

The disconcerting popularity of “justice populaire” in the Eastern DR Congo



Kirumba, South of Lubero; site of 2011 mob justice attack.
Photo: <http://kongolibre.over-blog.com>



Mob justice, or *justice populaire* as it is called in the DR Congo, is the practice by which citizens “take the law into their own hands” and collectively kill alleged perpetrators of crime or witchcraft, for example by beating or stoning them to death, or by burning them alive. The forms that this practice takes and the circumstances in which it is manifested are highly variable, with killings being sometimes more orchestrated, for instance when involving youth gangs or vigilantes, and sometimes more spontaneous.

Although there are no reliable statistics on this phenomenon, as on most other matters in the DR Congo, there is a general impression that mob justice is on the rise in certain parts of the east, as I learnt in the course of fieldwork in this region. Efforts at documentation by local NGOs seem to corroborate this.

For example, the Fizi-based human rights organization SVH recently **reported** that over 50 people have been killed by mob justice in this territory in the course of 2013. In neighbouring Uvira, the NGO CIRESKI **documented** 31 deaths in 2012, and 29 victims in the first three months of 2013 alone. Another area that seems rife with mob justice is the Grand Nord, especially the city of Butembo and surroundings, where la Voix de Sans Voix **documented** no less than 30 cases for the month of July 2011 alone.

These figures indicate that mob justice, at least in certain areas of the east, occurs at a relatively large scale. This begs the question of how we should understand this phenomenon. What pushes Congolese citizens to appropriate the right to judge and even to decide over life and death? Since I have not carried out systematic research on this topic, which is not the main focus of my research, I can only offer initial hypotheses, hoping that this will inspire more research on what appears to be a neglected issue.

A preliminary analysis

When asked about mob justice, many Congolese refer to the malfunctioning of formal justice institutions and the failure of the security services to end the rampant crime that plagues many areas in the east. While clashes between armed groups and forces receive most media attention, they account for only a part of the everyday insecurity faced by citizens, who are more likely to fall victim to non-combat related armed robbery. The latter usually takes the form of road banditry (through coupages de route or flash ambushes) or night-time burglary.

In an environment where there is no functioning insurance system, few people have a bank account, and many business owners have invested most of their savings in merchandise, the livelihoods effects of crime are all the stronger felt.

This lowers the threshold for provoking popular outrage, especially when a perpetrator is caught in the act. Understandably, this is even more likely when the latter is a known recidivist.



As evidenced by the fact that much crime is well-orchestrated, targeting specific persons known to be in the possession of certain goods or amounts of money at a particular moment in time, locals often play a crucial role either as informers, executors or instigators. Usually, this local complicity does not go unnoticed, especially in communities with dense social networks.

However, protection by certain members of the security services, who may be directly complicit or simply close their eyes in return for a part of the booty, often prevents known perpetrators from being apprehended. In other cases, they may be caught but are swiftly released after bribing themselves a way out of custody or simply escaping. As a consequence, it is not uncommon that the same bandits are caught over and over again, fostering the impression of total lawlessness. Logically, this creates a fertile climate for mob justice.

This is what occurred for example in Tchomia, on the shore of Lake Albert in Ituri, where two thieves who had been apprehended and released several times, were burnt alive in the month of October 2013. According to a policeman contacted on the matter, people saw simply “no other option” to get rid of these thieves after regular justice and security mechanisms had failed.

Similar outrage may be directed against members of the security forces themselves, specifically when suspected of direct involvement in banditry and in a climate of overall hostile relations with the population. A telling example are the events in Lubero territory, where a **spate of mob killings of Congolese army soldiers** took place in the course of 2011. Especially the town of Kirumba was affected, at the time rocked by an upsurge in cases of theft and burglary ascribed to “unidentified uniformed men” generally believed to be from the military.



For instance on 8 July 2011, an FARDC soldier found on a compound in the Birere quarter was spontaneously decapitated. This incident is likely to have not only been fed by discontent with the rising insecurity in town, but also by the general distrust vis-à-vis the army unit deployed there, which was dominated by soldiers of the locally unpopular former CNDP rebel group.

The malfunctioning of the security services also contributes in a more indirect manner to mob justice: both the under-staffing and under-equipping of the national police make it difficult for them to intervene in such cases. As a policeman in Kasenyi (Ituri) explained, the feeble numbers of police, especially in the rural areas, and the lack of tear gas, rubber bullets, helmets and other riot-control equipment, makes that they often face the choice between either

allowing the scapegoat to be killed, or risking many more deaths and wounded when trying to stop the crowd with violence. As a result, attempts at intervention tend to be only half-hearted.

Furthermore, those who perpetrate mob justice are rarely prosecuted or face other consequences. The perpetrators are simply too numerous, and those who would bring them to justice fear public reprisals for doing so.

Unfortunately, certain popular responses to the deficiencies of the regular security institutions have only further increased the risk of mob justice. In some places, vigilante committees, sometimes dominated by demobilized soldiers, have been key in orchestrating the killings. This has been especially the case where vigilantes have taken on the role of assessing witchcraft allegations, which are the second major source of mob justice next to crime suspicions. For example in Uvira, local vigilantes called “balala rondo” have been at the forefront of witchcraft accusations leading to mob justice.

The rise in mob justice related to witchcraft accusations is arguably a sign of the waning power and legitimacy of customary authorities and village elders, traditionally charged with dealing with such issues.

The events in the chefferie (chiefdom) of Wagongo in Mahagi territory seem to corroborate this conclusion. In the course of a recent visit, I was told that there had been a strong increase in witchcraft-related mob justice since a conflict around customary power had split the vieux-sages (old, wise men) into two opposing camps, thus reducing their capacity to credibly deal with these cases.

Theorizing mob justice

The case of Wagongo suggests that mob justice in the eastern DR Congo should not only be seen in the context of the problematic functioning of formal justice and security institutions, but is related to a more general crisis of authority structures and conflict resolution mechanisms. As **pointed out by Koen Vlassenroot**, this crisis is in part the result of the weakening of social cohesion and the decline in legitimacy and power of civilian authorities to the benefit of armed actors.

The legacies of nearly two decades of violence may also play a role in fostering mob justice, having caused a large part of the population to be confronted with existential insecurity and to witness or perpetrate violent acts.

However, **as pointed out by Angelina Godoy**, who has studied lynchings in Latin America, **mob justice in societies affected by violent conflict should not be seen as a mere passive reaction to an exposure to violence and insecurity.** Instead, Godoy conceptualizes mob justice as an “agentive moment” (2004: 623) that allows marginalized groups subjected to pervasive uncertainty to regain (a sense of) agency. From this perspective, mob justice is essentially a form of “perverse political empowerment” (2004:637) that aims to restore or install certain values, to criticize the authorities, to claim agency and to comment on the distribution of power and resources.

Drawing on these insights, **I propose that rather than being mere outbursts of anger of uncontrolled crowds, mob justice in the eastern DR Congo should be seen as a result of, and commentary on, the current social and political crises**, indicating how deeply the fabric of society has been affected by decades of violence and the decay of civilian authority structures and conflict resolution mechanisms.

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December 2nd, 2013 | [DRCongo](#), [Judith Verweijen](#), [Justice](#) | [3 Comments](#)

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