

## **JUNGLE JUSTICE: A PEAK OF FAILURE OF HUMANITY**

**Ignatius Nnaemeka Onwuatuegwu PhD**

Department of Philosophy  
Faculty of Arts  
Nnamdi Azikiwe University Awka  
frig2014@gmail.com

**Nkemjika Bernardine Nwagu**

Department Of Entrepreneurship,  
Faculty of Management Sciences,

---

**ABSTRACT:** *The state of anarchy is deemed as a state of lawlessness or a situation where the state machinery is not functioning following the laws of the state. In such a state, anything goes, people tend to put their selfish interest over and above that of the state. Human beings are the major character in any given state, the fact that human beings are inherently selfish or modify as being self-centred implies that there should be in any given society a code of conduct to guide the activities of human beings in the society. These codes of conduct cover all foreseeable aspects of human endeavours and equally contain the sanctions that will be meted on anyone who breaches the provisions of the code. There are certain factors in human society which suggest that human beings cannot at all time without overt strict checks and balances follow the codes as provided. Thus, human beings, though not all at a time, may likely contravene the codes provided. When the contravention occurs, the state machinery has to take appropriate measures to sanction the contravener. However, it is observed that the members of the public do not always give the state the room to take the appropriate measures as provided by the law. The members of the public take the laws unto their hands and accord punishment following their taste against the alleged offender. That is done despite the eternal law of humanity, which states that everyone is innocent until proven guilty by a competent court of law. The argument is that the conducts of the public tend to show how humanely depraved society has turned out to be. To this end, this paper discusses the issues of jungle justice in view of it being the peak of failure of humanity; with penchant interest in Nigeria as an entity.*

**KEYWORDS:** humanity, jungle justice, anarchy, sanctions, state machinery

---

### **INTRODUCTION**

In the past, society was without a systematic rule and regulations, no government and no state to preserve the components of the state. People depend on their means and limitations for protection and guidance; it was a case of might is right, a world for the strong. However, the case of things has dynamically changed since the formation of the first modern state in the Greek-City state. It follows that all the existing states in the world today has an established government vested with the rights and responsibility to protect and preserve the state, including the people of the state. The

---

government is in charge of governance, maintenance of law and orderliness in the society. Scholars have said that handing these sacred responsibilities to the state and her machinery is on purpose to avoid a situation where the state would be driven into anarchy, chaos, insurgence, aggression and violent conflict (Adu-Gyamfi; 2014).

Therefore, the state in carrying out the functions laid upon its shoulders by the people and the social contract theory takes a step forward to enact laws which would help in monitoring and guiding the conducts of both the government and the people being governed. In this regard, the government of any given state has a constitution which may be written or not written, to maintain governance in the state. Through the provisions of the constitution which is the supreme law of any modern state government; a state may proceed to make other subsidiary laws which would be applied in maintaining peace, order and stability in the state (Oputa, 1991).

Putting Nigeria up as a case study, the government of Nigeria has to its credit the 1999 constitution of the Federal Republic of Nigeria. It is this constitution that establishes the three organs of government in Nigeria and also allocates power and responsibilities to them accordingly. The three organs of government in Nigeria are:

1. Executive arm
2. Judiciary arm
3. Legislative arm

The constitution being the grundnorm of all the laws in the country also makes provisions as to the rights of the citizens of the country, which are contained in chapter 4 of the 1999 constitution. The purport of this chapter 4 is that there are available rights and freedom which a person is guaranteed for being human and for being a Nigerian too. All the provisions of chapter 4 of the 1999 constitution of the Federal Republic of Nigeria are essential in developing the contents and contexts of this paper. However, there are ones which are most relevant to the research being overviewed in this paper. The section that provides for the right to life in sections 33 is the most phenomenal, as it is only one who has life would complain of his other rights which are being breached. Following the right to life is the provisions as the right to human dignity and the rights to fair hearing as contained in section 34 and 36, respectively of the Nigerian constitution. What matters is not about the provisions of the rights in the constitution; it is the assurance that the rights will be upheld when it matters (Olong, 2010).

The constitution stated out the responsibilities of the three arms of government:

1. Executive – To execute laws and policies
2. Judiciary – To interpret the executed laws and policies and punish the offenders
3. Legislature – To make laws which are ought to be executed and interpreted in the country.

The constitution established the Nigeria Police Force and empowered it to do any or all of the following (Alemika, & Chukwuma, 2000):

- a. maintain law and order,

- b. ensure public safety and spells out the mode of arrest,
- c. detention and prosecution of offenders
- d. Investigation of offences
- e. Protection of life and property, among others.

The term Justice implies a three-way thing:

1. Justice to the society
2. Justice to the victim
3. Justice to the accused

What this implies is that at the time in which justice is to be done, the three categories entities must be bored in mind. The doctrine of *Audi Partem Alteram*, which means that both parties should be heard for it to be deemed that justice has been served. So the general law is that when a person is accused of any crime, the person is assumed to be innocent until the person has been proved guilty in a competent court of law, and the person cannot be deemed to have been proven guilty in appropriate order unless the person is allowed to state his side of the case and view of event as they occur. The law offers a certain level of protection to an accused person, such as defences, exceptions, provisos, among others, which may be an avenue where a person who would have been guilty would be freed by the law (Abati, 2002).

According to Olalekan (2017), the justice system in Nigeria consists the police, and other security agencies, the court, the state prosecution team and the Nigeria Prison Service (now known as Correctional Service Commission). This is because, when a person is accused of any offence, it is the police that makes the arrest, make investigations, and if they found that the accused has a probable case to answer, they will charge the accused to the court, the prosecution is meant to prove his case beyond reasonable doubt, and where the accused cannot give credible defence to excuse himself from the allegation, the court will convict and sentence him accordingly, from there the Nigeria Correctional Service will take over. The track road to attain justice is a long one, indeed.

Notwithstanding that the laid down procedures in attaining justice in the legal justice system in Nigeria is a tedious and lengthy in most cases, one certain thing is that it tries to protect the interest of all concern until the end of the case when the court determines the matter accordingly. However, it seems that a selected set of the masses no longer have the niche to wait on the justice system to act accordingly. Observation shows that it is likely that they have lost hope in the process and the state machinery involved in the justice system (Olalekan, 2017).

The endpoint is that it is ignorance of the purpose of the laid procedure that has gotten this set of the masses to act in the way they act. Whereas the law has a punishment for every form of offence, the punishment known to this set of persons is lynching, burning and horrendous murder of the alleged accused person without even giving the person a listening ear. The manner at which fuels are thrown and tiers are rolled out to burn the accused person to death is so inhumane. Even the form of beating the person receives before the actual killing is one the Igbos would say “ Odi ndu, onwu ka nma” which means a living corpse or one who is alive but better off if death. This act of

perpetrated a set of the masses by running after an accused person and pounding him to death without following the rudiments of the law is known as Jungle justice (Chima, 2016).

### **Statement of the Problem**

Jungle justice can be reckoned as one of the highest forms of murder and unlawful killing that have taken over the streets of the cities in the country. One certain thing is that jungle justice irrespective the justification one may tend to give to it; it a major inhumane act and a generational crime against humanity. Contemporarily, it is a prevalent mindset in the society, especially amongst the low class academically and economically, that if there is in accordance to their estimate red-tappism in administration of justice or slight incomprehension of the activities of the powers and authorities of the justice system, this set of jungle batterers cash on the situation and inflict horrendous act of punishment against an accused whom it has not been proven that he committed the crime alleged (Teju, 2012).

Over the years Nigeria has experienced a high rate of this inhumane culture of jungle justice where angry mobs at a mere wailing or shout of allegation would chase and pin down the alleged accused person and dish out all forms of battering on the person and usually end up burning the person or killing the person. For whatever reasons this is done, it is a clear manifestation of human rights violation which must be curbed and addressed as soon as possible. The effect of the actions on the society is that it increases the number of ill-hard hearted persons in the society, people whose morality does not prick them for taking another person' s blood. Jungle justice harbours ethnic conflicts and maybe the matchstick that fires the bigger fire of a state of lawlessness and chaos in the society. Observations show that often, the alleged accused person who was mobbed and killed without hearing his view of the event end up being innocent. The people who killed him are at large and could not be ascertained, the family of the person might have possibly lost a bread-winner, a father, husband, son or brother or mother, sister, daughter, aunt, wife among others. (Orabueze, Okoye, & Ohaeto, 2013).

Sequel to the colonial era that brought the received English law and the common law of England into the Nigeria shores, the indigenous people in Nigeria had their specific forms of behavioural check and control and corresponding forms of administration of criminal justice. The matter is often heard in public (village square), and if any punishment is to be served, like stoning the person, ex-communication or banishment, flogging among others. The people are part of the justice system, as they participate in one way or the other in the execution of the judgment. The contemporary notion of the administration of criminal justice which came directly from the English common law and ordinances setting up structures in the form of courts, police, and correctional service, took a more significant part of the peoples' participatory rights in the justice system; thus, the people see the jungle justice as a forum for them to partake in the justice system as it is inherent in their cultural heritage (Oputa, 1991).

According to Sanni (2017), it seems as if the structures as laid up by the alien laws have not been satisfying to the members of the community that they result from taking justice into their hands by way of self-help (Jungle Justice). From various observations made in studies, it appears that this social problem of jungle justice is on the increase as the year goes by. There are tens of jungle justice incidents which have made the Nigerian people and government appear so irreprehensible, bloody, inhumane and savagery in the international comity of nations. The incident seems to be more occurring in the southern part of the country, Nigeria. The cases of jungle justice that have shaken the society, including but not limited to:

1. Four boys of Aluu in Port-Harcourt, Rivers state in 2012
2. The Warri case of 2016, where only two out of seven alleged criminals were roasted alive.
3. The case in Ejigbo to mention but a few.

The researcher agrees that a person who is accused of committing a crime ought to be charged accordingly and if found wanting, is to be punished in accordance with the law. It is therefore not in the hands and purview of the public to angrily use the alleged person as a burnt offering or inedible suya. The disturbing question remains, why should people take laws into their own filthy hands?

Opinions suggest that there is a high class of professional indiscipline amongst officers of the Nigerian police force and it had gotten to the extent where the Police would distort files, and purposely misfire in a given case because they have already settled out of court (Ubabukoh, 2013). It is also believed that corruption has eaten into the fabrics of the judiciary; therefore, the court no longer based her decisions on the evidence adduced before the court but based following their interest. It is also said that the snail or millipede movement style of courtroom adjudication and litigation of criminal matters have made the people not find the court as stable enough and fanciful to carry out solely the duty levied on it (Olong, 2012).

### **Concept of Jungle Justice**

According to Luke (2013), jungle justice refers to the situation where a person who is alleged to have committed a crime is being punished by the people in accordance of no law backing it up other than a mob form or jungle life of justice. On his part, Abati (2015) stated that jungle justice is a situation where a group of lawless or non-law abiding set of persons give unto themselves, the power of being in charge of punishing alleged criminals through ill-fated extra-judicial killings, horrendous beating or public humiliation and not taking into cognizance the rule of law and the fundamental rights of the alleged offender. Chima (2016), observed that jungle justice is a complete violation of the fundamental human rights which are ordinarily available to individuals irrespective of the alleged offence, which criminalizes the actor by meting series of ill act stripping the accused naked, torturing the accused, setting the accused on fire or butchering the accused into pieces.

In the words of Sanni (2017), jungle justice is a form of punishment meted out against a person alleged to have committed an offence without any form of recourse to any legal authority. A view of the event of this so-called jungle justice would continually keep everyone at shock as to what has eaten off the little humanity which ought to be existing in our society. The mobs who stand by

waiting for their victims and the considerable high rate of anger at which they assemble themselves form the corners of the street to dish out the horrible spin on their recent victim. Sanni continued to state that the situation is often filled with anger, pains, hatred, and violent conducts which in no way would give an accused person the chance to say or do anything in his or her defence. Jungle justice robbed an accused person of his fundamental rights and placed him in an ugly bowl where the same parties would be the complainant, prosecution, judge, and judgment executioner at the same time.

Jungle justice is associated with mob action or mob justice. It is relative to a distortive attitude shown by persons which exhibit a sign of instability emotionally and psychologically in taking unruly actions against the person of another who was alleged to have committed an offence either in his presence or not. As said earlier, jungle justice occurs in any circumstance where a set of people take it upon themselves to act as complainant, prosecutor, jury and judge and cap it all by serving a punishment on a person who is suspected to offended the law criminally, all done at the same time and place with no room for the accused to challenge the accusation by forwarding excusable defences in law(Sanni, 2017).

Jungle justice can occur in various forms and circumstances. It may be a situation where a person lifts a ladies handbag in the market. The lifting of the bag is an offence of stealing which considering the facts available, like that the bag was recovered and there was nothing in the bag; the accused person in the normal process of our justice system may be jailed to less than two years jail term (Chima, 2016). The jungle justice syndrome does not consider anything while acting, the set of people who are seemingly attached to executing jungle justice, upon hearing Thief, Ole, parrawo, Onye oshi would pursue the accused, not for merely recovering the bag but to satisfy their inhuman, violent ego of punishing the accused. Upon the accused being caught, no question is asked, no interrogation. The worst is that even people who were not present when the act occurred, and people who have neither had time and space to consider the scenario and give a fair, unbiased comment would all lynch on the accused. Their conduct and the speed of the actions seem as if the perpetrators enjoy the event wholly. Graciously for the about to be executed convict of jungle justice, it will only take a strong-willed security outfit attached to the state to rescue him or her from the looming condemnation (Abdulwahab, 2016).

### **Implications of Jungle Justice**

There are certain implications of jungle justice in any society where it is being practised overtly like Nigeria. Jungle justice can massively contribute to the deterioration of the existing legal system in the country in a manner that it depicts the criminal justice system as being incompetent and weak in the way it handles criminal matters and dispensation of justice (Adu - Gyamfi, 2014). Jungle justice is an avenue for the extortion and exploitation of national and international security, orderliness, peace and stability, and it depicts the individuals in a given area as being primitive and coarse. More horrifying circumstance showing the implications of jungle justice is a situation where innocent persons are killed either by mistaken identity or false alarms. This goes to the point that the participant of jungle justice lacks the acumen to determine the commission of an offence and the punishment accruable to a given offence (Luke, 2013) accurately.

Jungle justice has been manipulated into a way fiddling with police investigations and evidence. It has been observed that where group persons planned an organized crime if peradventure any of them is caught; the other members of the group in order to erase any trace to their being involved permanently; would engineer the mob and masses to beat the member caught eventually and subsequently kill him or her. In this way, further investigation on the matter and evidence which would have been used to apprehend the other culprits would be lost on the verge of jungle justice(Olalekan, 2017). Jungle justice also has a way to increase the rate of violence in society by bonding the spirit of vengeance amongst the people. This occurs in a situation where the friends, colleague, gang members and family of the persons who was the victim of jungle justice takes out time and task themselves with the responsibility to revenge the killing of their own, by retaliating against everyone that spearheaded or heralded the act meted against the victim of the jungle(Teju, 2012). According to Teju, (2012), this would account for the series of homicides being recorded in some areas without any trace to the root causes.

**Factors contributing to jungle Justice**Alemika and Chukwuma (2000), Ubabukoh (2013) and Oputa (1991) and Abati (2002)

1. Illiteracy
2. Economic disparities
3. Disenchantment and anger in the societal problems
4. Failed Judiciary or Flaccid court system
5. Distrust in the Police and other similar establishments
6. Precedents of events
7. Failed humanity
8. Disregard for human rights

### **Conclusion and Recommendations**

The issue of Jungle justice is seen by many as being able to serve as a deterrent to perpetrators of crime in Nigeria, but the obvious is that even as the ill practice of jungle justice increases daily, it has not had any real positive effect in curbing the rate crime in the society. Our society will be saner if people do not turn themselves as the arbiter of law, proposing and punishing offenders at will. The nature of jungle justice as it is now cannot in any way be likened to the traditional societies in existence before the British colonialism. This is because the justice system then offers the accused a fair hearing opportunity and does not consume the accused in a twinkle of an eye. Jungle justice, as it is notorious in the streets of the cities in our country, is building a society where people are not passionate about their human beings. It is quite horrendous and the peak of inhumanity to hear that a nursing mother was beaten to coma because she stole a pot of soup or foodstuff. What happened to the masses helping to raise foodstuffs for her instead of beating, she received.

On the internet earlier in the year, a video was shown where a man who has been begging for years was found to be impersonating himself as being deformed; the people that caught took time to beat this man in the phrase “ shebi you wan dey deform, we go deform you today” (Since you want to

be deformed, we will make you deformed today). Such conditions point to state that jungle justice is clearly and unarguably the peak of the failure of humanity. It implies that we know that variant factors are contributing to the failure of humanity, but the injustice meted out in the name of jungle justice shows that humanity has fallen at its peak. While the world is making an effort to eradicate the death penalty for capital offences, jungle justice is casting its anchor on the death penalty even for the simplest offences. Where is our human conscience when a child of less than 15 years was molested, battered and killed because of stealing some few naira notes.

## REFERENCES

- Abati, R. (2002). How the ordinary Nigerian perceives the Nigerian justice system. *The Prosecutor*, No. 2, p 15
- Abati, R. (2015). Jungle justice as a normal justice. Available on <http://www.reubenabati.com.ng/index.php/others> accessed on 27/2/2020
- Abdulwahab, A. (2016). Jungle justice: Law and human rights. Available on <http://www.vanguard.com> Accessed on the 27/2/2020
- Adeleke, D. I. (2017). Jungle Justice: a helpless people' s reaction to an ineffective government. Available on <http://venturesafrica.com/jungle-justice-is-a-sign-of-helplessness> accessed on 27/2/2020
- Adu-Gyamfi, E. (2014) Implications of Mob Justice Practice amongst Communities, Public Policy and Administration Research 4(7) 87-96
- Alemika, E. & Chukwuma, I. (2000). *Police community violence in Nigeria*. Lagos: Center for Law Enforcement Education and National Human Rights Commission.
- Chima, J. (2016). Jungle justice in Nigeria or elsewhere. Available on <http://www.linkedin.com/pulse/jungle-justice-Nigeria> accessed on 27/2/2020
- Luke, N. (2013). When the mob rules: jungle justice in Africa, Available on <http://www.p.dw.com/p/lJune> accessed on the 28/2/2020
- Olalekan, O. (2017). Jungle Justice: Why people are quick to mete instant justice on suspects. Available on <http://www.tribuneonlineng.com> accessed on 28/2/2020
- Olong, A. M. (2010). The administration of criminal justice in Nigeria: a case for Reform. Unpublished Ph. D thesis, University of Jos
- Oputa, C. A. (1991). Judicial ethics, law, justice and the judiciary, in 1990 judicial lectures – continuing education for the judiciary Lagos: MIJ Professional Publishers Ltd, p.34
- Orabueze, F.O., Okoye, J. & Ohaeto, N. F. (2013). The law of the jungle and the NPF: Extrajudicial killing in Adichie' s the thing around your neck. *International Journal of Research in Arts and Social Sciences*, Vol. 6, pp 316-330.
- Sanni, M. (2017). Jungle justice on the rise in Nigeria. Available on <http://www.Aljazeera.org/Nigeria/newspapers> accessed on 28/2/2020
- Teju, C. (2012). ' Perplexed: on mob justice in Nigeria. Available on <http://www.theAtlantic.com> accessed on 28/2/2020
- Ubabukoh, I. (2013). Why resort to jungle justice? Available on <http://www.vanguardngr.com> accessed on 28/2/2020



