore their dignity and perpetuate their self-worth, despite the machinations of others.

## 5.3 The Nigerian experience with police brutalities and public reaction

In Nigeria, similar protest was launched against police brutalities and extra judicial policing with the social media call to #EndSARS in 2020. The #EndSARS movement in Nigeria called for the disbandment of the Special Anti-Robbery Squad (SARS), a unit in the Nigerian Federal



Police. It was created in 1992 to tackle armed robberies in the city of Lagos, but which eventually became notorious for systematic abuse of Nigerian citizens, stealing private property during alleged drug and arms raid on the homes of citizens and extra-judicial killings to silence potential witnesses. Eventually, the Nigeria Police dissolved the unit with immediate effect when the public demonstrations spread to several cities, while at the same time, government forces were engaged in violent confrontations with the demonstrators. Among the list of wrong-doing by SARS officers were kidnapping, rape, torture, unlawful arrests, extortion and killings (Amnesty International, 2021, para. 1-4).

Hostilities against some members of the police or military could be due to reprisals or pay-back for perceived previous conduct against members of the civilian population by the security forces at a previous place or event as demonstrated by the above examples. That is to say, it is partly due to the reckless interpretation of the right to self-defence of the parties against police or military operations which the citizens view as abuse of power on one hand, and against the lack of compliance on the part of civilians with police or military 'lawful' order, which the civilians may consider as *ultra vires*. The profiling of citizens who may be privileged to own and drive an expensive car, without understanding or appraising the source of their wealth or income, and labeling them as criminal suspects, often end up badly due to the resistance of the citizen for being profiled as a criminal. The dignity of everyone, is seen not only in the eyes of the possessor of dignity but in the eyes of others. When this social contract is breached by the police, then, the citizens also react in ways that could end badly in death or injury or arrest. The Police or military use of force mandate has also been the source of hostilities between the citizenry and the security forces. As reported previously in a paper, *A Model "Critical Decision-Making Model"* (2023),

"(...) the Use of Force options available to police organizations in West Africa, (...) appears to be carte blanche permission for the reasonable police officer to make that determination (Bazerman, 2005). This is irrespective of the officer's antecedents, mental health, training, education and a host of other challenges (Chemerinsky, 2018). The Use of Force mandate given by the constitutions of English-speaking nations in West Africa; is not intended to be reviewed in a post-facto analysis when the incident has ended (Norman, 2021). The review of whether or not the force was "objectively reasonable" is to be determined within the confines of the circumstances leading to force being used at a given instant" (Ghana GPS-004-15, 2015; IACP, UOF Task Force Recommendation, n. d.; In Norman, 2023, p. 2).

#### 5.4 Resolving apportionment of civil-military Hostilities challenge

These dichotomous view points about blame apportionment in civil-military hostilities provided the impetus for the development of the Civil-Military Participation in Hostility Model (Norman, 2024). CMPHM model is defined as the sudden eruption of hostilities between a section of the civilian population and a section of the military or members of a security agency, in the absence of a capable guardian to mitigate the hostilities; where there is an unmanaged conflict of material proportion. The culminating hostilities, resistance or physical attacks directed at the military or civilians may be disproportionate to the perceived offense, and may be unwarranted alternative under the rule of law. It could also involve acts of belligerency and extra-judicial conduct directed at a section of the civilian population by some members of the military, due to the failure of the law enforcement apparatus to manage conflicting situation or event.

For a situation to fall under CMPHM, these values ought to be present:

- (1) There ought to have been hostilities perpetrated by civilians or a group of them on members of the security forces or vice versa.
- (2) The hostilities might have resulted in morbidity, mortality or harm of a material nature.
- (3) There was a duty of care owed to either side by either side but such duty was not observed.
- (4) The victim or victims were civilians or uniformed security personnel.
- (5) There was no mechanism for the de-escalation of the tension or events that led to the hostility.
- (6) There ought to have been historical neglect of the excesses of security personnel belligerency on the civilian population either administratively by the military organization, the legal system or public opinion or policy.
- (7) There ought to have been distrust of the judicial system and the police or military.
- (8) There ought to be disconnect between the civilians and the law enforcement arm of government consisting of lawyers, judges and court houses as well as the prosecutorial and investigative arms of justice.
- (9) The legal system must be perceived to be corrupt or ineffective

## 5.5 Limitations

The model is designed as an investigative and exploratory tool for assessing whether the hostilities between a section of civilians and a section of the security agencies was warranted or not, post facto. The provisions of the 1992 Constitution of Ghana Article 3 through 5 implicitly allows the citizens or members of the security agencies the right to stand their ground, though such interpretation could have been clearer if it was backed by interpretive provision of the constitution or judicial interpretation.

“The Constitutions of Ghana, Nigeria, the Gambia and Sierra Leone, all of which are English Speaking and Common Law nations in the West-African Sub-region, contain expressed grants to Police organizations to use force in their own defense. This includes the use of deadly force, to cause arrest, effect investigative stop, in defense of others and to suppress riot or insurrection (1992 Constitution of Ghana, Article 13(2); 1999 Constitution of the Federal Republic of Nigeria, Article 33(2); 1997 Gambia Constitution, Article 18(4) (1-4), and the 1996 Sierra Leone Constitution with Amendments through 2006, Article 16(2)” (Norman, 2021).

The same constitution provides the citizens the right to cause arrest to prevent harm to third persons or the nation in Articles 3 through 5. The right to bear arms is not only guaranteed by the 1992 Constitution of Ghana for the defense of the nation, but it is part of the fundamental and inherent rights of every individual for self-defense and self-preservation (Magna Carter of 1215; English Bill of Rights, 1689; US Bill of Rights, 1791; McDonald v. City of Chicago, 561 U.S. 742, 2010; Caetano v. Massachusetts, 572 U.S., 2016, In Norman, 2018, p. 686). That is to say, in the absence of judicial interpretation of these provisions, the citizens can rely on the content of these provisions since they are written in simple language for ease of understanding and operationalization by the average Ghanaians who can read and write.

Despite these arguments, when the citizens retaliate against the security agencies that disrupts the functions of National Security and the perception of security either subjectively or objectively, the response cannot always be by the use of force. The State is the only provider of security and the citizens as State agents in the provision of security cannot turn around to attack designated agents of security for cause or without cause. The judiciary system is designed to handle and adjudicate misunderstanding between the State and the citizens under the concept of Separation of Powers. This approach works when the judiciary is not perceived to be corrupt or instrument of the regime in power.

## 6 Conclusion

The proposed Civil-Military Participation in Hostility Model may help to provide the intellectual and rational understanding and analysis of why civilians turn around to attack the vary people earmarked by societal design to protect them, despite its inherent limitations. When hostilities break out between civilians and military or police, it has to be born in mind that such a situation arises out of total failure of law enforcement apparatus over a considerable length of time which finally culminates in violent acts and confrontations. The onerous is on the security personnel to be better prepared to de-escalate and to adopt enhanced investigative skills in approaching hostilities against their nation’s citizens.

## Conflicts of interest

The author declares that he has no conflict of interest.

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