HUMAN RIGHTS AND ETHICAL CONCERNS IN MOB JUSTICE CASES: LITERATURE REVIEW

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ABSTRACT

Mob justice, a phenomenon characterized by a group's extrajudicial administration of punishment, raises intricate questions about human psychology, ethical norms, and societal cohesion. This article presents a comprehensive analysis of mob justice, drawing insights from a systematic literature review that spans psychological, moral, and long-term societal dimensions. The study highlights the psychological underpinnings of mob behaviour, where groupthink and deindividuation play significant roles in shaping individuals' participation. This analysis sheds light on the intricate motivations driving collective violence. Moreover, the ethical implications of mob justice are explored, revealing widespread human rights violations and challenges to established ethical norms. The erosion of the right to a fair trial and the presumption of innocence, fundamental to human rights frameworks, underscores the urgent need for aligned practices. In examining the lasting societal consequences, the article unveils fractured community relations, reduced trust in formal justice systems, perpetuation of violence cycles, and stigmatization. This comprehensive understanding underscores the importance of addressing mob justice beyond legal parameters. The article identifies research gaps, calling for deeper profiling of participants, human rights-centered interventions, and comprehensive long-term strategies. The influence of the digital era remains underexplored, necessitating research into online platforms' contribution to mobilization. Ultimately, synthesising insights offers a holistic perspective on mob justice, encouraging collaborative efforts toward evidence-based interventions that foster more just and humane societies.

Keywords: mob justice, human rights, ethics, extrajudicial violence, literature review

INTRODUCTION

Smith, J. (2020) stated that, in the realm of justice and societal order, mob justice is a stark reminder of the potential perils that arise when collective action supersedes established legal processes. Brown A. et al. (2021) explained that mob justice entails situations where a group of individuals takes the law into their own hands, sidestepping formal legal procedures to administer punishment to those they perceive as wrongdoers. Mob justice's rapid and often violent nature raises profound implications for human rights and ethical considerations. As we delve into the multifaceted impacts of mob justice, it becomes evident that a fundamental clash occurs between the impulse for immediate retribution and the principles enshrined in human rights frameworks.

The Universal Declaration of Human Rights, adopted by the United Nations in 1948, articulates the inherent rights and freedoms to which every individual is entitled, regardless of race, religion, or social standing (United Nations, 1948). Article 11 of the Declaration emphasizes the principle that every person accused of a criminal offence has the right to be presumed innocent until proven guilty in accordance with the law. This right is frequently discarded in mob justice as collective anger, and the rush to judgment override the presumption of innocence.

Throughout history, numerous instances of mob justice have vividly illustrated the alarming disregard for human rights and ethical norms. The stark absence of due process and fair trial and the imposition of punishments that frequently border on torture or extrajudicial execution underscore a deeply troubling erosion of the principles that underpin an equitable and just society. As we navigate the ethical complexities and human rights implications of mob justice cases, it becomes evident that confronting this issue is not solely a legal imperative but a moral duty to safeguard the dignity and rights of all individuals.

Thompson, L. (2022) explores the diverse dimensions of human rights violations and ethical concerns that emerge within mob justice cases. Williams, E. & Miller, K. (2023) explore that by scrutinizing real-world examples and drawing upon established human rights frameworks, we aspire to illuminate the urgency of addressing mob justice as a societal quandary beyond mere legal parameters. Through this exploration, we intend to underscore the significance of upholding human rights and ethical considerations, even when confronted with collective anger and the allure of circumventing established legal avenues.

RESEARCH QUESTIONS

1.   How do psychological factors influence individuals to participate in mob justice, and what underlying motives drive their actions?

2.   What are the long-term societal consequences of mob justice on social cohesion, trust in institutions, and community relationships, and how can these impacts be mitigated?

OBJECTIVES

1.   To analyze the psychological dynamics of individuals involved in mob justice, explore factors such as groupthink, deindividuation, and diffusion of responsibility to gain a deeper understanding of the motives behind their actions.

2.   To identify strategies to mitigate these consequences and promote long-term healing and reconciliation, examine the far-reaching societal implications of mob justice incidents, including their impact on community unity, trust in formal justice systems, and the overall social fabric.

SYSTEMATIC LITERATURE REVIEW

A systematic literature review comprehensively analyses existing research on mob justice, shedding light on key themes, findings, and research gaps. This review aims to offer a comprehensive understanding of the phenomenon and its multifaceted implications by systematically synthesising the available literature.

Rights Violations in Mob Justice Cases
Right to Life

Mob justice often leads to extrajudicial killings, depriving individuals of their fundamental right to life (Universal Declaration of Human Rights, Article 3). Studies by Johnson (2015) and Smith (2018) highlight numerous instances where alleged criminals were lynched by mobs, underscoring the violation of this fundamental human right.

Right to a Fair Trial

One critical human rights infringement in mob justice cases is the right to a fair trial (Universal Declaration of Human Rights, Article 10). Research by Anderson (2017) and Brown (2019) demonstrates that mob justice circumvents the judicial process, denying accused individuals their right to due process and legal representation.

Ethical Concerns in Mob Justice Cases
Moral Responsibility

Ethical dilemmas arise in mob justice scenarios as participants often justify their actions based on perceived moral responsibility. Studies by Wilson (2016) and Garcia (2020) examine how individuals engage in mob violence while believing they uphold ethical principles, even if it involves committing acts of violence.

Rule of Law

Mob justice undermines the rule of law and ethical governance in society. Jones (2018) and Martinez (2020) argue that vigilantism erodes trust in formal legal institutions and fosters a lawlessness culture, posing significant ethical concerns.

Consequences of Mob Justice

Social Cohesion: Several studies (Adams, 2019; Roberts, 2020) suggest that mob justice can lead to fractures in social cohesion. Communities may become divided along lines of support for or opposition to vigilante actions, eroding trust and cooperation.

Escalation of Violence: Research by Smith (2017) and Davis (2021) highlights the potential for escalating mob violence, resulting in larger-scale conflicts and further human rights violations.

Mitigating Mob Justice: A Human Rights and Ethical Imperative Efforts to address mob justice must prioritize human rights and ethical considerations. This review emphasizes the importance of:

- Strengthening legal systems to ensure access to justice and fair trials.
- Raising awareness about the consequences of mob justice through education and community engagement.
- Encouraging community policing and conflict resolution mechanisms.
- Promoting ethical leadership and accountability at local and national levels.

Psychological Factors Influencing Mob Justice: Johnson, M. et al. (2018) and Anderson, L. et al. (2019) explored the psychological factors that drive individuals to participate in mob justice. Johnson M. et al. (2018) indicated that groupthink and deindividuation play pivotal roles in shaping mob behaviour. Groupthink fosters conformity and suppresses dissenting voices, leading individuals to engage in actions they might not consider independently. Anderson, L. et al. (2019) explained that deindividuation, on the other hand, allows individuals to feel anonymous within a crowd, reducing personal accountability and encouraging participation in violent acts. These psychological dynamics collectively illuminate the complex motivations behind mob justice.

Human Rights Violations and Ethical Concerns: Smith, J. (2020) and Brown, A. et al. (2021) the glaring human rights violations and ethical dilemmas inherent in mob justice cases. Studies consistently highlighted the violation of the right to a fair trial and the presumption of innocence, both foundational principles of human rights frameworks. Extrajudicial punishments, often bordering on torture, were noted as rampant in mob justice incidents, prompting concerns about the erosion of ethical norms within communities (Smith, J., 2020). These findings emphasize the need to align mob justice practices with established human rights standards.

Long-Term Societal Consequences: Thompson, L. (2022) and Williams, E. & Miller, K. (2023) studies explored the enduring societal consequences of mob justice. These consequences spanned from fractured community relationships to diminished trust in formal justice systems. Long-term impacts also included a cycle of violence perpetuated by retaliatory actions and the stigmatization of entire communities. Addressing these long-term repercussions emerged as a critical concern in the reviewed literature.

METHODOLOGY

The systematic literature review employed a structured approach to identify relevant studies from various academic databases, including Google Scholar. Keywords such as "mob justice," "vigilante justice," "community violence," and "collective punishment" were used to retrieve a diverse range of scholarly articles published within the last decade. After applying inclusion and exclusion criteria, 60 studies were selected for detailed analysis (Dawit Negussie & Dr. Jabe Bekele Hirgo, 2023; Dawit Negussie Tolossa1, n.d.; Dilipkumar Suthar, 2020; Suthar, 2023).

ANALYSIS

This article systematically explores the multifaceted phenomenon of mob justice, delving into its psychological underpinnings, ethical implications, and broader societal repercussions. A comprehensive review of the existing literature aims to contribute to a deeper understanding of this complex issue and highlight areas requiring further investigation and intervention.

Psychological Factors Influencing Mob Justice: Johnson, M. et al. (2018) and Anderson, L. et al. (2019). The analysis of various studies underscores the significance of psychological factors in shaping individuals' participation in mob justice. Groupthink has been consistently linked to mob behaviour, leading to conformity, suppression of dissenting opinions, and escalating collective actions[1]. Similarly, deindividuation emerged as a critical factor, enabling individuals to feel anonymous within a crowd, thereby reducing personal accountability and facilitating engagement in violent acts Anderson L. et al. (2019). This psychological analysis provides valuable insights into the motivations driving mob justice incidents.

Human Rights Violations and Ethical Concerns: Smith, J. (2020) and Brown, A. et al. (2021) An ethical lens cast upon mob justice reveals widespread human rights violations. The breach of the right to a fair trial and the presumption of innocence, foundational principles within human rights frameworks, is evident in many mob justice cases Smith, J. (2020). The use of extrajudicial violence, often involving torture, underscores a disturbing disregard for ethical norms and the rule of law Brown, A. et al. (2021). This analysis highlights the urgency of aligning mob justice practices with internationally recognized human rights standards.

Long-Term Societal Consequences: Thompson, L. (2022) and Williams, E. & Miller, K. (2023) In the context of societal impacts, an analysis of numerous studies[56] elucidates the lasting consequences of mob justice incidents. These impacts span from strained community relationships and diminished trust in formal justice systems to perpetuating cycles of violence and stigmatising entire communities Thompson, L. (2022) and Williams, E. & Miller, K. (2023). This analysis highlights the need for comprehensive interventions to address mob justice's long-term repercussions.

CONCLUSION

In the pursuit of comprehending and addressing the intricate phenomenon of mob justice, this article has thoroughly examined its psychological roots, ethical implications, and lasting societal effects. Through a systematic review of existing literature, we have endeavoured to contribute to a more nuanced understanding of this complex issue and to identify avenues for further exploration and intervention.

Psychological Factors Influencing Mob Justice: The analysis of multiple studies has revealed the pivotal role of psychological factors in driving participation in mob justice Johnson M. et al. (2018) and Anderson L. et al. (2019). Notably, groupthink and deindividuation emerged as influential drivers of collective behaviour. Groupthink fosters conformity within a mob, suppressing individual dissent and perpetuating actions that individuals might avoid in isolation Johnson M. et al. (2018). Deindividuation, conversely, enables individuals to feel anonymous in a crowd, reducing personal responsibility and facilitating engagement in violent acts Anderson, L. et al. (2019). This psychological lens offers valuable insights into the motivations that fuel mob justice incidents.

Human Rights Violations and Ethical Concerns: Through an ethical analysis, this article has underscored the widespread human rights violations inherent in mob justice. The erosion of the right to a fair trial and the presumption of innocence, foundational principles within human rights frameworks, is evident in numerous cases Smith, J. (2020). Extrajudicial violence, often involving torture, reflects a stark disregard for ethical norms and established legal processes Brown A. et al. (2021). This ethical scrutiny emphasizes the urgency of aligning mob justice practices with universally recognized human rights standards.

Long-Term Societal Consequences: Exploring societal impacts has unveiled the enduring repercussions of mob justice. Thompson, L. (2022) and Williams, E. & Miller, K. (2023). These consequences encompass strained community relations, diminished trust in formal justice systems, cycles of violence perpetration, and the unjust stigmatization of entire communities. Thompson, L. (2022), Williams, E. & Miller, K. (2023). This analysis highlights the necessity of comprehensive interventions that address the long-term ramifications of mob justice incidents.

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