

The Role, and Functions of Police in A Modern Democratic Dispensation

Dr. John Motsamai Modise
South African Police Service

Abstract:-This article considers some varieties and supports for a democratic police and briefly contrasts policing. Democratic policing should be viewed as a process and not an outcome. Societies experience a continual tension between the desire for order and liberty. There is a paradox in the fact that a democratic society needs protection both by police and from police. Given the power of new surveillance technologies, democratic societies must continually ask "how efficient do we want police to be and under what conditions is the use of these technologies appropriate. Policeman's function is in activities unrelated to crime control or law enforcement. Cumming, et al. (1965) reported that half of the calls for assistance to an urban police department may involve family crisis or other complaints of a personal or inter-personal nature. The policeman's role, unlike many other occupational roles, is ambiguous. The policeman is a friend and a protector. He assures safety on the streets and keeps the peace. You call him when you are in trouble, when your neighbors are making too much noise, or when your cat is caught in a tree. At the same time, the policeman is foe and repressor. He inhibits your freedom, tickets you when you are speeding or illegally parked, comes to your house to quiet you down when your neighbours complain about noise, investigates, and interrogates you when you are suspected of or involved in some illegal activity. There is no accepted systematic theoretical paradigm within which policing is viewed. The role and function of the police in a democratic and modern dispensation are typically assumed, and a measurable facet such as crime control is defined as the scholarly interest. Those viewed as essential policing functions and how they should be performed are products of the theoretical context within which the police are viewed, their perceived political role, and the posited character of the police organization.

As a result, there are alternative versions of policing and what it is good for.

Keywords:- Role, Functions of Policing, Democratic and Modern Policing in A Democracy.

I. INTRODUCTION

A Police Officer serves to maintain law and order in local areas by protecting members of the public and their property, preventing crime, reducing the fear of crime and improving the quality of life for all citizens. There are a number of different roles within the police and a clearly defined ranking system which can allow for career progression from police officers to generals in the police. The police roles are to prevent and combat anything that may threaten the safety and security of any community; investigate any crimes that threaten the safety and security of any community; ensure offenders are brought to justice; and, participate in efforts to address the root causes of crime.

Broadly speaking the twin roles, which the police are expected to play in a society are maintenance of law and maintenance of order. "over, the ramifications of these two duties are numerous, which result in making a large inventory of duties, functions, powers, roles and responsibilities of the police organization.

II. CONCEPTUAL FRAMEWORK TO MAKE THIS HAPPEN

Democratic policing is when the police uphold law and order by the rule of law. They are accountable, fair in serving the public. The result of democratic policing is that the community seek a police service that enjoys legitimacy and that's trusted by the community. The framework below will guide the citizens on what to expect from the police:

Table 1 Conceptual Framework to Make this Happen

INPUT VALUE	OUTPUT VALE: DESIRED OUTPUT	OUTCOME	Results
Professional knowledge: We rely on Doctors and lawyers to manage our risks, the same apply to the police, policing needs to be evidence driven or base their knowledge on what work and make society safer. This mean the Police must be experts at what they are doing.	Objectivity: Police officers are expected to be impartial, fair and objective at all times. Their conclusions should be reasonable and rational. The law provide guidance for the police to do their work. The law provide the police discretionally powers to perform their duties. If the police misuse	Trust: The legitimacy of legal authorities is recognised globally as crucial for the state's ability to function in a justifiable and effective manner. If police do not trust the public, it could be argued that it	Legitimacy: Legitimacy policing describes a broad set of strategies that are focused on improving the "respect-worthiness" of the police. Legitimacy policing includes interventions conducted to improve community

	their power it can have severe consequences for the police and public.	is because their propensity to trust others is low.	relations and perceptions of legitimacy, as well as help ensure that police are perceived as trustworthy and unbiased (or neutral) decision makers.
Efficiency and effectiveness: Police need to be effective and efficient in their work. Effective policing mean successful maintenance of order. While efficiency means how effective the force is at preventing and investigating crime, protecting vulnerable people and tackling serious organised crime; efficiency.	Responsive: The police should be responsive to the needs of the public, victims of crime and suspects. The police should not deprive the public the plat form to lay complaints.		
Accountability and ethics: Rule of law, the police have exceptional powers which include powers to effect an arrest and use force. These powers come with accountability as a result police conduct should always be ethical and transgressors must be held accountable. The police must hold each other accountable on corruption and criminal activities. Even if a few officers abuse its power the entire police legitimacy can be damaged.	Empathy: police must show empathy to suspects and victims of crime. Police should control and investigate a crime scene effectively and efficiently. Simple acts like listening and communicating are important skills for a police		
Human rights: Police need to respect the rights of suspects and arrested people. All police must be trained on human rights and human rights standards. Police need to be trained on torture act, police investigation, use of force and firearm. Police should be held accountable when they violate human rights.			
Citizens and the police: Police work can be highly challenging, high expose to stress can lead to alcoholism, mental breakdown, marriage breakup and even suicide, as a result officers must be supported because of their line of duty. The state have a responsibility to support all its employees.			

III. ROLE, AND FUNCTIONS OF POLICING IN A DEMOCRACY

A. Role of the police in policing

- Everywhere the police are under pressure to counter rising crime and the threats to international and national security including those resulting from international terrorism. However, the police must at all times operate in accordance with domestic laws (such as constitutions, criminal codes and police acts) and international law enforcement (and human rights) standards and demonstrate commitment to the rule of law in practice.
- Legislation and written policies governing the work and conduct of the police should be clear, precise and also accessible to the public. These policies and guidelines

should define the functional roles of the police, and the agencies’ values, missions, goals and priorities. They should also provide for clear rules, regulations and best practices for the execution of specific police tasks. Furthermore they should cover the legal regulation of police power as well as precise definitions of criminal offences. Making these policies and regulations available to the public permits police performance to be measured.

- Police personnel shall be subject to the same legislation as ordinary citizens, and exceptions may only be justified for reasons of the proper performance of police work in a democratic society.
- The police must always verify the lawfulness of their intended actions and should refrain from carrying out any order they know, or ought to know, is unlawful.

Police officers should also prevent and rigorously oppose any (police-committed) violations of the law and international standards. “Police personnel, at all levels shall be personally responsible and accountable for their actions or omissions or for orders to subordinates.

- The police must intervene in situations where and when law and order are endangered – even if police officers are off-duty – always within their means to do so.
- When intervening, police officers must identify themselves as police officers.
- The police are obliged to enforce the law regardless of a suspect’s social standing or organizational or political affiliation.
- While the police and other entities of the criminal justice sector must form interrelated entities with functional relationships to ensure lawful, due, effective and fair criminal proceedings in respect of detained suspects, “the police shall, as a general rule, have no judicial functions” and “should be deprived of their judicial powers wherever these exist”. The police must strictly respect the independence and the impartiality of judges. In “countries where the police are placed under the authority of the public prosecutor or the investigating judge, the police shall receive clear instructions about the priorities governing criminal investigation policy and the progress of the criminal investigation in individual cases. The police should keep the superior criminal investigation authorities informed of the implementation of their instructions; in particular, the development of criminal cases should be reported regularly.
- The need for functional relationships among all entities of the criminal justice sector also implies that reform of one entity is only effective and sustainable if the other entities are reformed, too.
- Furthermore “the police shall not take the role of prison staff, except in cases of emergency.

B. *Functions of the police in a modern society*

In his 1977 book, *Policing a Free Society*, Herman Goldstein summarized the functions of the police:

- To stop and manage behavior that is commonly acknowledged as endangering life and property (serious crime).
- To protect people who are in danger of getting hurt physically, like robbery victims.
- To defend constitutional protections including the freedom of speech and assembly.
- To make it easier for vehicles and people to move around.
- To help individuals who are unable to take care of themselves, including the elderly, the young, the mentally ill, the addicted, and those who are physically unable.
- To end a dispute, whether it be one between people, groups of people, or between people and their government.
- The ability to recognize issues that could get worse for the government, the police, or the average citizen.
- To foster and sustain a sense of security in the neighborhood (goldstein, 1977:3).

Now 43 years old, seems a solid place to start and perfectly usable today as a frame for describing the multiple components of the police mission. Each of the eight areas Goldstein mentions might constitute one chapter in a police department’s annual report. Perhaps, at the outset, the first chapter (crime control) might be more thickly populated than some of the others, but with some effort a better balance might be achieved.

- Supply complaints with case numbers by email, SMS or his representative, but acknowledging complaint.
- Duly supplying a copy of the Information/report after criminal cases had been registered emanating from complaints.
- To the complainant, and where appropriate, to apprehend offenders, and extend requisite assistance in the prosecution of offenders.
- To create and maintain a feeling of security in the community, and as far as possible prevent conflicts and promote amity.
- to provide, as first responders, all possible help to people in situations arising out of natural or man-made disasters, and to provide active assistance to other agencies in relief and rehabilitation measures.

IV. KEY PRINCIPLES OF DEMOCRATIC POLICING

A. *The Objectives of Democratic*

- Policing are the most visible manifestation of government authority. Their main duties are to:
- Maintain public tranquility and law and order;
- Protect and respect the individual’s fundamental rights and freedoms;
- Prevent and combat crime; and to
- Provide assistance and services to the public.
- Police officers will enhance the legitimacy of the State if they demonstrate in their daily work that they are:
- Responsive to public needs and expectations; and
- Use the authority of the State in the people’s interest.

B. *Upholding the Rule of Law*

- While pursuing these objectives, the police must:
- Operate in accordance with the domestic law and the international law enforcement standards accepted by the participating States; and demonstrate commitment to the rule of law in practice.
- Legislation and written policies governing the police should be clear; precise; and also accessible to the public.
- Police must operate on a legal basis only and prosecute suspects solely on objective (material) evidence.
- Police should regulate the behaviour of individual persons rather than of collective groups and should not use terroristic methods, like hostage-taking.
- Police must apply no more physical coercion than is absolutely necessary in any given situation. Torture to exact confessions, for example, is inadmissible.
- Police serve the European state system by assuring minimal damage to civilian society during all violent clashes (Liang, 1992:4).

- In short, Liang provides a legalistic definition of modern democratic policing, highlighting that the police should be constrained by procedures and means such as objective evidence and exclusion of excessive violence. This is straightforward in drawing a line to prevent the negative police function from damaging liberty - an indispensable element for democratic policing. Particularly, considering the inexorable crises that reform often incurs and in which police often act as an instrument of oppression rather than protection (Manning, 2010), Liang's stress on the principle of minimised damage is profound.

C. *Police Ethics and Human Rights*

- In order to live up to the public's trust, the police must adhere to a code of professional conduct and demonstrate:
 - Professionalism; and
 - Integrity.
- This code should reflect the highest ethical values, expressed in:
 - Prohibitions; and
 - Imperatives of police work.
- The police have particular powers to:
 - Temporarily deprive people of their freedom;
 - Limit the full enjoyment of their rights; and,
 - In extreme circumstances, to use even lethal force.
- Therefore, police officers must perform their duties in accordance with:
 - Universally agreed standards of human rights; and
 - Civil and political rights.
- Protection and preservation of life must be their highest priority.

D. *Police Accountability and Transparency*

Democratic policing requires that the police be and consider themselves to be accountable to:

- The citizens;
- Their representatives;
- The State; and
- The law.
- Therefore, their activities – ranging from
 - The behaviour of individual police officers;
 - The strategies for police operations;
 - Appointment procedures or;
 - Budget management – must be open to scrutiny by a variety of oversight institutions.
- Furthermore, a central feature of democratic policing is the understanding that the consent of the people is required. Prerequisites for gaining public support are:
 - Providing transparency in police operations; and
 - Cultivating communication and mutual understanding with the public the police serve and protect.

E. *Police Organization and Management Issues*

States are obliged to create a structural and managerial environment that will enable the police to effectively and efficiently implement the provisions of the rule of law, domestic and international law, and accepted human rights standards. This includes issues such as:

- The chain of command;
- Regulations on supervision;
- The composition of the police;
- The rights of police personnel; and
- The provision of adequate resources and training.

V. **DEFINING DEMOCRATIC POLICING AND POLICING**

A. *Meaning of democracy*

The meaning of democracy becomes clearer in phrases used with relevant terms, such as liberal democracy and social democracy and with phrases describing political systems, such as representative democracy, participatory democracy and deliberative democracy. Unlike other theories, such as idealism and communism, the evolution of democratic theory cannot be attributed to a single person (Sartori, 1987). The scope of democracy includes various forms of theoretical and practical explanations. In debates concerning the politics and functions of government, the term is used in a manner that is incontestable and self-evident. However, scholars from ancient Greece to the present have examined and developed various theoretical and practical aspects and explanations of democracy. The idea of democracy is much more than elections, the right to vote and individual rights enumerated in bills of rights. The idea of democracy includes the application of democratic principles and values to public institutions such as law enforcement and police agencies. Despite the ambiguity of its meaning, democracy has gained historical ascendancy among political systems and it has generated widespread agreement in its classical definition: the rule of the people.

B. *Democratic Policing*

Democratic policing can take many forms; however, a common characteristic of democratic policing relates to the restraint of the police and their responsiveness to demands placed on them by the public (Bayley, 1979). Democratic policing has been examined from various disciplinary perspectives such as history, jurisprudence, and sociology, leading to diverse definitions. Berkley, in his seminal book 'The Democratic Policeman' (1969), maintained that the police contradict almost all democratic principles such as equality, participation, consent and consensus as set out in the so-called contract theory of government (Skyrms, 2014). Police officers, for example, do not encounter citizens on an equal footing in terms of power and authorised actions. To have the police function in a manner that is consistent with a democratic society, he proposed that democratic policing should be characterised by 1) democratic administration, 2) proactively preventing crime and 3) minimising the use of force.

Before defining democratic policing, Bayley (2001) mentioned two prerequisites of democratic policing. The first was that a democratic government has a powerful influence on democratic policing, but it is not true in the opposite direction. The second was that democratic policing would not take root in countries where the culture fosters individual rights and where constraints on the state by law is absent. According to Bayley, democratic policing can

contribute to democratic political development by; Giving top operational priority to servicing the needs of individual citizens and private groups by 1) being accountable to the law rather than to the government 2) protecting human rights, especially those that are required for the sort of unfettered political activity that is the hallmark of democracy and 3) being transparent in their activities (ibid., p 13-14). In short, Bayley's definition is an important landmark in policing scholarship because of the foundation on which he laid out. He prioritises human rights protection as a cardinal feature of democratic policing; it is listed in the first and third points above.

Manning's (2010) in his book "What is policing for and why" presents arguably the most comprehensive account to date of democratic policing. Manning (2010) defines democratic policing as follows:

'The police, as an organisation in Anglo-American societies, constituted of many diverse agencies, are authoritatively coordinated, legitimate organisations. They stand ready to apply force up to and including fatal force in politically defined territories. They seek to sustain politically defined order and ordering via tracking, surveillance, and arrest. As such, they require compliance to command from lower personnel and citizens and the ability to proceed by exception' (ibid., p 68).

Manning maintained that his definition should be understood under nine social dimensions including the emergence of state-based police authority, collective orientation, fairness and trustworthiness, sacred and profane attributes and so on. Collective orientation, for example, refers to the police's obligations for the general will, not for individuals. Specifically, it is the interest of the state that they serve. In such circumstances, market theory based on supply and demand is not applicable.

C. Who are the police?

Police are the state security providers with the primary task of protecting people and property through public assistance, law enforcement, the control and prevention of crime and the maintenance of public order. Police are an integral part of the criminal justice chain that links state security and justice provision through the services of the wider justice sector, including court systems, and corrections and penal facilities among others. For more information on the place of the police in the justice sector, please see the good security sector governance (SSG) and security sector reform (SSR). Backgrounder on "The Justice Sector".

Police are generally the front line in public security provision by the state, and thus the security provider that the public most frequently encounter in their daily lives. In order to fulfil their mission, police hold special powers that – under specific, legally defined circumstances – temporarily allow police to limit the exercise of basic rights, to deprive people of their freedom and to use force, including lethal force. Because of their powers and their proximity to the public, how the police fulfil their duties has

a direct impact on security for individuals and communities, as well as on the character of the state.

The police are typically the main state agency responsible for domestic crime control and prevention, but they are never the only actors engaged in policing. "Policing" has a much broader scope than state law enforcement, because it includes all activities that uphold the general social order and rules by which a society lives. This means that state law enforcement agencies, such as the police, are important actors in policing, but other state and non-state actors may also engage in policing.

Besides these common characteristics, police bodies vary greatly among countries according to organization, internal structure, mission and working methods. No two systems of state policing are exactly the same, and each one functions in a context determined by a unique combination of historical, political, legal, social, cultural and economic influences. Despite this variety of models, the principles of good security sector governance (SSG) can be adapted to reflect the specific context and applied to every police organization. Applying the principles of good security sector governance (SSG) to policing is the goal of police reform in the context of security sector reform (SSR).

D. What are typical features of effective policing?

In the context of good security sector governance (SSG), police effectiveness means that police organizations and personnel are empowered to provide state and human security within a framework of democratic civilian control, respect for rule of law and human rights:

- Police effectiveness depends not only on individual police decisions, but also on the organizational context and legal framework within which police work. For example, police personnel cannot use their power appropriately if the organization and hierarchy they work within is corrupt, if the laws they enforce are outdated or discriminatory, or if their own working environment is hostile and discriminatory. For these reasons, it is important to recognize that other security and justice actors have responsibilities in enabling the police to perform effectively and accountably.
- Ensuring that police are able to perform effectively in contributing to good SSG depends on organizational factors such as police management, administration and internal control; other security and justice sector actors, such as the executive authorities with overall policy responsibility (for example ministries of interior or justice); and the legislature, which determines the legal framework.
- Independent and public oversight authorities also have an important role to play because they verify the effectiveness, credibility and legitimacy of public service provision by the police; examples of these bodies are ombuds institutions, independent police complaints authorities, civil society organizations providing advocacy and support services, and community groups, among others.

Table 2 Typical Features of Police Effectiveness

Security and justice sector	Police organization	Police personnel
Laws, policies, mission, strategies and plans are clearly articulated, well adapted to context and consistent with rule of law, human rights and democratic policing.	Organizational structures, policies, processes and resources are adapted to mandate.	Equal opportunity recruitment strategies select for appropriate education, experience and aptitude.
Responsibilities, hierarchies and mechanisms for interagency cooperation and communication within the security and justice sectors are clearly defined.	Professional standards of management, administration and internal control support police service delivery.	Training and supervision throughout career ensure sufficient levels of knowledge in general and specialized areas.
Police operational independence is protected within a framework of democratic civilian control.	A work culture of public service delivery and equal opportunity for people of all backgrounds supports a structured and disciplined working environment.	Police attitudes and organization support high standards of police ethics, discipline and integrity in public security provision.

E. Policing as a Public Service

The main duties of the police are to maintain public tranquillity, law and order; to protect the individual's fundamental rights and freedoms – particularly life –; to prevent and detect crime; to reduce fear; and to provide assistance and services to the public (Universal Declaration of Human Rights (1949). Progress towards democratic policing is made when there is a shift “from a control-oriented approach to a more service-oriented approach” (New Delhi, 2005:18 and 31), where the primary concern of law enforcement remains focused on proactive crime prevention (Council of Europe, 1987). Democratic police develop and implement their activities according to the needs of the public and the State and emphasize assistance to those members of the community in need of immediate help (Council of Europe, 1979). The police must be responsive to the community as a whole (Council of Europe, Codes of Conduct for Public Officials, 2000) and strive to deliver their services promptly, and in an equal and unbiased manner (Human Rights Centre, University of Essex, Colchester, 1994:14, and Basic Human Rights Standards for Law Enforcement Officials (1998). Through their activities the police should be part of society's common efforts to promote legal protection and a sense of security. Upon request, the police shall assist other public institutions in performing their services when prescribed by the law (Council of Europe, European Code of Police Ethics, 1979:18).

F. How does Democratic Policing Contribute to Good Ssg

Police contribute to good SSG when they perform their duties effectively and accountably within the limits of democratic civilian control, according to the rule of law, and with respect for human rights. In contrast, police that are ineffective and unaccountable pose a danger to the state and the population through abuse of authority, violence, corruption, discrimination and incompetence. Police contribute to poor SSG and endanger state and human security when they use their authority outside the limits of democratic civilian control, against the law or without respect for human rights.

From the point of view of good SSG, effective and accountable police foster public and personal safety, human rights protection, public order and the democratic character of the state. Because the police can have such a strong effect on state and society, there are certain characteristics that are associated with policing in the context of democracy, and these characteristics are referred to as democratic policing.

But democratic policing is often misunderstood:

- Democratic policing does not mean that the police take an active role in politics: it means the police do not play a role in politics, because they remain neutral and impartial in exercising their powers within a legitimate legal framework.
- Democratic policing does not mean that police personnel have no political rights: as private individuals, police personnel enjoy the same human rights, including civil and political rights, as everyone else, including among others the right to vote freely. Professional standards should guide police in separating their professional roles from their personal and political views.
- Democratic policing does not mean that the police are elected democratically: it means the police serve under a government that is chosen democratically with a mandate to make law and policy. In rare cases, police officials are chosen by democratic election, but this is a matter of tradition and institutional organization and not democratic policing.
- Democratic policing does not mean that people can task the police directly: it means the people task the police indirectly through their democratically elected government, which is responsible for police management and oversight.

Democratic policing is based on the idea that police must be both effective and accountable in public service provision. But because the police are different in every country, there is no fixed model for democratic policing: a variety of policing configurations and models are compatible with democracy and the principles of good SSG. Police reform in the context of SSR must ensure that the principles of democratic policing are adapted to each context.

VI. CHARACTERISTICS OF DEMOCRATIC POLICING

Table 3 Characteristics of Democratic Policing

Characteristics	Police action
Respect for rule of law.	Police uphold the rule of law under a democratically elected civilian authority, and in conformity with domestic and international law.
Respect for human rights.	Institutionalized mechanisms ensure respect for human rights, including civil and political rights and the equality of all men and women.
Accountability.	Layers of internal control, supervision and external oversight hold individuals and institutions to account for their behaviour within a framework of democratic civilian control.
Transparency.	Policies, strategies and decision-making over appointments, resources and performance are open to public scrutiny and oversight, while operational confidentiality is protected.
Clear legal roles and professional management.	Missions, roles and responsibilities are defined in law and policy, open to public scrutiny and include a separation between political and operational control.
Public service provision.	Police approach their work in the spirit of public service, including equal opportunity for men and women of all social and economic backgrounds, and an institutional work culture based on public service.
Non-violent methods and minimum appropriate use of force.	Non-violent approaches to law enforcement and public assistance are preferred. Legitimate use of force is determined by law, and professional standards emphasize restrained, proportional and adequate use of force.

VII. TYPICAL FEATURES OF DEMOCRATIC CIVILIAN CONTROL OF THE POLICE

Democratic civilian control helps make police both effective and accountable. Police accountability and effectiveness depend on a competent impartial authority measuring police performance against clear expectations of behaviour, and enforcing consequences where standards are not met. Accountability and effectiveness also require well-trained personnel with the willingness, ability and resources to perform to professional standards of service delivery. These requirements must be met at every level of policing, starting internally with the individual officers and police managers responsible for operational control. The requirements also apply to external oversight actors, such as civilian bodies, civil servants, electoral representatives, ministries and even the head of state. Making the police more accountable and more effective is the goal of police reform in the context of SSR and often means improving internal control and external oversight of police. Good security sector governance (SSG) and security sector reform (SSR) Good SSG describes how the principles of good governance apply to public security provision. The

principles of good governance are accountability, transparency, rule of law, participation, responsiveness, effectiveness and efficiency. Good SSG is thus a normative standard for how the state security sector should work in a democracy.

The security sector is composed of all the structures, institutions and personnel responsible for security provision, management and oversight at national and local levels. Good SSG means that the security sector provides state and human security, effectively and accountably, within a framework of democratic civilian control, rule of law and respect for human rights. Establishing good SSG is the goal of security sector reform. SSR is the political and technical process of improving state and human security by making security provision, management and oversight more effective and more accountable, within a framework of democratic civilian control, rule of law, and respect for human rights. SSR may focus on only one part of the security sector or the way the entire system functions, as long as the goal is always to improve both effectiveness and accountability.

Table 4 Typical Features of Internal Police Control and External Police Oversight

Accountability and effectiveness	Internal police control	External police oversight
Clear expectations: rules and standards about behaviour must be clear.	Professional standards: set down in codes of conduct, duty manuals, training, protocols, and procedures.	Legal framework: constitutional and organic laws, policies and plans conform to national and international law.
Transparent information: oversight provides sufficient information to fairly attribute responsibility.	Internal supervision: record keeping, chain of command, professional standards and internal affairs units.	External investigations and reviews: sufficient legal authority specific to oversight actors; clear laws on classification, freedom of information, data collection.
Consequences: competent authorities issue punishment when expectations are not met.	Internal discipline: for minor offences, formal reprimands, cautions, reassignment, retraining, demotion, suspension.	Judicial proceedings: for serious offences, carried out in independent civilian court.

External police oversight within a framework of democratic civilian control involves many actors playing specific roles according to due process, and may occur:

- Before the police have taken an action e.g. a review of policy,
- during an activity e.g. status of an ongoing programme,
- After the event e.g. review of action taken.

Oversight might also be direct (e.g. by the executive bodies charged with police administration) or indirect (e.g. when the legislature holds the executive accountable for its management of the police). The roles and responsibilities of police oversight actors within a framework of democratic civilian control are different in every country because of variations in police agencies and political systems.

VIII. RECOMMENDATIONS

- While being under enormous pressure throughout to counter the rising tide of organized crime and the new threats to international and national security, including those resulting from terrorism, the police are also required to maintain tranquillity, to prevent and solve local crimes and enhance the quality of life by promoting a sense of security.
- While pursuing their objectives, the police must operate in accordance with domestic and international law and respect human rights at all times. States have to ensure that domestic legislation does not contradict international laws and human rights standards.
- States must also provide the legislative and structural requirements for functional relationships between the police, administrative authorities, other elements of the criminal justice system as well as the communities the police work in, in order to ensure effective, efficient and fair policing.
- Furthermore, democratic policing requires that the police be accountable for their actions to the law, the State and the whole public they serve. Key requirements for accountability are the maintenance of effective and efficient instruments of internal and external oversight, as well as transparency and the cultivation of a co-operative police- public partnership.
- Even if police become “superbly professional, technically proficient and with sparkling integrity, they would still lack legitimacy without negotiating their mission, strategies and tactics with local and national communities.
- Moreover, policing must be predictable. It must be clear what the public can expect from the police, and these expectations should be realistic.
- Furthermore, public satisfaction will be significantly influenced by the way the police behave in their interaction with the public, for example, whether they meet the public with respect and politeness and whether they take requests for help seriously and provide a professional response.
- The police must send a strong signal to all within and outside the organization that – because of their high professional standards – they “will perform well, be open and approachable, and not tolerate the abuse of

power, corruption, neglect of duty ... or any misconduct”, nor will they cover any acts of wrongdoing.

- This signal, moreover, has to be sent by every single officer. The police must therefore ensure that they invest in appropriate training and education for their personnel and that the performance of every single officer is evaluated regularly.
- Effective and efficient international co-operation, which promotes the principles of democratic policing, will diminish the threats to international and domestic security and will enhance the public’s perception of safety.

IX. CONCLUSION

This study described the features of democracy, identified democratic policing in the context of policing, and assessed the implementation of democratic policing principles in a developing country. In the dynamic process of changing economies and governmental relationships, an advanced understanding of the role of police is critical to the assessment of “progress” and the advancement of democratic ideals. This analysis, though exploratory in nature, provides evidence that the notions of democratic policing are important in countries seeking to advance a fully democratic system and their future to be placed in a civilized world.

REFERENCES

- [1.] Bayley, D. H. 2011. Etti brute: are police agencies managed better or worse than universities. *Police Practice & Research: An International Journal*, 12:4: 313-316.
- [2.] Bayley, David H. 1994. *Police for the Future*. New York, NY: Oxford University Press.
- [3.] Berkley, G. E. 1969. *Democratic policeman*. Beacon Press Michelle M. Kuhonta. 25 Beacon Street. Boston MA. United States.
- [4.] Bruce, D. & Neild, R. 2005. *The Police That We Want: A Handbook for Oversight of Police in South Africa*.
- [5.] Council of Europe. 1987. *European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment*. European Treaties ETS No. 126 Strasbourg, 26XI.1987. Strasbourg: Council of Europe.
- [6.] Council of Europe. *Declaration on the Police*. Res. 690. Strasbourg: Council of Europe, 1979.
- [7.] CSCE, *Vienna Concluding Document* (Vienna, 1989).
- [8.] Davis, R. C., Ortiz, C. W. Euler, S. & Kuykendall, L. 015. Revisiting “measuring what matters:” Developing a suite of standardized performance measures for policing. *Police Quarterly*, 18(4), 469-495. doi: 10.1177/1098611112298990.
- [9.] Denham, T. 2008. *Police Reform and Gender*. DCAF, OSCE/ODIHR, UN-INSTRAW

- [10.] Goldstein, Herman, 1977. *Policing a Free Society*. Cambridge, MA: Ballinger Publishing and C. Susmilch (1982). "Experimenting With the Problem-Oriented Approach to Improving Police Service: A Report and Some Reflections on Two Case Studies." (Volume 4 of the Project on Development of a Problem-Oriented Approach to Improving Police Service.) Madison, WI: University of Wisconsin Law School.
- [11.] Hopkins, Nick. (1998a) "Corruption squad inquiry clears 80 police officers" *Guardian*, 30 June p.8. Human Rights Watch, (1998a) *Shields from Justice: police brutality and accountability in the United States*: New York.
- [12.] Liang, H. H. 1992. *The rise of modern police and the European state system from Metternich to the Second World War* (Cambridge: Cambridge University Press).
- [13.] Manning, P. K. 2010. *Democratic Policing in a Changing World*. Boulder, CO: Paradigm Publishers.
- [14.] OSCE Mission in Kosovo (OMIK), *Human Rights and Law Enforcement. Booklet of Human Rights for Police* (Pristina).
- [15.] OSCE, Bucharest Ministerial Council, *Decision on Police-Related Activities/ Bucharest MC, Dec 9* (Bucharest, 2001).
- [16.] OSCE, *Charter for European Security* (Istanbul, 1999). OSCE, *Study on Policing in the Federal Republic of Yugoslavia* (Belgrade, 2001).
- [17.] OSCE, *Code of Conduct on Politico-Military Aspects of Security* (Bucharest, 1994).
- [18.] OSCE, *Final Report of the Supplementary Human Dimension Meeting "The Role of Community Policing in Building Confidence in Minority Communities"* (Vienna, 2002).
- [19.] Randol, B. M. (2012). The organizational correlates of terrorism response preparedness in local police departments. *Criminal Justice Policy Review*, 23(3), 304-326. doi: 10.1177/0887403411400729
- [20.] Sartori, G. 1987. *Theory of Democracy Revisited*. Chatham, NJ: Chatham House.
- [21.] Stewart, C. 2013. The enemy is among us: Media images of police in South Africa during the transition from apartheid to democracy. *International Criminal Justice Review*, 23(4), 333-356. doi: 10.1177/1057567713513796.
- [22.] United Nations, General Assembly, the *Universal Declaration of Human Rights*, 1948.