

A Comparative Study of Prevailing Forms of Jungle Justice in Developing and Developed Countries: A Case Study of Nigeria and USA.

Taiwo Oguntuyo¹, M.Sc., and Ogechukwu Agim², MPA.

Department of Public Administration and Policy, Old Dominion University, Norfolk, VA.

Abstract

The study presents a comparative study of prevailing forms of Jungle Justice (also known as vigilante justice) in developing and developed countries, using Nigeria and the United States of America as a comparative case study. In many countries in West Africa, and highly prevalent in Nigeria, jungle justice is categorized as a major social vice that militates against national growth and development. The act of a group of people (usually a mob) taking laws into their own hands by beating an alleged criminal to the point of death (or even to death) without following due process characterizes the core of jungle justice. This arbitrary method of counter-aggression has interestingly emerged in a different form in the United States, which is our basis for comparison. This form of vigilante justice is known as netilantism, any concerted internet activity targeted at exposing and punishing perceived social offenders; we will focus on anti-pedophile activists in this class of vigilante activity, as some punitive measures in this context involve the use of brute force.

Introduction

Vigilantes act as the informal community guards to offset the inadequacy of the formal justice system, and serve social justice by using informal means to punish deviants ignored by the formal system (Chang and Poon, 2016; Burrows, 1976). Jungle justice or mob justice is a form of public extrajudicial killings in Sub-Saharan Africa, most notably encountered in Nigeria and Cameroon, where an alleged criminal is humiliated, beaten or executed by a crowd or vigilantes.

Internet vigilantism also known as *netilantism* is a phenomenon that has emerged in developed nations in recent years, with the advent of the Internet. We will look into a particular kind of vigilantism that combines internet vigilantism and mob action: anti-pedophile activism.

Although heroic in nature, these acts have implications for the 14th amendment to the US Constitution which promises equal protection under the law, and run contrary to the notion of innocent until proven guilty. Using theories and concepts of public justice, this study relates the impacts and implications of jungle justice to the principles of democracy, due process and the rule of law.

RESEARCH QUESTION: What are the factors responsible for the prevalence of jungle justice in Nigeria and the US, and what are the implications for democracy?



Figure 1. Cartoon figure of jungle justice in a public place.



Figure 2. A photo of Lady Justice, a symbol of the justice system.

Theoretical Framework

Retributive Theory of Justice: Based on the law of retaliation: the punishment must be directly proportionate to the crime. Punishment has been observed not to be commensurate to the crime committed, higher punishment might infringe upon the right of the alleged criminal.

Structural Functionalist Theory: Holds that society is best understood as a complex system with various interdependent parts that work together to increase stability. Delay in proper criminal justice procedures and escalation of jungle justice lead to lack of system units to keep pace with value expectation of the society (Timasheff, 1967:34).

Methodology

The methodological approach consists of reviews of secondary data sources such as survey results from a previous study (Oguntuyo and Adesiyan, 2016), empirical articles, newspaper articles, web pages and blogs.

Results

In Nigeria, it was found that jungle justice stems from the slow and ineffective dispensation of justice by the judicial system in Lagos, Nigeria. From Table 1.1, 4.1 % strongly agree, 56.9 % agree, 5.1% uncertain, 6.7% disagree, 27.2 % strongly disagree that the slow dispensation of justice by the law enforcement agencies have contributed to the prevalence of jungle justice in Lagos state.

Table 1.2 slso shows that 76 % strongly agree, 19.0 % agree, 3.1 % uncertain while 1.0 % disagree that persons fundamental human rights are breached in the act of Jungle justice. Majority of the respondents believed that jungle justice goes against rights of individuals who are victims of jungle justice.

Table 1.1: Perceptions of citizens regarding factors that lead to mob justice in Nigeria.

The slow dispensation of justice by the law enforcement agencies have contributed to the prevalence of jungle justice in Lagos, Nigeria					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	8	4.1	4.1	4.1
	Agree	111	56.9	56.9	61.0
	Uncertain	10	5.1	5.1	66.2
	Disagree	13	6.7	6.7	72.8
	Strongly Disagree	53	27.2	27.2	100.0
	Total	185	100.0	100.0	

Field Survey (Oguntuyo & Adesiyan, 2016)

Table 1.2: Citizen opinions on jungle justice and human rights

Fundamental human rights are infringed in the act of jungle justice

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Agree	150	76.9	76.9	76.9
	Agree	37	19.0	19.0	95.9
	Uncertain	6	3.1	3.1	99.0
	Disagree	2	1.0		100.0
	Total	185	100.0	100.0	

Field Survey (Oguntuyo & Adesiyan, 2016)

Discussion

- Anti-pedophile activists, vigilante and Netilante groups may call themselves concerned citizens and may have the best interests of society at heart, but they are often misinformed about the laws and legal ramifications of their actions. This can have dire consequences for police and other informed organizations as they track and attempt to legally pursue legitimate predators – and never mind the consequences for those falsely accused (Zoukis, 2016).
- The Nigerian administration of Justice Act of 2015 is firmly against the infringement of fundamental human rights which provides for the dignity of persons. Section 8(sub section 1) of this act states that a suspect shall be accorded human treatment, having regard to his right to dignity of his person; and that a suspect must not be subjected to any form of torture, cruel, inhuman or degrading treatment.

Recommendations and Next Steps

- It is recommended that a faster dispensation of justice, re-orientation and enlightenment of the citizens regarding respect for the rule of law (protection of human rights), government should make continuous efforts in improving standard of living, and providing welfare benefits, will go a long way in curbing the high rate of mob justice in Lagos, Nigeria.
- While there are several qualitative studies explaining netilantism, there is little empirical research on public perceptions of netilantism. We intend to pursue empirical inquiry into public perceptions of netilantism, and address the limitations of data in these areas.

Contact

Taiwo Oguntuyo & Ogechukwu Agim
Old Dominion University
School of Public Service
togun001@odu.edu, oagim001@odu.edu

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