BANYAMULENGE IMMIGRANTS' PERCEPTIONS OF POLICE IN THE UNITED STATES: A QUALITATIVE STUDY

by

Fidele Nkomezi Sebahizi

Liberty University

A Dissertation Presented in Partial Fulfillment

Of the Requirements for the Degree of

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ABSTRACT

The Banyamulenge are Congolese from South Kivu province, in the Democratic Republic of Congo (DRC). While research on different minority groups worldwide is prominent, research on the Banyamulenge remains scarce. This study attempts to close this void in literature. The Banyamulenge's ill-treatment was evident during the colonial period, before the DRC's independence. It stemmed from various ideologies, including the Banyamulenge's denial of being native Congolese. The DRC is a country inhabited by numerous tribes linked to neighboring countries, sharing languages and cultures. Like many other Congolese, the Banyamulenge were on the Congolese territory before the Western colonizers' arrival before 1885. Due to several reasons, they came from different territories of the region many decades before the 1885 Berlin Conference that set current African countries' boundaries. Some Congolese authorities have played a vital role in instigating hatred among Congolese groups toward Banyamulenge, particularly for political reasons. The research aims to raise awareness of the Banyamulenge's persecution in their country and contributes to the existing literature on the immigrants' perceptions of police in the United States. I studied Banyamulenge immigrants' perceptions of police in the United States. The study utilized a qualitative research design and explored the in-depth lived experiences of ten participants in the Congo and United States. The participants lived in the United States and shared experiences from 1998 detention centers in Lubumbashi and other regions in DRC. The study used participants' interviews to collect data, and the analysis was based on the coding of such interviews.

Keywords: Banyamulenge, persecution, Democratic Republic of Congo, perceptions of police, minority groups, immigrants

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List of Abbreviations

Democratic Republic of Congo (DRC)

Rwandan Patriotic Front (RPF)

Alliance des Forces Démocratiques pour la Liberation du Congo (AFDL)

Rassemblement Congolais pour la Démocratie (RDC)

Congrès National pour la Défense du Peuple (CNDP)

Movement du 23 Mars (M23)

Forces Armées de la République Démocratique du Congo (FARDC)

Rwandan Patriotic Army (RPA)

CHAPTER ONE: INTRODUCTION

Overview

Perceptions of police originate from several historical events related to how the police treat individuals. Perceptions of police among minority groups in the United States, such as African Americans, are derived from slavery and how slave patrols ill-treated enslaved Africans (Wilson, 2022). For African immigrants, slavery history is not far from them because their brothers and sisters were brought to the Americas as slaves. Besides slavery, African immigrants, especially minority groups in their home countries, have lived experiences of discrimination and persecution that they carry to the United States. In other words, African immigrants may perceive the police in the United States through bifocal lenses: slavery and persecution experienced in their countries of origin. This chapter highlights the problem statement, the purpose statement, and the significance of the study, among others.

Background

This study aimed to contribute to the existing literature on the immigrants' perceptions of police in the United States. In other words, it investigated the role of African immigrants' lived experiences with the police in their home countries to understand their perceptions of American police. The study also examined the relationship between such experiences, trust in the police, and willingness to report crime to the police. While policing the non-immigrant population poses a significant challenge to law enforcement worldwide, policing the immigrant population requires a particular approach. Due to their perceptions of police practice, research has revealed that immigrants learn from members of their groups of police biases against them; because they tend to believe their members, this introduces uncertainty, making them feel intimidated and isolated (Murphy & Mazerolle, 2018).

When refugees immigrate to host countries, they take oppressive law enforcement experiences from their home countries (Cole, 1999, as cited in Murphy & Mazerolle, 2018). In their study on Ghanaian immigrants living in Virginia, Pryce et al. (2017) argued that immigrants tend to struggle with separating the old experience from the new, impacting their cooperation with the American police. Simply put, this type of feeling hinders them when collaborating with law enforcement in addressing and reducing crime in the United States. This study will benefit public institutions, American society, and immigrant communities.

Historical Overview

Perceptions of police in the United States among African Americans and recent African immigrants may be attributed to slavery. For African Americans, the impact of slavery is direct because they are the descendants of enslaved Africans brought to America several centuries ago. At least 500,000 Africans were sold into slavery in America (Stockman, 2019). Controlling slaves required the implication of law enforcement. For example, slave patrols were created and used to force enslaved Africans into harsh physical labor (Wilson, 2022). Unfortunately, Durr (2015) argued that today's policing measures, such as Stop and Frisk, relate to slave patrols.

After the abolition of slavery, the United States continued welcoming new legal immigrants from different countries. However, one thing to consider is that the United States law enforcement reputation, especially concerning minority groups, such as Blacks, has reached all corners of the world. For instance, when African refugees relocate to the United States and Canada, their perceptions of police indicate that they see themselves as the target of minority discrimination in both countries (Ayoyo, 2018). In addition, Vickerman (2016, p. 72) emphasized that black immigrants from African nations come to the United States with an existing "sting of blackness," "anti-black racism," and "anti-black stigmatization" derived from

Western colonization in their countries. However, Unnever and Gabbidon (2015) argued that African immigrants do not share the same opinions on police treatment of the black community in the United States as US-born African Americans.

Social Implications

Research has shown that crime reporting, for example, depends on how people perceive the police. When people expect little or nothing from calling the police, they tend not to report crimes, making the criminal problem worse and crimes go unpunished in their neighborhoods (Kirk & Matsuda, 2011). Kirk and Matsuda (2011) called this legal cynicism, especially when citizens perceive the police as illegitimate. The current study participants experienced law enforcement illegitimacy and unresponsiveness toward their cause in their home country, the Democratic Republic of Congo.

In addition to expecting little or nothing from Congolese law enforcement, Congolese law enforcement (the police and the national army) imprisoned the research participants for their ethnic affiliation. Carrying such a terrible experience with law enforcement from Congo to the United States, I believe that this may have a negative social implication, making it difficult for the study participants to cooperate with the police in the United States. Several scholars have conducted research studies on immigrant groups throughout the United States to understand the immigrant-police interactions. Immigrant groups possess different types of experiences from their countries of origin. For example, Ellis et al. (2020) studied Black Muslim (Somali) immigrants' experience with the police in the United States and Canada. The researchers suggested that it is imperative to understand immigrant groups' discrimination-related experiences unrelated to race. In other words, Black or African immigrants, including the Banyamulenge (current study participants), may perceive the police as unfair through a specific

marginalized lens from their countries of origin. Understanding and uniquely considering the immigrant community can potentially reduce criminality in this fast-growing American population.

Theoretical Foundation

The foundation of the current study theoretically relies on immigrant-specific experiential theories: the imported socialization theory and the contrast thesis. According to the imported socialization theory's hypothesis, "higher levels of trust in the political institutions of their countries of origin increase the likelihood that immigrants to the United States will exhibit political trust in the American government" (Wals, 2011, p. 603). On the other hand, the opposite hypothesis may need special attention: lower levels of trust in the political institutions in their home countries decrease the likelihood that immigrants to the United States will not exhibit political confidence in the American government. Wals (2011) suggested that immigrants' bad experience with their home countries' police could impact their experience with the American police. Menjivar and Bejarano (2004) argued that immigrants in host countries not only deal with the host country's criminal justice but also perceive the host country's criminal justice through their lived experiences with their home countries' criminal justice. In addition, Khondaker et al. (2016, p. 535) asserted that "negative attitudes toward home-country police lowered immigrants' confidence in the police" in host countries. According to the contrast thesis, Wu et al. (2017) argued that immigrants who experienced abuse from their home countries' police tend to enjoy policing practices in host countries, provided that the host country's police respect citizens' rights.

Situation to Self

Although I did not experience imprisonment in the Democratic Republic of Congo (DRC), I was born and grew up in the country, and I am a member of the Banyamulenge community. However, I left the DRC when I was 25 years old. In other words, I share the ethnic affiliation with the study participants, and I experienced minor types of discrimination when I was still in my home country. For example, during the 1997-1998 school year, when I was in middle school at Action Kusaidia in Uvira, students from other communities harassed us (Banyamulenge students) regularly by calling us abusive and offensive names. In addition, they had established common insulting words and phrases. For instance, they would tell Banyamulenge things like "*funga kinywa we*" or you close your mouth, implying that they had long teeth and always left their mouths open, which was not true. It was instead a systematic way of harassing and demoralizing members of the Banyamulenge community. However, as a researcher who shared some of my lived experiences with the study participants, I carefully self-monitored the potential impact of my "biases, beliefs, and personal experiences on [my] research" and avoided immersing myself into my participants' past (Berger, 2015, p. 219). On the other hand, Berger (2015) explained how being an insider by sharing the experience with her research participants helped recruit and understand hinted content that an outsider would not comprehend. Therefore, being an insider and sharing experiences with my research participants enabled me to gain participants' rapport quickly and deeply understand their lived experiences.

Ontology and Epistemology

Although ontology and epistemology are usually treated separately, the two philosophical beliefs tend to move alongside each other (Crotty, 1998). According to Crotty (1998), ontology studies the being, while epistemology seeks to understand how people know what they know. The author added that ontology aims to understand the "what is" and epistemology the "what it

means to know" (Crotty, 1998, p. 10). While there are many types of epistemologies, including objectivism, subjectivism, and constructivism, the latter is more preferred because it deals with the natural and everyday interaction between humans and the world around them (Preissle, 2000).

According to ontological philosophical belief, I believe the study participants have lived experiences with their home country's law enforcement that may have impacted their perceptions of police in the United States. The impact may be positive, negative, or both. As a refugee in the United States who witnessed the cruelty of Congolese law enforcement and the national army in the Democratic Republic of Congo, I have my own perceptions of American law enforcement based on such experience. In other words, perceptions of police exist. On the other hand, according to epistemological philosophical belief, specifically in constructivism, the study participants' lived experiences resulted from their constructed interactions with Congolese law enforcement and the military. As an insider researcher who shares some of the experiences with the study participants, I practiced proper measures, including using a log and repeated review, to balance my experience and the participants' (Berger, 2015).

Problem Statement

Police officers in the United States struggle with obtaining cooperation from the public when answering calls for service. Cooperation is essential because it helps police officers to perform their job efficiently. Uncooperative behaviors may indicate low confidence in the police. For example, research shows that the positive conduct of a police officer surprises citizens due to citizens' low expectations from the police contact (Van Damme, 2017). The general problem involves losing confidence in the police, causing several issues, including being uncooperative toward police officers. Research has found a correlation between the effectiveness and fairness

of the police and low confidence in the police at the individual level (Boda & Medve-Bálint, 2017).

On the other hand, the immigrant community in the United States deserves special attention due to immigrants' different cultures. Immigrants come from a variety of countries around the world. For example, in 2018, the U.S. government naturalized 761,901 immigrants, 64,934 from the African continent, and 1,776 from the Democratic Republic of the Congo (U.S. Department of Homeland Security, 2019). The specificity of the problem is that immigrants from the Democratic Republic of the Congo, particularly the Banyamulenge community, experience a cultural shock during their resettlement in the United States. In addition, these specific immigrants may fail to build strong confidence in or positive perception of the American police due to lived experiences of oppressive and ill-treatment by their home law enforcement.

The impact of failing to build confidence in or positive perception of the police is that the resettlement process and the cultural adjustment may become rough. For instance, studying Vietnamese immigrants in Victoria, Australia, McKernan and Weber (2016) found that past experiences of Vietnamese immigrants with law enforcement in their country contributed to their negative perception of the police in Australia. In other words, because they remembered the Vietnamese police's bad reputation, Vietnamese immigrants characterized the Australian police with weak law enforcement characteristics. Bradford and Jackson (2018) corroborated the above study and argued that immigrants' views of policing in host countries are conditioned by past experiences with law enforcement in their home countries. However, existing research does not cover the entire spectrum of immigrants' perceptions of police from all groups. This research contributes to existing studies in this domain by focusing on the Banyamulenge community in

the United States. To my knowledge, this is the first study that analyzes Banyamulenge immigrants' perceptions of the American police.

Purpose Statement

The study aims to understand the levels of perceptions of American law enforcement among the Banyamulenge community (Congolese refugees) in the United States by looking into their lived experiences with their home law enforcement. However, like other recent groups of immigrants whose views of the police are positive (Jung et al., 2019), the existing hypothesis states that members of the Banyamulenge community in the United States may have positive perceptions of the American police compared to the Congolese police.

Banyamulenge immigrants were a minority in the Congo and are still a minority in the United States. That is why it is also hypothesized that, unlike Korean immigrants whose minority status in the United States influences their fear of crime (Hwang et al., 2016), members of the Banyamulenge community may perceive the American police as more protective than the Congolese police. Furthermore, research has revealed that recent immigrants tend to trust the police, especially when they first arrive in host countries (Bradford et al., 2017). Therefore, this study investigates whether this applies to the Banyamulenge community.

More specifically, the study examines Banyamulenge's perceptions of the police and their confidence in the police in the United States. According to Han et al. (2020), one of the predictors to measure perceptions of the police is victimization. Being a minority group that suffered discrimination in the Congo, Banyamulenge immigrants experienced one of the high levels of victimization by Congolese law enforcement (including the military), the Congolese government, and their neighbors, forcing most of them to flee their country. Therefore, the study analyzes the influence of the perceptions of the police among the Banyamulenge on crime

reporting. Perceptions of the police can make an individual's trust in the police low, impacting the individual's willingness to report a crime (Messing et al., 2015).

Significance of the Study

The current study adds to the existing literature on perceptions of police among immigrant groups in the United States. In addition, understanding immigrants' lived experiences in their countries of origin is essential in host countries. This helps with immigrant integration. For example, recent research has found that immigrants' satisfaction with life in host countries depends on native-born citizens' attitudes toward immigrants (Kogan et al., 2018). It shows how important it is to understand what immigrant groups had experienced before moving to host countries. In other words, this type of understanding decreases bias and blind judgment toward immigrants. In addition, the current study contributes to the knowledge of the benefits and advantages of policing immigrants.

It is imperative for police departments across the United States to consider immigrants' past experiences to better understand how to gain their confidence and cooperation for a number of reasons: immigrants share the views of minority discrimination with other minority groups, especially African Americans (Ayoyo, 2018) and immigrants' past experiences in home countries contribute to how they perceive the police in host countries (McKernan & Weber, 2016; Bradford & Jackson, 2018). Finally, the current study highlights mass violence against ethnic minorities by their states worldwide. This is significant because the United States shelters several ethnic groups, including Banyamulenge, with marginalized experiences in their home countries. Shedding light on this factor may help bring justice to the victims.

Research Questions

This qualitative study aimed to interview ten (10) members of the Banyamulenge community, who are Congolese refugees in the United States and live in different geographical areas of the nation. The interviews were used to discover similar themes and patterns relating to their experiences with law enforcement in Congo and the United States. In addition, the study aimed to explore Banyamulenge immigrants' perceptions of police in both countries and the influence of such perceptions on confidence in the police and crime reporting in the United States.

The following principal question led the study: What are the Banyamulenge immigrants' perceptions of the police in the United States, and what impact do their experiences with law enforcement in the Democratic Republic of Congo have on their perceptions of the police in the United States? A qualitative study of ten (10) Banyamulenge immigrants imprisoned during the Second Congo War in 1998. In addition, various sub-questions assisted the central question in understanding the impact of Banyamulenge immigrants' discrimination and victimization experiences on confidence in the police and reporting a crime in the United States.

The following are the main research sub-questions to expand the central question in guiding the study further:

RQ1: What are the lived experiences of the Banyamulenge prisoners with law enforcement in Congo in 1998?

RQ2: What are the Banyamulenge immigrants' perceptions of the police in the United States?

RQ3: What factors influence the Banyamulenge immigrants' confidence in the police and crime reporting in the United States?

RQ4: What does it mean to be discriminated against by Congolese law enforcement and its impact on perceptions of the police in the United States?

The study used a semi-structured interview strategy to deepen a face-to-face or telephone conversation with participants. During interviews, probes were used to ensure unclear answers were clarified through follow-up questions. A complete list of open-ended interview questions is included in Appendix B.

Definitions

The dissertation contains several foreign words from the eastern Democratic Republic of Congo, especially in the first half of the Literature Review section, including:

1. **Mwami**: The term in local languages in the eastern Democratic Republic of Congo (DRC) means a king. However, by a king, local communities refer to an ethnic leader.
2. **Chef**: This is a French word that means chief or boss. The local population in the DRC uses it to refer to a customary leader who works for and reports to *mwami*.
3. **Ubugabire or Okumugabira**: In local languages, both words mean to give away something to someone, especially a cow. The practice usually indicated a friendship between two people.
4. **Ukunyaga or Kunyaga**: The terms mean to forcibly take away something from someone with no owner's consent, especially those in power from the governed or the weak. The practice applied to cows and even wives (and girls). For example, the *mwami* of the Bafulero community, Mukogabwe Mahina, forcibly married Banyamulenge girls without the girls' consent or the consent of their parents, and no one prevented him from doing so.

5. **Ukubisa, Okubisa(za), Kubitsa, or Kuragiza**: All the terms refer to one thing: the practice of lending to another. For instance, when one individual lent a cow to another for years, the loan taker was responsible for returning the cow to the lender and, depending on several factors, keeping the cow's offspring.
6. **Groupement**: From French, the term refers to a traditional entity. Combining *chef* and *groupement*, the result is *chef de groupement*, or the leader of a customary entity. The position isn't for everyone but one family forever. The *chefs de groupement* would come from the same family or related families.
7. **Collectivité**: This is a traditional entity level above a *groupement*. Many *groupments* would belong and report to one *collectivité*.

In the second section of the Literature Review, the following are the two technical phrases:

1. **Procedural Justice:** The phrase is defined as the fair treatment of a citizen by a police officer (Madon et al., 2017).
2. **Police Legitimacy:** The phrase is defined as the police officer's ability to maintain order by making the right decisions (Wolfe et al., 2016).

Summary

This chapter explained the primary source of perceptions of police among African Americans and African immigrants in the United States: slavery. It also highlighted that African immigrants, specifically minority groups, possess unique past experiences of discrimination and persecution from their countries of origin. Police officers in the United States struggle with obtaining cooperation from the general public when answering calls for service. Therefore, it raised a unique point about immigrant groups, urging police departments to pay special attention

to them because of their past experiences that affect how they perceive the police in the United States. For example, members of the Banyamulenge community from the Democratic Republic of Congo experienced cruelty and killings by the Congolese police and the military. Such ill-treatment by government institutions expected to protect them can affect their perceptions of police in their host country: the United States of America. The significance of the study is that it is imperative for police departments across the United States to understand immigrants' history because their past experiences in their home countries contribute to how they perceive the police in the United States (McKernan & Weber, 2016; Bradford & Jackson, 2018).

CHAPTER TWO: LITERATURE REVIEW

Overview

The Literature Review section has two parts. The division of this section in two parts was necessary for easy flow. The first part focused on the general background of the study participants' community, the Banyamulenge. Presentation of an in-depth background information here will enable the reader to fully understand the study participants and how their community's background influenced their perceptions of police in the Democratic Republic of Congo and the United States. Decades-long discrimination and persecution toward the Banyamulenge is the basis of the study participants' perceptions of police.

Literature Search Strategy

This research used Liberty University's Jerry Falwell Library search engine to search literature pertinent to this study's topic. I accessed several databases through this search engine, including Taylor & Francis Online, ProQuest, SAGE Journals, EBSCOhost, Wiley Online Library, SpringerLink, ProjectMuse, and ScienceDirect. Many words and phrases were searched, including perceptions of the police, confidence in the police, trust in the police, reporting crime, victimization, discrimination, police legitimacy, and procedural justice. In addition, a couple of old books were consulted to lay a strong foundation on the historical context of the Banyamulenge community in the Congo. Unfortunately, only a few scholarly articles have been written about the Banyamulenge and their victimization in the Congo.

Outside the academic world, Google was the starting point of my searches. As McGeough and Rudick (2018) maintained, I did not click on every link that popped up first, second, third, and so forth. I only accessed links that matched my selection and took ample time to review my preferences (Go et al., 2016). Google was also used as the starting point to find

academic journals, government documents, United Nations and other prominent organizations' archives, and other relevant materials for the study. Material credibility was an essential consideration. Tzoumaka et al. (2016) argued that the credibility of information is based on the information source's honesty and integrity. The authors also found that trustworthiness is a credibility factor that makes people tend to do what the information source wants them to do. However, credible sources can also be misleading, especially if the researcher is not careful about the information being gathered.

In addition, research has shown that students in the digital age tend to use information as it becomes easily accessible, for example, the first search result in an Internet search engine (McGeough and Rudick, 2018). That is why the credibility of information obtained from social media remains problematic and should be avoided (Brahler et al., 2021; Hsieh-Yee, 2021). Therefore, I avoided social media and other similar platforms when searching for credible information about the paper's topic.

Theoretical Framework

Scholars have developed some theories to explain immigrant perceptions of police. Unlike non-immigrant groups, perceptions of the police among immigrant groups can be analyzed using two sets of theories: those that apply to all citizens and those that specifically apply to foreign-born citizens (Wu et al., 2017). In addition, Wu et al. (2017) explained that two factors could examine immigrants' perceptions of the police: factors founded upon the environment in host countries and those founded upon past experiences and home country environments. In order to stay within the immigrant context, this study bases its foundation on factors applicable to immigrant groups only, factors formed after immigrants' arrival and before they arrived in host countries. Wu et al. (2017) examined four subcategories to go along with the

main factors to understand better perceptions of the police among foreign-born groups, including demographic, experiential, structural, and attitudinal elements. Of the four subcategories, the study sets its foundation on the immigrant-specific experiential theories because examining participants' lived experiences is the study's topic. Before jumping to the experiential theories, the study briefly discusses the demographic-based theoretical background.

Demographic Theoretical Background

The Immigrant Paradox Thesis

Wu et al. (2017) argued that the immigrant paradox thesis is based on the fact that there is a contradiction among studies about immigrants' interactions with the police in host countries. In other words, some studies have shown greater trust and confidence in the police among immigrants, while others have shown the opposite. For example, Davis and Hendricks (2007) found that foreign-born American citizens were more satisfied with the police effectiveness than native-born citizens. However, the researchers found that immigrants in the United States were less likely to call the police for assistance. In addition, Davis and Miller (2002) found that immigrant groups in New York City favored community policing significantly when the police's engagement with the community increased, such as through foot patrol and community meetings. On the other hand, Wu et al. (2011, p. 769) discovered that foreign-born Chinese immigrants exhibited "a significantly lower level of satisfaction with police effectiveness and demeanor" than native-born Americans.

The Assimilation Theory

Although the classical assimilation theory posited that immigrants were adapted well to the host country's system, including having positive opinions on the host country's institutions, such as law enforcement (Warner & Srole, 1945, as cited in Wu et al., 2017), recent studies have

revealed the opposite. For instance, Nagasawa et al. (2001) found that the immigrants' children born in host countries were more engaged in committing drug-related crimes than their parents, first-generation immigrants. Another aspect of the assimilation theory is that immigrants' English proficiency and the number of years of residence in the United States play a significant role in immigrants' perceptions of the police (Wu et al., 2017). However, the assimilation theory study findings are contradictory.

Immigrant-Specific Experiential Theories

Immigrants' life experiences differ from those of non-immigrants (Wu et al., 2017). In other words, the immigrant population moves to host countries with home country experiences and memories, which tend to influence their livelihoods in host countries, specifically when interacting with the police. Wu et al. (2017, p. 179) argued that immigrants' attitudes toward the police in the United States may be shaped by their "experience with home country police" and "perceptions of home country crime conditions." This section examines two immigrant-specific experiential theoretical frameworks related to immigrants' life experiences in their home countries: the imported socialization theory and the contrast thesis.

The Imported Socialization Theory

Wals (2011) studied political affiliation before and after migration among Mexican immigrants to the United States. Wals (2011, p. 603) examined the following hypothesis: "partisan affiliation in one's country of origin increases the likelihood of political engagement following migration to the United States." He also hypothesized that "higher levels of trust in the political institutions of their countries of origin increase the likelihood that immigrants to the United States will exhibit political trust in the American government" (Wals, 2011, p. 603). My study is interested in the second hypothesis. Wals' (2011) second hypothesis held that

immigrants who trusted their home countries' governments before migrating to host countries would be more likely to trust host countries' governments.

Wals (2011) concluded that immigrants bring their home countries' political views to host countries, which more likely affect their political views in the host society. In addition, Menjivar and Bejarano (2004) found that immigrant groups perceive the world through a bifocal lens, lived experiences with their home country's criminal justice system and host country's criminal justice system. In other words, Wals (2011) corroborated Menjivar and Bejarano's (2004) study. On the same token, Khondaker et al. (2016, p. 535) asserted that "negative attitudes toward home-country police lowered immigrants' confidence in the police" in host countries. This theory resonates with what the study's population experienced in their home country. Studying the research participants' lived experiences using the theory would help understand their perceptions of the police in the United States.

The Contrast Thesis

Beauty comes from contrast (Wu et al., 2017). In other words, Wu et al. (2017) argued that immigrants from countries whose police forces abused their citizens tend to enjoy the democratic way of policing in host countries. Lived experiences matter and may dictate how people interpret and see things (Ferraro, 1995, as cited in Wu et al., 2017). The authors concluded that negative and positive lived experiences in home countries might be carried with immigrants to host countries. For example, Wu and Wen (2014) found that Chinese immigrants who experienced higher levels of victimization at home and thought their home had criminal issues exhibited similar sentiment in the United States. The contrast thesis applies to my study's population because they went through political hardships in their home country before migrating to the United States. Therefore, it is essential to analyze their lived experiences in this regard.

Part I. The General Background of the Research Population

Overview

The research study's population has a complex history that needs to be addressed to better understand their background and how they may have developed perceptions of police over several years. In other words, it may be challenging to study this population without delving into their discriminatory background and experiences in their home country, the Democratic Republic of Congo. Therefore, this section covers numerous aspects of their history, including the pre-colonial period, the colonial period, and the post-colonial period. The hottest contestation point about the research population is their identity and nationality in the country, including their name "Banyamulenge." Therefore, this section discusses the genesis and re-establishment of the name "Banyamulenge" and at least two nationality laws. It should be emphasized that the research population's lived experiences to be studied here had to do with such contestation.

Historical Background of the Banyamulenge Community

This section aims to highlight a brief historical background of the Banyamulenge community. Who are they? What is their history in the Congo? Why is their history necessary for studying immigrants' perceptions of the police in the United States? These questions will be answered in this part of the dissertation. Like many other countries in the world, Congo was colonized by Belgium. Therefore, the history of Banyamulenge can be examined starting in the pre-colonial era, that is, before 1960. Thus, this section discusses three historical time frames: pre-colonial era, colonial era, and post-colonial era (1960-present).

The Banyamulenge community is part of the Congolese Tutsi group in the eastern Democratic Republic of the Congo. However, their arrival period on the Congolese soil raises a controversial debate among historians (Verweijen & Vlassenroot, 2015). Unlike the

Kinyarwanda-speaking communities in North Kivu province, Banyamulenge people live in South Kivu province, specifically in the midlands and highlands between Uvira, Fizi, and Mwenga territories. They speak Kinyamulenge, a variation of the Kinyarwanda language spoken in Rwanda and North Kivu. It is a separate dialect recognized by linguistic experts (Grimes, 1992, as cited in United Nations Department of Humanitarian Affairs, 1996a). They are cattle herders who emigrated to South Kivu province from the present-day Republic of Rwanda, Burundi, and Tanzania during the pre-colonial era (Court, 2013; Mutambo, 1997).

Pre-Colonial Era

Before the current national boundaries were defined, people migrated from other parts of the Great Lakes Region and settled in the present Democratic Republic of Congo. This section focuses on some Congolese ethnic groups in southern South Kivu, specifically Uvira, Fizi, and Mwenga territories. The author discusses the migration of the Banyamulenge people in more detail than other groups, such as Babembe, Bafulero, Banyindu, Bavira, and Barundi. History shows that these people settled in the area during different periods.

The Banyamulenge People

Historians show that the Banyamulenge people did not leave the then Kingdom of Rwanda simultaneously. For instance, Mutambo (1997) wrote that the descendants of Byinshi (*Abanyabyinshi*, possibly the largest clan among the Banyamulenge people) perhaps left the Kingdom of Rwanda during King Yuhi II Gahima II's reign between 1444 and 1477 and found Serugabika in Kakamba, in the Ruzizi Plain, Uvira territory. However, according to Mutambo (1997), Serugabika (the ancestor of *Abagabika*, another Banyamulenge clan) had already been settled in Kakamba, and his settlement period and the reason he had left the Rwandan Kingdom are unknown. Kagame (1972) argued that Bamara, the father of Byinshi, was one of King Yuhi

II's many children. The author also revealed that Bamara and his brother Juru opposed King Ndahiro II Cyamatare, who reigned between 1477 and 1510. Ndahiro II's son, Ruganzu II Ndoli, succeeded him. Kagame (1972) also recorded the death of Byinshi, the son of Bamara, who succeeded his father in the eastern region of Rwanda. Kagame (1972) indicated that Ruganzu II Ndoli had returned to this region and counted on many legitimists. However, the author also maintained that Ruganzu II concealed his identity when entering the area. As a result, Ruganzu II surprised, attacked, and killed his cousin Byinshi because, to Ruganzu II, Byinshi did not have the legitimacy to be the king or had taken the kingdom by force. Therefore, the descendants of Byinshi fled the region because Ruganzu II's fighters chased them and fled to distant regions (Mutambo, 1997). Kagame (1972) clarified that after killing Byinshi, Ruganzu II attacked and conquered many regions, including from the east portion of Lake Kivu to the Rusizi River. Ruganzu II's triumph emphasizes the removal from his kingdom of people he hated, especially the descendants of Byinshi. Kanyamachumbi (1995) documented that one of the Banyamulenge groups descended from Prince Byinshi left the center of Rwanda around the 16th century.

Historians had not documented the year when the Banyamulenge people relocated to the present Democratic Republic of Congo. In other words, historians do not have an agreement on the date. For example, Mutambo (1997) quoted Kagame (1972) that Banyamulenge's arrival dates to the sixteenth century. However, according to Depelchin (1974), the Banyamulenge people (which he refers to as *the Rwanda*) emigrated to Congo between 1855 and 1895 during King Rwabugili's reign in the then Rwandan Kingdom. In addition, Depelchin (1974) and Muzuri (1983) indicated other versions of the Banyamulenge people's arrival before 1855, for example, during King Rwogera's reign before 1855 and Gahindiro's reign from 1746 onward, still in the then Rwandan Kingdom. Muzuri (1983) further argued that the Banyamulenge's

migrations stopped when the Belgian colonial administration decided on territorial boundaries in this particular African region. Depelchin (1974, p. 32) also writes that the Banyamulenge people "almost exclusively inhabited" the high plateaux (the highlands of Uvira, Fizi, and Mwenga territories), with only "small communities of Nyindu in Mirambi [Murambi] near Bijombo." The author emphasizes that Bafulero and Bavira barely lived in the highlands, but they preferred living in the mid-plateaux of Uvira. However, Depelphin (1974) asserted that the Banyamululenge people found Bafulero and Bavira in the mid-plateaux. Depelchin (1974) also maintained that the Banyamulenge people did not have their own chiefship when conducting his research. Instead, Bafulero and Bavira administratively led them. Using a survey conducted in 1954 and 1955, Hiernaux (1965) documented that six generations of Banyamulenge (still called *Banyarwanda*) lived in the present-day Congo. Regardless of their arrival time, the Banyamulenge people first settled in Kakamba, in the Ruzizi Plain, Uvira territory, and formed a village called Mulenge, which is why the community was later called Banyamulenge (Verweijen and Vlassenroot, 2015). The term "Banyamulenge" disappeared for decades and was re-established in the late 1960s and early 1970s.

Another recorded episode of the Banyamulenge people leaving the Kingdom of Rwanda occurred between 1853 and 1895 during King Kigeli IV Rwabugili's reign (Depelchin, 1974). Speaking with his informants during his research, Depelchin (1974) argued that most of his Tutsi informants (the Banyamulenge people) told him that they fled from King Rwabugili because of excessive dues. The author also indicates that he wanted to know more about King Rwabugili's appropriation of people's cattle. However, his informants were not forthcoming about this. Depelchin (1974) suggested that the informants did not want to reveal if King Rwabugili seized people's cattle for no reason or if he responded to threats intended to overthrow his kingdom.

Another reason Depelchin's (1974) informants provided that forced them out of King Rwagubili's reign was constant military operations. The author's informants were displeased by King Rwabugili's practice of keeping youth warriors away from their families for a significant amount of time. Kagame (1975) corroborated Depelechin's (1974) argument by revealing that King Kigeli IV Rwabugili conducted numerous operations in different parts of the region, including on the Idjwi Island in the Lake Kivu and Bunyabungo or Bushi, in today's Bukavu, in South Kivu.

A Brief History of Other Ethnic Groups of Southern South Kivu

A Note on Pygmies (Batwa or Twa)

In Burundi, pygmies or *Batwa* are referred to as "*Abasangwabutaka*," those who were found on the earth. In Rwanda, they are commonly referred to as "*Abasigajwe inyuma n'amateka*," those who were left behind or ignored. In the Democratic Republic of Congo, they are called "*Mbuti*" or "*Bambuti*." Although they are believed to be the first ethnic group to settle in the Central African region, the *Batwa* are despised, forgotten, and ignored (Collins et al., 2021). More than 25,000 years ago, pygmies spread throughout various regions when the equatorial forest fragmented (Verdu, 2016), making pygmies more indigenous than other ethnic groups. Furthermore, the *Batwa* people do not like to be called "pygmy" or "*Batwa*" because they consider the term derogatory and offensive (Verdu, 2016). In Burundi, for example, pygmies prefer to be called "*Abaterambere*," those who are developing themselves (Acedo-Carmona et al., 2018).

Bavira

The term “Bavira” comes from "Kivira," meaning a palm tree. Mutambo (1997) recounted how the Bavira people were called Bavira. Between 1850 and 1860, the Arabs from

Ujiji (currently in Kigoma, Tanzania) approached a Bavira leader sitting under a palm tree and asked who he was. The leader answered, "Kivira," it is a palm tree. The person who had asked thought the people on the west side of Lake Tanganika were called Kivira or Bavira. Another version, according to Mutambo (1997), is that Professor Yumba wa Kioni asked *Mwami* Lenghe of the Bavira people why his name was Lenghe, a name found in the Luba people of Shaba. Lenghe answered that his people had come from the Luba empire to fight on the shores of Lake Tanganika. On their return to Shaba, some of them stayed in the area. Mutambo (1997) explained that the word "Kivila" in Kiluba (the language of the Luba people) means "a stupid person." Therefore, the term "Kivila" was later changed to "Bavira," indicating the Luba people who stayed behind on the shores of Lake Tanganika. Regardless of how the name "Bavira" came to be, Weis (1959) indicated that the Bavira people were among the first people to settle on the shores of Lake Tanganika during the 17th century. Moeller (1936) and Muzuri (1983) wrote that the Bavira people settled in the area from Maniema about three centuries ago. Muzuri (1983) added that during Stanley's explorations in the area from the Ruzizi Plain in 1871, the country of Bavira had its capital as "Soumbourizi," currently Kabimba. According to Moeller (1936), the Bavira people settled in an empty region.

Barundi of Uvira

Moeller (1936) indicated that the Barundi people of Uvira are different from the Barundi people of Burundi. However, the author emphasizes that the Barundi people of Uvira still share culture and language with those in Burundi and came from Burundi many centuries ago. He adds that they found Bavira and Bafulero people already settled in the region. Weis (1959) documented that the Barundi people settled in the Ruzizi Plain during the 19th century. Moeller (1936) clarifies that the Barundi people of Uvira found and settled in an empty area between

Luvungi and Kiliba. During the Barundi settlement, Moeller (1936) argued that Bafulero and Bavira people occupied the mountains and the valley between Luvungi and Kamanyola. Depelchin (1974) wrote that the Barundi chiefdom ran from the northern shores of Lake Tanganika to the Luvubu River and from the Ruzizi River to the main asphalt roadway that connected Uvira and Bukavu. He also explains that a 1950 report indicated that more Bafulero people occupied the Barundi chiefdom than the Barundi people. However, no Barundi people were recorded to have been found in the Bafulero chiefdom. Moeller (1936) argued that the Barundi chiefdom constituted more Hutu people, but it was ruled by a Tutsi, *Mwami* Kinionie (Kinyoni). Moller (1936) added that *Mwami* Kinyoni ruled both shores of the Ruzizi River.

Babembe

The term "Babembe" means "the people of the East" (Moeller, 1936, p. 11). Willemart (1935), a territorial administrator of the Kalembelembe territory during the Belgian colonial period in Congo, recorded how the Babembe people migrated to their current location, precisely the Fizi territory, which was called Kalembelembe during the colonial period. However, Moeller (1936) argued that the Babembe people were Warega before migrating from Lwindi. Therefore, the name "Babembe" does not seem to represent an ancestor of the Babembe people, but the name is possibly derived from the location called "Ubembe," in the Fizi territory (Moeller, 1936). Furthermore, many authors show that several of Babembe's clans are unrelated by blood and migrated separately (Moeller, 1936; Willemart, 1935; Muzuri, 1983; Mutambo, 1997).

For example, Basikalangwa of Ngandja (Mutambo, 1997; Moeller, 1936), Basimukindje of Mutambala and Itombwe are related to pygmies and sometimes called "pygmies," while Babungwe, Balala, Basimunyaka, Basimukuma, Basimuenda, Basombo, and Basimimbi are related to Warega or the Rega people (Mutambo, 1997). Moeller (1936) and Willemart (1935)

documented that the Babembe people migrated around 1650 to their actual region when it was unoccupied; however, the authors add that they found Basandje or Masanze, Babuye or Babuyu, and Basoba or Bajoba people on the shores of the lake. However, regardless of their longevity in the area, the Babembe people look down on Basandje, Babuye, and Basoba. "*Une ethnie fière d'elle-même et parfois fruste, les Babembe se sont toujours considérés, malgré le brassage ethnique évoqué ci-haut, comme supérieurs à certaines autres ethnies de l'Itombwe et, plus particulièrement, aux Bajoba, Babwari et Babuyu*," meaning, en ethnic group proud of itself and sometimes rough, the Babembe have always considered themselves, despite the ethnic mix mentioned above, as superior to certain other ethnic groups of Itombwe and, more particularly, to the Bajoba, Babwari and Babuyu (Mutambo, 1997, p. 31).

Bafulero

The term "Bafulero" is believed to have been created by outsiders of the Bafulero ethnic group. According to Mutambo (1997), a Burundian or Rwandan *mwami* gave the name to the Bafulero people after they failed to answer his question about who they were, calling them "*Abapfurero*," ignorants or idiots. Mushonio (1980), as cited by Mutambo (1997), corroborated the information, saying that a Rwandan created the term "Bafulero" after asking the Bafulero people their name, and they replied they did not have a name. Therefore, he told them, "*Murabapfurero*," meaning you are dead or idiots. Before occupying their current region, the Uvira territory, Moeller (1936) wrote that the Bafulero people came from Ulindi. As cited by Muzuri (1983), Nyiracumi (1982) found that the Bafulero people came from the Bunyoro kingdom in Uganda and settled in Ulindi before they continued to the Uvira territory. From Ulindi, Moeller (1936) explained that they were guided by their *Chef* Kikanwe and settled in an empty region. The author argues that the Bafulero people drove back the Bavira people during

their settlement. Moeller (1936) argued that the history of the Bafulero people is less known and recommends an in-depth study of them. The author asserts that the Bafulero and Bavira people have lived in the Uvira territory since the 17th century.

Banyindu

Moeller (1936) recounted the story of the Banyindu people (he calls them Banyintu). He writes that more than six centuries ago, Chihanga (Gihanga), the ancestor of *Mwami* Musinga of Rwanda, left Rwanda through the region of the volcanos. Chihanga skirted the west side of Lake Kivu and went back to Rwanda using the south side of the lake. He left two sons behind, Kahande or Kanyetambi on the lake's north side and Kanyintu on the lake's south side. Kahande became the ancestor of the Bahavu people, and Kanyintu became the ancestor of the Banyindu or Banyintu people. Moeller (1936) wrote that Kanyintu took the Lwindi, Luindi, or Ulindi River, and his name became Nya Lwindi or Naluindi. The author argues that the Banyindu people later married the Rega or Warega people and had children with them. Many centuries later, the Banyindu people migrated from Lwindi to their current location, including the Uvira territory and other territories in the region.

The Berlin Conference

The Berlin Conference occurred from 1884 to 1885 in Germany, where superpower Western countries gathered to share power and control over African resources and trade (Kitching, 2021; Alcandre, 2016). Kitching (2021) indicated that Portugal asked for the conference because it wanted the Congo River to remain free for everyone's use. On the other hand, Alcandre (2016) argued that Portugal asked for the Berlin Conference because it was jealous of the English, who were creating friendships with the kings of the Congo region. In addition, Kitching (2021) shown that King Leopold II of Belgium did not like Portugal's idea as

he had already created organizations in the Congo region to make the territory his. For example, between 1892 and 1894, King Leopold II formed an army to conquer all other powers in the Congo (Draper, 2019). Furthermore, with his *Force Publique*, King Leopold II campaigned against the Swahili-speaking Muslim group, also known as Arabs, from accessing Congolese ivory and slaves (Draper, 2019). Clay (2021) argued that King Leopold II had supporters who understood and shared a similar vision, but he was opposed by international reformers, including political, social, and religious groups. Kitching (2021) maintained that, during the Berlin Conference, Western powers created 50 countries on the African continent.

Colonial Era

Many historians and scholars have argued that discrimination against the Banyamulenge people in the Congo by some members of the Congolese government and other Congolese communities around them may have been rooted in the Western colonists' treatment of them (Verweijen & Vlassenroot, 2015; Ntanyoma, 2019). As a result, ethnic conflict mainly between the Banyamulenge people and their neighbors, especially Bafulero and Babembe communities, expanded. For example, Muzuri (1983) indicated an ethnic conflict during the colonial era between Mukogabwe Mahina, a Bafulero king or *mwami*, and Kayira Bigimba, a Banyamulenge King, who had been deposed. The colonial administration was the country's ultimate governing power. For instance, in 1924, the colonial power encouraged discrimination against the Banyamulenge people by not intervening in solving ethnic problems between Banyamulenge and Bafulero. Court (2013, p. 424) asserted that in 1924, many Banyamulenge families fled the Mulenge village because of "excessive tributes" by Bafulero King Mukogabwe Mahina. The author also argues that the Banyamulenge people suffered isolation from other communities, forcing them to relinquish fundamental privileges, including school, market, and state positions.

This also shows that colonial authorities facilitated the treatment of Banyamulenge as foreigners by surrounding communities.

The Revocation of Banyamulenge's Chiefdoms and the Relegation of Chef Kayira Bigimba

Like other Congolese ethnic groups, the Banyamulenge people used to have their own chiefdoms. However, the colonial administration revoked the Banyamulenge's administrative entities for numerous reasons, including not being able to be controlled. For example, Mutambo (1997) wrote that the Belgian colonial administration wanted to expropriate Congolelese lands in different parts of the country, specifically in the plateaux of Itombwe, in Mwenga territory, but the Banyamulenge elites refused. As a result, one of the Banyamulenge leaders, *Chef* Muhire of Itombwe, was imprisoned in Bukavu for six months. As cited by Mutambo (1997), Maquet (1965) documented that European influence could not change ordinary life in the region of Itombwe, although Belgian colonizers were around it. It should be noted that the Banyamulenge people were the majority in Itombwe, at least in the 1950s. In 1999, Weiss (1999) recounted his 1954 scientific journey in Itombwe through Kishembwe, in the mid-plateaux above the city of Uvira. Weiss (1999) documented that Kishembwe was under the Banyamulenge customary rule, and the ruler was *Chef* Mushishi Caroli. Weiss (1999) emphasized that the Banyamulenge people settled in the highlands for at least one hundred years in a virgin region they acquired in a mesophilic forest.

Mutambo (1997) indicated that the Banyamulenge people found the *Batwa* (pygmies) in the plateaux of Itombwe and purchased the *Milundu* land from them by giving them cattle constituted of 400 cows. However, because of the colonial administration's land expropriation plan, the Banyamulenge people moved away from European influence (Mutambo, 1997). Therefore, the author shows that the Belgian colonizers divided the Itombwe administrative

entity into three influential zones. First, the colonial administration gave Belgian settlers the regions of Tulambo and Minembwe. Second, another region was given to the agricultural group, the Babembe, who was also given a customary power around the regions owned by Belgian settlers. Finally, cattle herders (the Banyamulenge people) were given a region far away from those owned by Belgian settlers and were ordered to depend on Babembe customary powers. Therefore, Banyamulenge *chefs* lost their traditional administrative entities. Mutambo (1997, p. 73) stated, "*Muhire, Karojo et Muhasha, chefs Banyamulenge, perdirent ainsi leurs groupements et leurs pouvoirs traditionnels au profit des colons devenus maîtres de nouvelles terres expropriés*," literally meaning, Muhire, Karojo and Muhasha, Banyamulenge *chefs*, thus lost their administrative entities and their traditional powers to the benefit of the settlers who had become masters of the new appropriated lands.

A colonial administrative document (Appendix: Circonscriptions Indegenes "indigenous constituencies") shows village leaders and their ethnic groups of the territory of Fizi. The document was signed on August 6, 1937, by Province Leader J. Noirot, but it shows this was a decree of December 5, 1933. The Congo was called Congo Belge (Belgian Congo) during this period. The South Kivu province's capital Bukavu was called Costermanville. The document reveals that the territory of Fizi had three Banyamulenge village leaders. Moasha (Muhasha) led the village of Kunge, in the subdivision of Balala, Tanganika sector. Lutambwe (Rutambwe) led Lulimba in the Basimuniaka subdivsion, Tanganika sector. Sebasasa (Sebasaza) led Kabungu, in the Tanganika sector. Regardless of their official jurisdictions among other Congolese, as mentioned above, their leadership was taken away by the colonial administration. Willame (1997, p. 84) confirms that, in 1979, the Banyamulenge did not have "*le droit de reconstituer une très ancienne entité administrative autonome accordée aux 'Tutsi' de l'Itombwe par l'État*

Indépendant du Congo en 1906, confirmée en 1910 par le colonisateur, mais définitivement supprimée en 1933," meaning, the Banyamulenge did not have the right to reconstitute a very old autonomous administrative entity granted to the "Tutsi" of Itombwe by the Independent State of Congo in 1906, confirmed in 1910 by the colonizer, but definitively abolished in 1933.

Therefore, *Mwami* Kaila (Kayira) Bigimba, the leader of the Banyamulenge people in the Uvira territory, was relegated by the colonial administration and forced away from his administrative territory. Willemart (1935) recorded the arrival of *Mwami* Kaila in 1924 in Kalembelembe (presently, Fizi territory), indicating he was no longer in his respective chiefdom in the Uvira territory. A historical handwritten document (Appendix: Reunion du Conseil de Chéfférie des Bafulero sur le Wanyaruanda) dated May 23, 1934, by Territorial Administrator R. Loons indicates that Kahaira (Kayira) was contested by his own people, accusing him of defrauding them of their cattle during their immigration. The document also accuses Kayira of starting a war against Bafulero *Mwami* Mukogabwe Mahina, resulting in losing their ("Wanyaruanda") cattle and everything else they possessed. The document also lists other "Wanyaruanda" who replaced Kayira. However, the authenticity of the document remains questionable. According to Muzuri (1983), the colonial administration relegated *Mwami* Kayira Bigimba after being a victim of cattle plundering organized by Bafulero *Mwami* Mukogabwe Mahina. Muzuri (1983) maintained that Kayira was relegated to Lulenge, Fizi, while Mukogabwe was relegated to Masisi, North Kivu. Quoting Kingwengwe, Muzuri (1983) writes that Kayira wanted to be autonomous. As a result, Mukogabwe raided him and his people to gain more cattle. While Kayira was relegated in 1924, Muzuri (1983) indicated that Mukogabwe was relegated in 1930. Muzuri (1983) argued that the colonial administration was responsible for the relegation of both ethnic leaders. When Depelchin (1974, p. 32) conducted his study in the mid-

plateaux of Uvira decades later after the Kayira-Mukogabwe incident, he found, "Administratively, the Rwanda [Banyamulenge] do not have a chiefship of their own: they live in Furiiru [Bafulero] and Vira [Bavira] shiefships."

Cohabitation in Southern South Kivu: *Ubugabire, Ukunyaga, Ukubisa* or *Kuragiza*

Ethnic cohabitation among different ethnic groups in this region was marked by cultural practices, including *ubugabire*, *ubunyage*, and *ukubisa* (Depelchin, 1974). The term *ubugabire* or *kugabira* in Kinyamulenge means to give away. The *Ukunyaga* practice (*kunyaga* in Kinyamulenge, meaning to take away by force) was practiced mainly by *chefs* to appropriate cattle forcibly (Depelchin, 1974; Muzuri, 1983). The *Ukubisa* practice (*kubitsa* or *kuragiza* in Kinyamulenge, which means to allow another to have possession of), on the other hand, was a form of depositing a cow to another to take care of it with no salary; however, the individual to whom the cow was deposited would benefit from the milk (Depelchin, 1974). Depelchin (1974) documented that cattle were at the center of this cultural exchange of goods among people, especially between the poor and wealthy. Depelchin (1974, p. 182) argued, "The assumption from which this analysis begins is that cattle are very much an economic asset that are used by their owner to exploit the labor of those who are seeking their favors."

The *Ubugabire* practice was also used for other purposes, specifically to establish an excellent friendly relationship or *ubgira* with others (Rukundwa, 2005; Depelchin, 1974; Muzuri, 1983). Depelchin (1974) and Rukundwa (2005) highlighted that cattle were also at the center of marriage.

Depelchin (1974) argued that bridewealth payment played a unique role among the Banyamulenge people and indicated how vital cattle were to them. In other words, they manipulated the power of cattle to completely control how they wanted some things to go their

way, in this case, marriage. The author asserts that the Banyamulenge people set their bridewealth payment high enough to prevent other ethnic groups from marrying their women, which "could lead to the dissipation of Tutsi cattle herds into the hands of 'foreigners'" (Depelchin, 1974, p. 190). However, Depelchin (1974) found that this preventive measure allowed only wealthy individuals from other ethnic groups, especially Bafulero and Bavira, such as sub-*chefs*, to marry the Banyamulenge women. Regardless, Muzuri (1983) argued that the exchange practice between the Banyamulenge people and their neighbors, including Bafulero, Babembe, Bavira, and Banyindu, occurred in the following manner: the Banyamulenge people provided cattle-based products (milk, butter, meat, blood, and skin) and other ethnic groups provided agricultural products (beer, cassava, corn, and taro).

The 1924 Court Proceeding Between Serwimbo and the Kapipi Family

Moeller de Laddersous (1965) became the territorial administrator of Tanganika in 1922 during the Belgian colonial administration. He recounts in French, "*La justice et la paix ne régnaient guère dans le territoire du Tanganika losque, en 1922, j'en fus désigné comme l'administrateur territorial*," meaning, justice and peace hardly reigned the territory of Tanganika when, in 1922, I was appointed as its territorial administrator. Moeller de Laddersous (1965) realized that some legal proceedings he witnessed were linked to cultural practices, especially the practice of *Okumugabira* (another form of *ubugabire*). *Okumugabira* and *ubugabire* have similar meaning. Moeller de Laddersous (1965) related the *Okumugabira* practice to the "contract de maître," master contract or "pacte d'amitier," friendship pact. He emphasizes that the *Okumugabira* practice constituted verbal promises and sometimes blood exchange. Among other legal proceedings, Moeller de Laddersous (1965) told the story of Serwimbo's court

proceeding between him and the Kapipi Family (a Bafulero family) in 1924 in Mangwa, in the Uvira territory.

Serwimbo was my great-grandfather. (Here is how: I am *Fidele*, son of *Sebahizi*, son of *Kanyamashuba*, son of *Serwimbo*, son of *Mbabara*, son of *Nkoko*, son of *Rugabire*, son of *Rugorora*, and so forth). Moeller de Laddersous (1965) wrote that Serwimbo belonged to Kaila (*Mwami* Kayira), meaning Serwimbo reported to Kayira because the area had several ethnic leaders. Serwimbo begins, "*J'´étais chez moi quand le père de KAPIPI, portant nom de KAPIPI ausi, vint me trouver en me faisant des propositions de pacte d'amitié*," meaning, "I was at home when Kapipi's father, who also goes by the name of Kapipi, came to see me with offers of a friendship pact" (Moeller de Laddersous, 1965, p. 842). Moeller took notes in French from a judge who presented him with the court proceedings in Kiswahili. "*Je lui dis: mon fils, vois ces deux taurillons, quand ils seront sevrés, — deux taurillons valent une gémisse, — je te les donnerai en okumugabira*," meaning, "I said to him, 'my son, see these two bulls, when they are weaned, - two bulls are worth a moan, - I will give them to you in *Okumugabira*'" (Moeller de Laddersous, 1965, p. 842). Serwimbo accepted Kapipi's request, and the *Okumugabira* process started between him and Kapipi.

Serwimbo's friend, Kapipi, died. Kapipi's older brother, Madudu, approached Serwimbo and showed interest in continuing the friendship that linked both families. Serwimbo gave him a young cow in the *Okubisa* practice, and Madudu gave him something to thank him. However, the proceeding shows that Serwimbo accused Madudu of killing the cow he had given to him. "*Je revendique ma vache remise en okubisa*," meaning, "I claim my cow back in *Okubisa*" (Moeller de Laddersous, 1965, p. 842). In other words, Serwimbo wanted his cow back, claiming the cow was at Madudu temporarily in the *Okubisa* traditional practice. Kapipi's son presented his uncle,

Madudu, in court and spoke on his behalf to resolve the issue. After Kapipi junior told the court about both families' friendship and how everything went, the court realized that the friendship between Serwimbo and Kapipi senior was based on the *Okumugabira* practice because the practice included giving beer and other things, including skin, to the cow giver. However, the friendship between Serwimbo and Madudu was based on the *Okubisa* practice because Madudu did not give Serwimbo beer and other required objects according to the *Okumugabira* practice. Finally, the court ordered Serwimbo to give back a gift given to him by Madudu and ordered Madudu to give back Serwimbo's cow.

Post-Colonial Era (1960 – Present)

The Democratic Republic of Congo became independent from Belgium on June 30, 1960. However, the post-colonial period for the Banyamulenge people was very difficult. Discrimination created by the colonizers specifically against the Banyamulenge people was exacerbated even after the Congo's independence. This section discusses several aspects, including the name "Banyamulenge," which is always a hot debate. Many Congolese people contest it, arguing the name to be fraudulent and denying the existence of a tribe in the Congo by such a name. This is a severe matter because thousands of Banyamulenge people have been killed and arbitrarily imprisoned because of hatred stemming from this conspiracy theory. That is why it is crucial to understand the general background of the population under the study. This section also considers other essential events of the conspiracy theory, including the Simba Mulele Rebellion, nationality laws of 1972 and 1981, the Banyamulenge's denial of the right to vote, *Conférence Nationale Souveraine*, the Vangu Mambweni report, the Congo's first and second wars, and the current situation of ethnic cleansing against the Banyamulenge people in the eastern Congo.

The Simba Mulele Rebellion

The rebellion was formally known as the Simba rebellion, but locals refer to it as the Simba Mulele because its leader was Pierre Mulele. The rebellion turned against the Banyamulenge people and brought this population to its knees, but it initially opposed Western interests in the Congo (O'Malley, 2021). The author explains that countries, such as the United States and Belgium, supported President Mobutu's national army, *Armée Nationale Congolaise (ANC)*, to fight the Simba rebellion from November 1964. Because of hundreds of Western hostages taken by the rebellion as leverage during the war, Western nations found the ground to support Mobutu (O'Malley, 2021). Many mercenaries, including Cubans and South Africans, responded to the United States' call to support President Mobutu Sese Seko (Rich, 2020). However, the rebellion particularly and negatively impacted the Banyamulenge people in southern South Kivu, in their mountains commonly known in French as the *Hauts Plateaux d'Itombwe*, the highlands of Itombwe. Banyamulenge's neighbors (Bafulero, Banyindu, and Babembe) in the rebellion turned against them (Ntung, 2019). They killed the Banyamulenge people and looted thousands of their cattle in the name of the famous slogan "*Mai Mulele*," referring to their witchcraft practice of magic water sprinkling on the combatants, which was believed to prevent bullets from penetrating their bodies. Therefore, the "*Mai Mulele*" became the ideology of Mai Mai armed groups today in the Eastern Congo. As a result, the whole plateau was emptied of the Banyamulenge people. However, dozens of Banyamulenge youth received support from the national army through Colonel Kanyiki in Uvira to fight the rebellion as *Abagiriye* or guerrillas. In the end, the rebellion was defeated, and the *Hauts Plateaux* was inhabited again.

The Name "Banyamulenge": Where did it Come From?

After the settlement of Kakamba, the Banyamulenge people quickly moved uphill for several reasons, including the fact that they were used to living in the mountainous environment (Depelchin, 1974) and created the village of Mulenge (Verweijen & Vlassenroot, 2015). However, history shows Bafulero and Bavira arrived in the region before Banyamulenge (Reyntjens & Marysse, 1996). Therefore, the Mulenge village being the "quasi-capital" of those who left Kakamba, those who did not go with them began to refer to them as "Banya-Mulenge" (Depelchin, 1974, p. 70). As cited by Rukundwa (2005), Kidogi (1985) argued that those who did not leave Rwanda identified those who had left as "Banyamulenge" in the 16th century. However, scholars and historical documents have identified the Banyamulenge people using various names, including "*the Rwanda*" and "*Tutsi pastoralists*" (Depelchin, 1974), "*Banyarwanda*" (Hiernaux, 1965), "*les Ruanda*" (Weis, 1959), "*Baniaruanda*" (Appendix: Circonsptions Indigenes), "*Wanyaruanda*" (Appendix: Reunion du Conseil de Chefferie des Bafulero sur le Wanyaruanda), and "*Pasteurs Tutsi*" or "*Tutsi de l'Itombwe"* (Weis, 1999; Mwambazambi, 2005; Willame, 1997; Hiernaux, 1965). Therefore, these names became problematic because they created confusion and made Banyamulenge appear nomads or transplanted as if they did not have the right to belong in the region. Indeed, people were transplanted from Rwanda to different areas of Congo between 1937 and 1955, including Masisi and Rutshuru in North Kivu, Kalehe, and Shaba (Reyntjens & Marysse, 1996). In other words, such names or terms created conflict among ethnic groups of the region or a sense of foreignness against the Banyamulenge people. On the other hand, Reyntjens and Marysse (1996) diminish the origin of the term and argue that the name "Banyamulenge" came from nowhere and was rather advertised by the international community and media.

Another reason for using the name "Banyamulenge" was to clarify the confusion between Banyamulenge and the Rwandan refugees forced out of their country in 1959 during the Hutu Revolution. In other words, the Banyamulenge people wanted to distance themselves from the Rwandan refugees. Reyntjens and Marysse (1996) explain that these refugees were received by the Red Cross and the United Nations High Commissioner for Refugees (UNHCR) and sent to different areas in the country, including Kalehe, Kabare, Masisi, Goma, and Uvira. The authors also indicate, "*Après le départ du HCR en 1967, ces réfugiés se sont intégrés dans la population zaïroise*," meaning, after the UNHCR departed in 1967, these (Rwandan) refugees integrated within the Zairian population (Reyntjens & Marysse, 1996, p. 15). Unfortunately, the authors' argument has been one of the crucial foundations for the local population to reject the existence of the Banyamulenge in the region. In other words, the confusion had created an opportunity for members of local ethnic groups who call themselves "autochthonous" or "indigenous" to use 1959 (and sometimes 1962) as the year when the Banyamulenge people arrived in the Congo.

However, a UNHCR report from 1 January 1963 slightly reveals the opposite. The UNHCR explains how the Government of Tanganyika (present Tanzania) requested UNHCR's help with Rwandan refugees (*UNHCR*, 1963). As a result, it became necessary for the UNHCR to advise all the regional governments, including the Congolese government. The report also shows that 60,000 Rwandan refugees were in the Kivu province, and most of the refugees in all countries (Tanzania, Uganda, Burundi, and Congo) owned lands and cattle in Rwanda. However, concerning repatriation, the *UNHCR* (1963) documented, "Repatriation facilities have been established, but at the time of writing this report no indication had been reported any significant return to Rwanda." The significance of the UNHCR's statement is that it addresses the repatriation of all refugees in all regional countries. In addition, it does not negate the existence

of the Banyamulenge prior to the Rwandan refugees' arrival. The statement also indicates that the repatriation process had begun, but the UNHCR's mandate's completion in the region prevented the agency from witnessing what occurred after its departure. This is a hot topic and has even reached the government's highest level, the parliament. For example, on October 19, 2020, then State Minister in charge of decentralization Azarias Ruberwa appeared in front of national deputies in the parliament to explain the official establishment of Minembwe as a rural municipality. Some deputies, including Muhindo Nzangi Butondo from North Kivu (the interpellation initiator), argued that 1959 was the period of the Banyamulenge people's arrival in the Congo. While some Congolese people refute the indigenousness of the Banyamulenge people, history and scholars show otherwise. For instance, Reyntjens and Marysse (1996, p. 16) categorized the population of the Rwandan origin into two major groups, the first being constituted by "*les autochtones établis avant 1885*," or natives settled before 1885. With numerous historical and academic documents showing that the Banyamulenge's arrival to the region was before the Berlin Conference in 1885, the Banyamulenge should not be placed outside the indigenous box.

The Re-Establishment of the Name "Banyamulenge"

The name "Banyamulenge" was used centuries ago to identify the population (the ancestors of the Banyamulenge people) who created and lived in a village called Mulenge (Verweijen & Vlassenroot, 2015; Rukundwa, 2005), in the mountains above the Kakamba village, in the Ruzizi Plain, where they first settled (Depelchin, 1974). "For many years afterwards, Mulenge was to be the quasi-capital of the Rwanda, so much so that their companions who stayed behind [in Kakamba] referred to them as 'Banya-Mulenge'" (Depelchin, 1974, p. 70). According to Depelchin (1974), even after the foundation of the name no longer

existed, the name persisted. After that, however, the name's usage must have been reduced or replaced by other appellations, including "Banyarwanda," which harmed the Banyamulenge people in several ways.

To my knowledge, the first formal meeting to re-establish the name "Banyamulenge" took place in Uvira, South Kivu, on March 26, 1969, just eight years and nine months after the country's independence on June 30, 1960. According to several Banyamulenge elders, other meetings may have occurred in the mid-1970s, debating the same topic. The ultimate goal of the meeting was to fight against discrimination and persecution the Banyamulenge were experiencing from ethnic leaders of three territories: Uvira, Fizi, and Mwenga. Before the 1969 meeting, they were still called "*Banyaruanda*," those of Rwandan origin. The meeting constituted 14 Banyamulenge elites from the three territories: pastors, elites, and village leaders. The meeting was vital and urgent because ethnic leaders from the surrounding communities in the region had already confiscated national identities (*ibugu*, derived from "book") from "people of Rwandan origin." For example, the victims of the national identity confiscation in the Uvira and Fizi territories (Tahiro Kamwaga and Nyarushumba, and Semajambi, respectively) were given a piece of paper indicating they had 30 days left to leave the country. As a result, Obed Sebasonera, also known as Kabarure, was chosen to lead the "*Banyaruanda people of the mountains*" before changing their name to "Banyamulenge." They were called people of the mountains because they occupied the highlands known as Itombwe.

For instance, Weis (1959) studied the population in the Uvira territory. He found that the Budulege *Groupement,* or customary entity, was created in 1953 in the mid-plateaux, in the mountains above the city of Uvira. Budulege was one of the principal *chefs* in the Banyamulenge community. The *Groupement* had the following villages on different mountains: Kataka-

Kalonge, Kishembwe, Munanira, and Galye, totaling 1,829 people (Weis, 1959, p. 117). In addition, Weis (1959, p. 118) argued that of all the population in the Ruanda villages, according to a 1952 survey, 1,881 were surveyed; therefore, he found 1,603 (or 86%) to be the Ruanda (Banyamulenge), 125 (or 6%) Bavira, 143 (or 7%) Bafulero, and 10 (or 0.5%) Banyindu. Weis (1959) emphasized that the first Ruanda arrived in Galye in 1881. On the other hand, the author clarified that below the mountains (below the Banyamulenge villages listed above), in neighborhoods, including Kalimabenge, Mugadja, Mulongwe, and Kavimvira, the Bavira people made up the majority, about 87%. Weis (1959, p. 111-112) clarified, "*A ces contrastes de densités s'ajoute l'opposition de deux peuples: les Vira agriculteurs se serrent sur le piedmont et sur le bas versant, les Ruanda pasteurs habitent sur le haut versant (de 2,000 à 2,200 m d'altitude) et parcourent le plateau*," meaning, to these contrasts of densities is added the opposition of two separate identities: the Vira [Bavira] farmers huddle on the piedmont and on the lower slope, while the Ruanda [Banyamulenge] herders live on the upper slope (from 2,000 to 2,200 m in altitude) and traverse the plateau.

Before the meeting began, Ivon Victor, the territorial administrator of Uvira, granted permission to Obed Sebasonera and other participants to have such a meeting. Three points were on the meeting agenda: to be accepted as other Congolese because some of them had been denied the right to possess the national identity (*ibugu*); to find another name to replace "*Banyaruanda*" because the name was politically problematic; and to seek separation from the Uvira, Fizi, and Mwenga ethnic leaders who were the source of oppression and persecution. The meeting lasted for three days, debating the three points on the agenda. On the second point about finding a new name, several options were provided, including "*Abanyakibira*," meaning people who live in a forest. However, in the end, the name "Banyamulenge" prevailed for numerous reasons,

including, most importantly, because their ancestors settled in the Mulenge village after Kakamba in the Ruzizi Plain. Therefore, the meeting participants concluded by deciding to write a formal letter to the provincial director of internal and customary affairs in Bukavu.

The letter was dated April 11, 1969, and its title was "*Protestation contre les agissements illégaux des autorités coutumières d'Uvira et Fizi*," protest against the illegal actions of the customary authorities of Uvira and Fizi. The introduction of the letter stated, "*Nous les ancients Banya-Ruanda (Banya-Mulenge)*," we, the former Banya-Ruanda (Banya-Mulenge). Here, the authors of the name "Banyamulenge" clarified their new identity to the country's authorities. The document's authors also reminded the authorities that their ancestors had been on the Congolese territory since 1761. Furthermore, the letter sender's details read, "*Exp. Sebasonera Obed. Représentant des originaires des Banya-Mulenge*," Exp. Sebasonera Obed, the representative of the natives of the Banyamulenge. In other words, the letter emphasized the new identity. Finally, the letter's authors accused the ethnic leaders of treating their community members as refugees.

After writing the letter, according to the story left by Obed Sebasonera before he passed away, the meeting participants did not want their names on the letter for several reasons. First, pastors claimed they were not politicians, so their names were unsuitable for the purpose. The other elites turned to him and allowed him to sign the letter because he represented them. In addition, according to Sebasonera's left-behind story, signing the letter was dangerous and could cost him his life. Sebasonera signed the letter and took it to Bukavu regardless of the potentially life-threatening danger. On their return from Bukavu, he and others on the bus saw vehicles behind them. As a result, Sebasonera hid in the vehicle's luggage, thinking people had followed them because of the letter. However, the letter yielded the results they had in their prayers. On June 16, 1969, the governor of the Kivu-Maniema province answered the Banyamulenge letter in

a letter No. 2212/2.220/N.054/AIC/69. The governor's letter had the same object/title as the Banyamulenge letter. In his response letter addressed to several entities and authorities in his province, including all ethnic leaders, Governor Henri-Désiré Takizala quoted the country's law on nationality, especially that everyone found on the national territory before October 18, 1908, was Congolese. Governor Takizala concluded his letter, "*En conséquence, au égard à cette situation qui est de nature à troubler l'ordre et la tranquillité publics dans les territoires Masisi-Walikale-Goma-Rutshuru-Kalehe-Kabare-Uvira et Fizi ainsi que dans la Ville de Bukavu, je vous pris de bien vouloir veiller à ce que les instructions ci-dessus soient scrupuleusement respectées*," meaning, consequently, with regard to this situation which is likely to disturb public order and tranquility in the Masisi, Walikale, Goma, Rutshuru, Kalehe, Kabare, Uvira, and Fizi territories as well as in the City of Bukavu, please ensure that the above instructions are scrupulously respected. Therefore, Governor Takizala governed the present South Kivu, North Kivu, and Maniema provinces, also known as the Grand Kivu.

Sebasonera's *Groupement* of Bijombo

According to Sebasonera's left-behind story, after receiving Governor Takizala's response in writing, he decided to write a letter to the Bavira ethnic leader or *mwami*, letting him know that the Banyamulenge people would not submit to his authority anymore but to the Uvira territory. Sebasonera's letter was also given to Ivon Victor, the Uvira territory administrator, and Sebasonera's request was approved. However, the administrator approached the *mwami* of Bavira and advised him to reconcile with the Banyamulenge people. Administrator Victor facilitated the meeting between the *mwami* of Bavira and Sebasonera. During the meeting, Sebasonera asked the *mwami* to apologize to his community, not just him. The *mwami* agreed, and Sebasonera gathered some Banyamulenge elites and told them about his meeting with the *mwami*. As a

result, the Banyamulenge elites advised Sebasonera to ask for a Banyamulenge *Groupement* to be autonomous. Sebasonera took the community's advice to Administrator Victor, who suggested writing a formal letter. When the suggestion was presented to the *mwami*, he agreed with one condition: to give him a cow. When the *mwami*'s request reached the Banyamulenge elites, Sebasonera was asked to grant it. Therefore, he gave the *mwami* his bull (*ikigondo*: the bull's color, the mix of white and other colors) located at the Kataka mountain, a mountain above the City of Uvira.

The *mwami* of the Bavira people was happy to receive the bull. He then created the seventh *Groupement* of Bijombo in the Bavira *Collectivité* on October 23, 1969. The *groupement* was given to Sebasonera to lead it as a native *chef*. A *Groupement* is a customary entity led by a non-foreigner. However, Sebasonera's left-behind story indicates that the *mwami* of the Bavira people later regretted his decision, complaining that the *Groupement* was given to a "foreigner." As a result, Sebasonera was imprisoned several times, forcing him to relinquish the *Groupement*, but he refused. To him, the newly-created customary entity meant to overcome the discrimination against his community for many decades in their country. In 1970 after becoming a *commissaire du peuple*, national deputy, in the country's parliament, Gisaro Muhoza facilitated officializing the Sebasonera's *Groupement* in the central government in Kinshasa. The *Groupement* became official on August 23, 1979, with the ministerial decree 0229.

The central government's creation of Sebasonera's *Groupement* of Bijombo created frustrations among the local population and some officials within the government. For example, Buzi (2019) documented a conversation through letters between the prime minister of the time and the Minister of Interior and State Commissioner for Territorial Administration, Mafema Ng.,

asking about his final position on the creation of the *Groupement* of Bijombo. Minister Mafema Ng. replied (Mafema's letter no. BCE/AT/23/0849/97, as cited in Buzi, 2019):

> *Ce serait une erreur historique grave que de céderà des pressions, elles-mêmes tribalistes et sentimentales. Il serait à mon avis grave de frustrer une population zaïroise de plus d'un siècle, de ce droit que nous reconnaissons à toutes les autres populations du pays, quelle que soit leur origine première, que de céderà ces revendications*. (p. 64)

Minister Mafema's response translates, "It would be a serious historical error to give in to pressures, themselves tribalist and sentimental. In my opinion, it would be serious about frustrating a Zairian population of more than a century, of this right which we recognize to all the other populations of the country, whatever their first origin, to give in to these claims." Mafema's statement corroborates Ruhimbika's (2001) observation that most Zairian government officials from outside the Kivu area were reasonable and fair toward the Banyamulenge people and did all they could to stop the persecution against the Banyamulenge.

The Legal Perspective of the Congolese Nationality Law

The Belgian Congo had a civil code concerning the nationality constituted of five articles enacted from a decree of December 27, 1892 (Rukatsi, 1988). For example, Article 4 stated, "*Est congolais, l'enfant né sur le sol de l'Etat, de parents légalement inconnus ou sans nationalité déterminée. L'enfant trouvé sur le sol congolais est présumé jusqu'à preuve du contraire, né sur le sol congolais,*" (Codes et Loi du Congo Belge, 1954, cited in Rukatsi, 1988, p.178). This means that a Congolese is a child born on the soil of the State, of legally unknown parents or without determined nationality. A child found on Congolese soil is presumed, until proven otherwise, to have been born on Congolese soil.

The current Constitution of the Democratic Republic of Congo stipulates the nationality law in Chapter 2: *De la Nationalité*, about nationality. The current constitution was amended on

January 20, 2011, under Law No. 11/002, revisiting the 2006 Constitution (Ministère de l'Environnement et Développement Durable, 2020). Article 10, third paragraph, of Chapter 2 states in its original and official language, French, "*Est Congolais d'origine, toute personne appartenant aux groupes ethniques dont les personnes et le territoire constituaient ce qui est devenu le Congo (présentement la République Démocratique du Congo) à l'indépendance*." In English, the paragraph translates that to be a Congolese of origin, any person belonging to the ethnic groups whose people and territory constituted what became the Congo (presently the Democratic Republic of the Congo) at independence. As explained below, this article has been problematic as it does not clearly explain enough about certain critical things. Undoubtedly, the most controversial phrase in this paragraph is "ethnic groups whose people and territory constituted what became the Congo." In the case of the Banyamulenge people whose autonomous customary entities were abolished by the colonial administration in 1933 (Willame, 1997; Vlassenroot, 2002), defining and determining the Banyamulenge's "territory" has been the hottest topic in the country in the last decades.

The Constitution of the Democratic Republic of Congo has been amended several times since the country's independence in 1960. One point to highlight here is that, although the Congolese nationality law has been problematic for many decades, the international law specifies that a colonized country does not have its own nationality, but its citizens have the nationality of the country that colonizes it (Durieux, 1959, cited in Rukatsi, 1988). This means that Congolese were considered Belgian nationals when Congo was a Belgium colony from 1908 to 1960. In the sections below, I discuss prominent events and nationality law changes that I believe to be the most controversial, including the nationality law of 1972, the nationality law of 1981, the denial of the right to vote, *La Conférence Nationale Souveraine*, and the Vangu Report.

The Nationality Law of 1972

This law originated from a decree of September 18, 1965, after the birth of the Zairian nationality in 1964 (Rukatsi, 1988). However, Rukatsi (1988) also argued that the Zairian government enacted two laws later: 72/002 on January 5, 1972, and 81/002 on June 29, 1981. The outstanding article of Law 72/002 is Article 6. Article 6 stated (Rukatsi, 1988):

> *Il existe une nationalité Zaïroise.*
> *Sont Zaïrois, au terme de l'article 6 de la Constitution à la date du 30 juin 1960, toutes les personnes dont un des ascendants est, ou a été membre d'une des tribus établies sur le territoire de la République du Zaïre dans ses limites du 15 novembre 1908 telles que modifiées par les conventions ultérieures*. (p. 188)

The article translates to the following: There is a Zairian nationality. Are Zairians, under the terms of article 6 of the Constitution on June 30, 1960, all persons one of whose ascendants is or was a member of one of the tribes established on the territory of the Republic of Zaire in its limits of November 15, 1908, as modified by subsequent agreements? The problem with this article in the case of the Banyamulenge people is the word "tribe." The all-time controversy among Congolese who dispute the legitimate existence of the Banyamulenge people in the country is that there is no tribe called "Banyamulenge" in Congo according to the colonial administration. It is important to emphasize the colonial administration's treatment of the Banyamulenge people, which gets used against them. Regardless of such a dispute about a "tribe," the Banyamulenge people's Zairian nationality should not have been doubted because their ancestors were on Congolese soil centuries earlier. Mokelwa (2022, p. 54) argued about this law, "As for the Banyamulenge, once again, the spirit of this law did not call into question their nationality." According to Mokelwa (2022), even other nationality laws enacted before the country's independence did not concern the Banyamulenge because they were in the country before 1908.

The Nationality Law of 1981

The amendment of Law 72/002 of January 5, 1972, concerning the Zairian nationality, occurred on June 29, 1981, under Law 81/002 (Rukatsi, 1988). According to Rukatsi (1988), the particularity of the amended law of June 29, 1981, was the inclusion of the meaning "origin" in Article 4. The article stipulated (Rukatsi, 1988):

> *Est Zaïrois, aux termes de l'article 11 de la Constitution à la date du 30 juin 1960, toute personne dont un des ascendants est, ou a été membre d'une des tribus établies sur le territoire de la République du Zaïre dans ses limites du 1er août 1885 telles que modifiées par les conventions subséquentes*. (p. 194)

In other words, the article stated that a Zairian was, under the terms of article 11 of the Constitution on June 30, 1960, any person one of whose ascendants is or was a member of one of the tribes established on the territory of the Republic of Zaire within its limits of August 1, 1885, as amended by the subsequent agreements. Therefore, August 1, 1885, was the date used to determine the "origin" quality of a Zairian, meaning every person on Congolese soil after August 1, 1885, was a Zairian of origin or *autochtone*. Under this new law, the Banyamulenge people were still qualified as Zairians by origin.

Conflict with International Human Rights Law and Creation of Ethnic Division

Buzard (2021) argued that the Congolese nationality law conflicts with International Human Rights Law and creates ethnic division in the country. "By tying birthright citizenship to ethnicity, the basic Congolese nationality law perpetuates a legal framework for ethnic division and tribalism" (Buzard, 2021, p. 987). In other words, the Congolese nationality law has enabled and encouraged other ethnic groups to pick on the Banyamulenge people and discriminate against them. The author also argued that the Congolese nationality law violates several international human rights treaties that Congo ratified or acceded to under the name Zaïre. The

treaties include the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, and the African Charter on Human and People's Rights. In addition, the United Nations Department of Humanitarian Affairs (1996a) indicated that the 1981 Zairian nationality law left the Banyamulenge stateless because it required the nationality acquisition on an individual basis, making the nationality null and void to Zairian citizens of Rwandan origin; therefore, violating international conventions to which Zaire was a party.

The Denial of the Right to Vote

The Banyamulenge people have experienced various types of discrimination in the Congo. For example, during the 1982 Parliamentary elections, they were denied the right to vote (United Nations Department of Humanitarian Affairs, 1996a). The Banyamulenge were not happy about being deprived of their right to vote. As a result, they protested by burning ballot boxes in all the three zones they resided in: Uvira, Fizi, and Mwenga. In addition, the Uvira zone security committee during the Vangu commission (discussed in detail below) raised a complaint and accusation to the commission, "*Sur les plateaux de BIJOMBO, les rwandais appelés ponctuellement Banyamulenge ont, en 1991, rejeté l'opération d'identification des nationaux*," meaning, on the plateaus of Bijombo, the Rwandans, who called themselves Banyamulenge, in 1991, rejected the operation of identification of nationals (Vangu Report, 1994, p. 102). In 1991, I was 9 years old in Bijombo and still have a childhood memory of the event. Similar to the burning of ballot boxes in 1982, in 1991, the Banyamulenge protested against the plan to identify Zairian nationals, fearing of being singled out, mistreated, and made foreigners in their country.

La Conférence Nationale Souveraine and the Vangu Report

President Mobutu planned for a constitutional conference in July 1991, but opposition parties, particularly Etienne Tshisekedi's UDPS (*Union pour la Démocratie et le Progrès Social*), asked for a national conference instead (Nzongola-Ntalaja, 2004). According to Nzongola-Ntalaja (2004), the national conference was a shared political practice across Africa when African countries introduced multipartyism toward building democratic nations. As a result of the Zairian national conference, the High Council of the Republic - Transitional Parliament (*Haut Conseil de la République - Parlement de Transition or HCR-PT*) was created in 1992, and the government ceased to exist and was replaced by the transitional parliament. As a result, many things changed in the country. For example, the transitional parliament created a commission led by Vangu Mambweni wa Busana with mission order No. 00019/CAB/1.VP/HCR-PT/-94 on August 18, 1994 (Vangu Report, 1994).

At its completion, the commission generated a report named after the Commission President Vangu Mambweni wa Busana. The Vangu Report (1994) indicated that the commission was an Information Commission tasked to collect information from Eastern Zaire (North Kivu and South Kivu) concerning thousands of Rwandan refugees in the country and the displacement of citizens due to problems related to nationality. The commission intended to investigate the coming of Rwandan refugees in four significant steps: those who fled Rwanda due to the Rwandan Patriotic Front's (RPF) invasion of 1990, those who fled Rwanda in 1959 during the Hutu Revolution against the Tutsi Kingdom, Rwandans who were implanted in Congo by the Belgian colonial administration, and economic and fugitive infiltrators (Vangu Report, 1994). The Vangu Report (1994) clarified that the commission's method was to go to the ground to speak with the concerned population. However, the commission was biased because it spoke to some and left others out of the consultation.

The report shows the commission's itinerary to North Kivu and South Kivu from August 22 to September 8, 1994. The report also shows a list of the individuals, government entities and officials at all levels, customary entities, and civil organizations. Several ethnic groups in both regions had different grievances, but some were not contacted, including the Banyamulenge people in South Kivu. The nationality dispute concerning the Banyamulenge people was discussed in the report, although they were not consulted. However, the itinerary shows that Hutu and Tutsi communities were consulted in North Kivu. The report indicates that it used "*l'objectivité et la fidélité*," objectivity and fidelity in the reporting (Vangu Report, 1994, p. 9).

Nevertheless, in the Uvira zone, the home to numerous ethnic groups, including the Banyamulenge, the commission consulted two major groups, Bavira and Bafulero, two of the ethnic groups whose grievances have always been against the presence of the Banyamulenge people in the area. In addition, the civil society was contacted, but its views toward the Banyamulenge people have always been the same as of the ethnic groups above (Bafulero, Bavira, and others). Therefore, the commission consulted those who hated the Banyamulenge people in South Kivu. The Banyamulenge's representation would have made a significant difference in the problems the commission was interested in solving since they were involved. Why did the commission leave the Banyamulenge people out of the discussion if they threatened other ethnic groups' security? The commission was not impartial.

The commission's bias against the Banyamulenge became evident in its own words while presenting its ground findings in its report. One of the two vital problems the commission introduced in the report was "*les sujets dits Banyamulenge, d'expression rwandaise et de double statut (rwando-zaïrois*)," meaning the so-called Banyamulenge subjects of Rwandan expression and dual status (Rwando-Zairian) (Vangu Report, 1994, p. 101). The commission's conspiracy

theory of the Banyamulenge's "*double statut*," dual status, indicates the committee's stance toward the Banyamulenge people. For instance, Shweka Mutabazi II, the District Commissioner for Uvira, was one of the eight Uvira zone security committee representatives.

The security committee's memorandum to the commission indicated that the expression "Banyamulenge" derived from the Mulenge hill, in the *collectivité* of Bafulero "*qui n'a rien à avoir avec les rwandais immigrés ou refugiés au Sud-Kivu*," meaning, the Mulenge hill, which has nothing to do with Rwandan immigrants or refugees in South Kivu (Vangu Report, 1994, p. 103). The security committee also wondered why the 1981 nationality law was never implemented. The committee's report to the commission included the three following questions, "*qu'attend l'autorité de l'Exécutif pour l'application des texts légaux sur terrain? Y a-t-il une crainte? Si oui, de qui et de quoi pour un Etat qui se veut souverain?*" (Raport Vangu, 1994, p. 103). The questions translate to, what does the authority of the Executive expect for the application of legal texts on the ground? Is there a fear? If so, from whom and from what for a state that wants to be sovereign? In other words, the committee insisted on the forced removal of the Banyamulenge people from the Congo. In addition, the security committee also raised its grievances against the Catholic Bishop of Uvira Gapangwa (a member of the Banyamulenge), accusing him of arming the Banyamulenge people.

Other representatives at the consultation raised their grievances against the Banyamulenge. For example, the Bavira's memorandum indicated that the term "Banyamulenge" existed, but "*elle est utilisée par tricherie et par des BANYARWANDA immigrés de 1950*," meaning the term "Banyamulenge" was used by cheating and by Banyarwanda (people of Rwanda) immigrants of 1950 (Vangu Report, 1994, p. 106). In other words, the Bavira treated the Banyamulenge as Rwandan immigrants of 1950. Bavira *Mwami* Lenghe Shengero led the

Bavira representatives. On the other hand, the commission interviewed the Catholic Bishop of Uvira Gapangwa, who had been accused of arming the Banyamulenge. According to the Vangu Report (1994), Gapangwa was questioned about the term "Banyamulenge" and responded that it was derived from the Mulenge hill, a village Banyamulenge's ancestors settled in from Kakamba.

For the civil society, the Vangu Report (1994, p. 115) stated that the Banyamulenge problem was like "*un volcan qui n'attend que l'éruption pour ravager ou engloutir faune et flore*," a volcano just waiting to erupt to ravage or engulf flora and fauna. Led by their *Mwami* Ndare Simba, the Bafulero denied the existence of the Banyamulenge people in the Mulenge hills to the commission, arguing the hills were under the rule of the Kibola Family (a member of the Bafulero) (Vangu Report, 1994). Their memorandum spoke of the Banyamulenge in Shaba, "*Les BAFULIRU espèrent que leurs compatriotes de MOBA et consorts ont compris l'astuce et qu'ils se réveilleront à temps pour ne pas vivre les méfaits du faux et usage de faux quoiqu'ayant été avertis!*" (Vangu Report, 1994, p. 119). This translates to the BAFULIRU hope that their compatriots of MOBA and consorts have understood the trick and that they will wake up in time not to experience the misdeeds of forgery and use of forgery, having been warned! The warning must have reached Moba on time because in 1998, the Banyamulenge who lived in Vyura, Shaba, were forcibly kicked out of the area.

Two years later, after the Vangu commission consultation, in 1996, Shweka Mutabazi ordered arbitrary arrests of the Banyamulenge in Uvira and the takeover of their property (United Nations Department of Humanitarian Affairs, 1996a). The source also indicates that Anzuluni Bembe Isilonyonyi, the Speaker of the High Council of the Transitional Parliament, played a crucial role in abuses against the Banyamulenge because he signed a Resolution on April 28, 1995, validating the Vangu Commission’s results from Eastern Zaire. The source also shows that

the Resolution included names of people to be arrested and expelled. Abuses against and killings of the Banyamulenge were clearly ordered from above by the High Council of the Transitional Parliament through the Vangu commission. As a result, the Banyamulenge were not allowed to raise their grievances to the commission. Instead, the commission completed its mission and generated a 174-page report to the High Council of the Transitional Parliament, concluding that the Banyamulenge were not Zairian nationals but very recent Rwandan refugees. The report also instigated the Zairian population that the Banyamulenge people would return to Rwanda after the Rwandan Patriotic Front's victory in 1994 "*pour aller peupler le Rwanda déserté par les Hutu*," to go and populate Rwanda deserted by the Hutu (Willame, 1997, p. 88).

RPF – AFDL – RCD and Other Notable Political Movements

The Rwandan Patriotic Front (RPF) – Inkotanyi

On October 1, 1990, the Rwandan Patriotic Front - Inkotanyi (RPF) carried out its first military attack against President Juvenal Habyarimana's government in Rwanda. The Banyamulenge youth began joining this Tutsi-led revolution in the late 1990s and early 1991. RPF's recruitment in different parts of the region, including the Hauts Plateaux of South Kivu among the Banyamulenge youth, had begun before the first attack. At least two Banyamulenge youths joined the RPF in the late 1980s after Yoweri Museveni's NRA's (National Resistance Army) victory in Uganda. One of the two youths became a prominent RPF regional recruiter and recruited hundreds of the Banyamulenge youth. Those who joined the RPF have provided different reasons for joining the Rwandan Tutsi refugees' military movement. However, a widely known reason among the Banyamulenge people is the mistreatment by Zairian government officials and members of other communities.

Reyntjens and Marysse (1996) added that this ill-treatment was conducted by Zairian soldiers and authorities as well as the local population. For example, Mutambo (1997) argued that Banyamulenge youth joined the RPF because of shameful expulsions from the country, illegal and tyrannical arrests, inhuman treatment, exclusion, injustice, and persecution. During his interview with the Vangu Commission in responding to allegations against him of arming the Banyamulenge, the Catholic Bishop of Uvira, Jerome Gapangwa, gave the commission his observations about the Banyamulenge youth joining the RPF. He stated that the Zairian Tutsi joined the RPF for multiple reasons, including "*soulagement pour n'avoir pas été accepté au Zaïre, recherche de sécurité, opportunisme et mercenariat*," relief for not being accepted in Zaïre, search for security, opportunism and mercenary (Vangu Report, 1994, p. 113). However, Ruhimbika (2001) argued that the Banyamulenge youth joined the RPF against their parents' advice, meaning the decision was individual.

The Alliance des Forces Démocratiques pour la Libération du Congo (AFDL)

The insecurity in the Great Lakes region continued to become intense. For example, regional security worsened after the assassination of Burundian President Ndadaye in Burundi. Ruhimbika (2001) maintained that the Banyamulenge civilians in Uvira were stoned by the local population, accusing them of partaking in the coup because the Burundian Tutsi were accused of the assassination. In addition, Ruhimbika (2001) argued that discrimination against the Banyamulenge and other Tutsi populations in Zaïre exacerbated, and the general population began calling them "FPR," RPF. Another critical point to mention is the Vangu Report's implications. Ruhimbika (2001) wrote that, as a result of the Vangu Report, the country's transitional parliament's resolution of April 28, 1995, required the expulsion of all Rwandan refugees (including the Banyamulenge) on December 31, 1995. The resolution also included the

necessity of the 1981 nationality law, specifically its immediate application. However, the expulsion did not include property. In other words, they would be removed and leave all of their property behind, subject to confiscation by their fellow Zairians.

In protesting against the new resolution, Rukenurwa Ndatabaye, Butoto Bigiri, Rumenge Madaga, Musafiri Mushambaro, Budederi Muhire, and Ruhimbika Muller wrote and signed a memorandum addressed to the vice prime minister and minister of interior in Kinshasa (Ruhimbika, 2001). The civil society of Uvira challenged their memorandum by writing another, demanding their arrest and immediate removal from the country. Ruhimbika (2001) argued that the vice minister's response to their memorandum was in their favor, and he requested an in-depth investigation and a stop to such discriminatory behavior. It should be emphasized that in other cities throughout Zaïre, the Banyamulenge and other Tutsi populations were being persecuted. For instance, in Bukavu, Governor Kyembwa Walumona instructed his subordinates to list the names of all Banyamulenge civilians (Ruhimbika, 2001).

Reyntjens and Marysse (1996) maintained that the Commissioner of Uvira Shweka Mutabazi II and the South Kivu's Vice-Governor Lwabanji Lwasi Ngabo favored the execution of the resolution publicly. For example, on October 8, 1996, Vice-Governor Lwabanji held a press conference and gave all the Banyamulenge people a seven-day ultimatum to leave Zaïre or face harsh consequences as rebels (United Nations Department of Humanitarian Affairs, 1996b; Mapping Report, 2010). The source also indicates that a Zairian government spokesperson later downplayed Lwabanji's seven-day ultimatum and declared that, although everybody wanted the Banyamulenge to leave the country, the government had not yet officially declared the one-week final warning. Not far from the above source, Reyntjens and Marysse (1996) documented the date of the outrageous Lwabanji's seven-day ultimatum as October 15, 1996. Reyntjens and

Marysse (1996) also argued that on the next day, on October 16, 1996, Zairian Prime Minister Léon Kengo wa Dondo announced Lwabanji's suspension for giving the Banyamulenge civilians the ultimatum. The ill-treatment and expulsion of the Banyamulenge people to Rwanda in the early 1990s left them with no options other than defending themselves. As a result, thousands of their youths joined the RPF in preparation to return home militarily.

Unfortunately, these events and many more preluded an all-out first Congo war in the name of the Banyamulenge. Even high Rwandan military commanders called themselves Banyamulenge, including James Kabarebe, who became the Congo's army chief of staff (Ntanyoma, 2019). The use, abuse, and misuse of the name of Banyamulenge have impacted the Banyamulenge people up to this very day. However, the war was fought in the official name of the *Alliance des Forces Démocratiques pour la Libération du Congo* (AFDL), or the Alliance of Democratic Forces for the Liberation of Congo. The term "Banyamulenge" became widely known across the globe, and its widespread-related costs have been devasting ever since. After the RPF's victory in 1994, the United Nations Department of Humanitarian Affairs (1996b) documented Rwandan President Pasteur Bizimungu's speech in Cyangungu. The President declared that his government would welcome only Banyamulenge women and children. The omission of Banyamulenge men in the President's speech indicated a prepared war on Zaïre because he added that Zaïre had one choice: to accept Banyamulenge as Zairians and that Banyamulenge men had the right to defend themselves (Mapping Report, 2010). The President also speculated an attack on Rwanda from Zaïre. His government was uncomfortable with armed Rwandan refugees across the border in Zaïre and wanted to eliminate them (Ruhimbika, 2001).

Simply put, the 1996 Zaïre government's expulsion threat and ill-treatment of the Banyamulenge people sped up the AFDL rebellion (United Nations Department of Humanitarian

Affairs, 1996b; Ahluwalia, 1997). Ahluwalia (1997) argued that the Rwandan government first hesitated to support the Banyamuelenge, but Rwanda declared its support publicly after introducing Laurent Désiré Kabila into the equation. However, many sources indicate that the RPF had planned to deport all the Banyamulenge from Zaïre for unknown and hidden reasons (Ntanyoma, 2019). Ntanyoma (2019) also documented that the plan was announced to the Banyamulenge soldiers and elites, including in a meeting in Butare, Rwanda, on January 1, 1997. Ruhimbika (2001) reminded his readers that on October 29, 1996, APR (Rwandan Patriotic Army, the RPF's military) Captain Dani approached him, Musafiri Mushambaro, Dugu wa Mulenge, and Kazindu Ngenda in Bukavu and announced the Banyamulenge deportation plan to them. Ruhimbika (2001) also argued that the deportation plan was to displace all the Banyamulenge from Zaïre into a refugee camp in Kibuye, Rwanda. However, the Banyamulenge rejected the plan, but some of them paid the highest price, death, beginning with the mysterious death of Nicholas Kibinda in Fizi. Kibinda was the overall operation commander of the AFDL in the southern region of South Kivu. The Banyamulenge-Kabila coalition became possible regardless of the two fighting against each other during the 1964's Mulele Rebellion. Ntanyoma (2019) emphasized that the Banyamulenge hesitated to accept Kabila as their leader because of their 1964 experience with him. Four Congolese political groups founded the AFDL in Lemera, South Kivu, on October 18, 1996 (Nzongola-Ntalaja, 2004). The four leaders were Déogratias Bugera, André Kisase Ngandu, Anselme Masasu Nindaga, and Laurent Désiré Kabila. It should be noted that none of them was a Banyamulenge member. The AFDL attacked Zaïre and conquered it with Kinshasa's control on May 17, 1997. During the 1996-1997 war, Zairian soldiers, police, local authorities, and the local population actively committed genocidal atrocities against the Banyamulenge, including the enforced disappearance of 146 Banyamulenge

children to Tanzania from the city of Baraka toward the end of 1996 (Human Rights Council, 2019). Unfortunately, these children never returned to their families.

The Rassemblement Congolais pour la Démocratie (RCD) and Other Notable Movements

After the AFDL's victory on May 17, 1997, Laurent Désiré Kabila became the country's President. After that, however, numerous things changed, leading the country to another war known as the Second Congo War in 1998. Again, many irregularities became apparent, including the mysterious assassination of André Kisase Ngandu, one of the AFDL's founders. In addition, it was evident that Kabila created his own political space from his war sponsors, primarily Rwanda (Ruhimbika, 2001). Therefore, it is underestimated to explain the cause of the Second Congo War in simple ways. However, many researchers, including Jackson (2006), have argued that the nationality problem caused the First Congo War in 1996 and the Second Congo War in 1998. Jackson (2006) emphasized that all Congolese Kinyarwanda speakers were labeled foreigners and asked to leave the country, the same thing that occurred in the early 1990s. Nevertheless, Koko (2020) maintained that the breakdown of the Kagame-Museveni-Kabila regional alliance was responsible for the Second Congo War. Ruhimbika (2001) corroborated with Koko (2020) and added that the Congo-Rwanda military alliance ended in July 1998 after Kabila put himself above Kabarebe, who indeed helped and permitted him to proclaim himself the President. Kabila dismissed Kabarebe from his Congolese army's chief of staff position and ordered all Rwandan soldiers to leave the Congo (Mapping Report, 2010).

As a result of the alliance collapse, several politico-military movements were created throughout the country. One of them, probably the most prominent, was the *Rassemblement Congolais pour la Démocratie* (RCD), or Rally for Congolese Democracy, a Rwandan-sponsored movement based in Goma, the capital city of North Kivu. The movement was also

known as RCD-Goma because there were many other RCDs. Ruhimbika (2001) asserted that the divorce between Rwanda and DRC was a dangerous move toward the Banyamulenge people. After two years of working with their former enemy Laurent Désiré Kabila in the 1964 Mulele Rebellion, machetes, arrows, and other cultural weapons were turned against the Banyamulenge, the Tutsi of North Kivu, and whoever resembled them.

The killings were nationwide throughout all the country's provinces. As a result, the Congolese army became divided, the Banyamulenge and their allies on one side and the rest on the other. When Rwandan soldiers supposedly returned to Rwanda because they did not but formed the RCD, the Banyamulenge and North Kivu's Tutsi soldiers were left insecure. The Mapping Report (2010) documented that on August 2, 1998, radio and television stations in Kinshasa called upon all citizens to arm themselves, attack, and kill all Tutsis because they accused them of collaborating with Rwanda. It should be emphasized that Tutsis were targeted not because of their wrongdoings but because of their ethnic appearance or simply because they resembled Rwandans. Toward the end of 1998, police officers from the *Police d'intervention rapide (PIR)*, or the Police Rapid Intervention Force, arbitrarily arrested several Tutsis in Kinshasa and raped their women (Mapping Report, 2010).

After the RCD, many Tutsi- or Banyamulenge-led politico-military movements emerged, especially in response to Mai Mai local armed groups. For instance, in early 2002, General Pacifique Masunzu (a member of the Banyamulenge), joined by hundreds of Banyamulenge soldiers after refusing to obey their former master, Rwanda, was fighting in the Hauts Plateaux of South Kivu with the RCD and its supporters, the Rwandan military. Colonel Jules Mutebutsi (a member of the Banyamulenge) led the RCD troops. However, as explained above, the ideology to revolt against Rwanda and whomever Rwanda supported started a few years earlier;

primarily, the ideology stemmed from the RPF's deportation plan of the Banyamulenge to a Rwandan refugee camp in Kibuye. The Banyamulenge-led military movement *Gumino* was born, and "Gumino" in Kinyamulenge means "let us stay here." On the other hand, with the increase of armed groups, especially between the Hutu and Tutsi in North Kivu, General Laurent Nkunda refused to be part of the military integration process in 2005 (Stearns, 2012). As a result, he created the *Congrès National pour la Défense du Peuple (CNDP*), or the National Congress for the Defense of the Peuple, later.

In 2004, while stationed in Bukavu as the deputy regional commander, Colonel Mutebutsi fought with his boss, General Félix Mbuza Mabe. The cause of their fight was not the "nationality problem" or any other related issues with the Banyamulenge or the Tutsi in North Kivu, but it later escalated to this level. Mutebutsi's soldiers were mainly his bodyguards (only a few were not Banyamulenge) and fought against the entire regional military force. General Nkunda traveled from North Kivu to support him, but the two were in disagreement for unknown reasons. Therefore, Nkunda and his troops returned to North Kivu, leaving Mutebutsi and a small number of soldiers to defend themselves. Mutebutsi lost the war and fled to Rwanda, where he died of a mysterious death. Hundreds of Banyamulenge civilians were massacred in Bukavu and other areas of the country due to the Mutebutsi-Mbuza fight. The fight led hundreds of Banyamulenge families to flee the country, including those who fled to the UN-run Gatumba refugee camp in Burundi. Two months later, the camp was attacked by regional armed forces, and more than 166 refugees were brutally killed and burned alive. Several hundred others were seriously wounded and crippled. Some Congolese military commanders and authorities were alleged to partake in the attack.

Recently, two essential Tutsi- and Banyamulenge-led military and *auto-défence*, or self-defense, movements have emerged due to the same struggle: the *Movement du 23 Mars* (short for M23), or the Movement of March 23rd, in North Kivu and *Twirwaneho* ("let us defend ourselves" in Kinyamulenge) in South Kivu. Stearns (2012) argued that the M23 was born from a failed agreement to stay in the Kivus between the Nkunda's CNDP and the Congolese government. The agreement was signed on March 23, 2009, the date being the movement's name. However, the M23 lost the battle and split years later, forcing one group to flee into Rwanda and another into Uganda. In the early first months of 2022, the M23 group of General Sultan Makenga that fled into Uganda became active in North Kivu. On the other hand, in the Hauts Plateaux of South Kivu, ethnic cleansing against the Banyamulenge became evident as early as April 2017 (Buzi, 2019). Buzi (2019) listed Mai Mai armed groups and their foreign allies formed in a coalition to conduct the ethnic cleansing. According to Buzi (2019), the groups were as follows:

1) Mai Mai groups named after their leaders from the Babembe: Amuli Yakutumba, Aoci, and Ebuela;
2) The Mai Mai group from the Bafulero: *Biloze Bishambuke*;
3) The Mai Mai group from the Banyindu named after its leader: Mulumba; and
4) The Burundian foreign armed groups of RED-Tabara, FNL, and Forebu.

The *Gumino* has continued its military activities to protect the Banyamulenge against ethnic cleansing along with the *Twirwaneho*, and Banyamulenge civilians formed the latter in the same struggle. However, after the failure of the Congolese military to protect the Banyamulenge from the ethnic cleansing, prominent Banyamulenge colonels in the national army, Michel Rukunda, also known as *Makanika*, and Charles Sematama, deserted the army and joined

the *Twirwaneho* self-defense group in the early 2020 and early 2021, respectively (Boisselet, 2021). In addition, the Congolese army, the *Forces Armées de la République Démocratique du Congo (FARDC),* or the Armed Forces of the Democratic Republic of the Congo, have been reportedly involved in severe human rights violations instead of solving inter-community conflict (United Nations Joint Rights Office-MONUSCO, 2020; Spittaels & Hilgert, 2008; Buzi, 2019).

Furthermore, Spittaels and Hilgert (2008) corroborated with local sources that have accused the FADRC of collaborating with armed groups against others. In other words, in the Hauts Plateaux of South Kivu, the FARDC has been repeatedly accused of providing guns and ammunitions to Mai Mai armed groups in their ethnic cleansing operations against the Banyamulenge (Buzi, 2019). In addition, members of the FARDC in Minembwe have contributed to arbitrary killings of the Banyamulenge civilians, for example, by ambushing women on their way home from an all-woman sit-in on June 30, 2021, protesting the release of another woman (Sebahizi & Hintjens, 2021). Finally, unlike the 1964 Mulele Rebellion that uprooted all the Banyamulenge from the Hauts Plateaux to the Ruzizi Plain, with the T*wirwaneho-Gumino* resistance, a few of their villages remained standing. However, recent hate speech against the Banyamulenge people has indicated a high speed of discrimination and persecution. The hate speech has reached all corners of the country, including the country's National Assembly or Parliament. For example, in 2020, former Vice President and State Minister of Decentralization Azarias Ruberwa (a member of the Banyamulenge) was mocked on the national television by parliamentarians over the creation of the Minembwe Commune, scorning him that his community members were recent Rwandan immigrants of 1959. Surprisingly, the interpellation was about the creation of the Commune, but parliamentarians

escalated the matter to include the nationality struggle of the Banyamulenge. In addition, social media platforms have become the hub of hate speech. For example, Ndahinda and Mugabe (2022) argued that social media had been the center for distributing hate speech toward the Banyamulenge, calling for a genocide against them.

My study's participants experienced cruel treatment by the Congolese military, police, and the local population during the Second Congo War in 1998. In addition, the Mapping Report (2010), a United Nations-sponsored expert report documenting atrocities in the DRC between 1993 and 2003, has detailed the ill-treatment of the Banyamulenge people and everyone who looked like them throughout the country. During the Second Congo War, my study's participants were primarily in the central, western, and southern provinces, including Kasai Oriental, Kasai Occidental, Katanga, and Kinshasa. For example, in Katanga, the Tanganyika's District Commissioner in the city of Kalemie ordered the local population to arm themselves and kill all Tutsis, including the Banyamulenge (Mapping Report, 2010).

As a result, Congolese soldiers, police, and local neighbors, the Tabwa, attacked the Banyamulenge living in Vyura (also known as the Banyavyura). The "Banyavyura" were Banyamulenge families who left the Hauts Plateaux of South Kivu in the 1970s, looking for another suitable place to live. The Mapping Report (2010) documented that more than 2,000 Banyamulenge were arrested in Vyura, and an unknown number of them were massacred. A few families and single members of the Banyamulenge left Vyura to live and do business in other cities within the Katanga province, including Moba, Lubumbashi, Likasi, and Kolwezi. Many of them, including the Kamina recruits, "shopkeepers, and students," were killed, and their bodies were never found (Mapping Report, 2010, p. 161). My study's participants were among the few who were imprisoned for several months and later released.

The second part of the literature review connects the first part by introducing the Congolese law enforcement's failure in a failed Congolese State. In other words, I will first explain what I mean by "Congolese law enforcement" and its behaviors toward the general population, emphasizing its particular treatment toward the Banyamulenge people. After this introduction, I will provide a detailed, thorough study's related literature review.

Part II. Study-Related Literature

Overview

In this second section of the literature review, the researcher visited the study's related literature and explained every possible aspect concerning perceptions of police. However, before delving into such aspects, I examined Congolese law enforcement (the military and the police) and the failed Congolese State because the research population is from the Democratic Republic of Congo and experienced ill-treatment from Congolese law enforcement. The section also discusses police characteristics in non-Western, specifically Africa, and Western nations, including police corruption, police misconduct, police violence, and police brutality. Police legitimacy and procedural justice are also discussed. I also analyzed confidence in the police among non-immigrant and immigrant populations. Crime reporting among non-immigrant and immigrant populations is also examined. Finally, I discussed perceptions of police among marginalized ethnic groups.

Congolese Law Enforcement and the Failed Congolese State

In this study, "Congolese law enforcement" refers to the national army and police. I preferred this term because both institutions enforce public laws (Kirk et al., 2021), making it difficult to distinguish one from another. For example, according to Kirk et al. (2021), the Congolese national army and police recently used roadblocks to enforce Covid-19 policies. This

muddling law enforcement nature comes from the fact that, although the country's name includes the word "democratic," the RDC has never been free nor democratic, at least beginning in the late 1990s when United Nations peacekeepers were deployed into the country (von Billerbeck & Tansey, 2019). From a lived experience, the Congolese military tends to overwhelm and overpower the Congolese police, showing disrespect as if the military is the supreme public authority in the country.

In addition, Kirk et al. (2021) argued that most post-colonial African states possess ungoverned territories, leaving a gap for other types of authority to take over. For instance, during Covid-19 policy enforcement in the DRC, customary leaders and faith-based leaders assisted the military and the police in enforcing the policy and sanctioned policy violators (Kirk et al., 2021). According to numerous scholars, including Zihindula and Maharaj (2015), Congolese law enforcement has failed to maintain order in the country. Unfortunately, the DRC remains a failed state even with 16,316 United Nations peacekeeping uniformed personnel on Congolese soil as of November 2021 (United Nations Peacekeeping, n.d.). The number of personnel makes the UN force in the DRC the costliest among its missions around the world (von Billercheck & Tansey, 2019), with a 2021-2022 budget of $1,123,346,000 (United Nations Peacekeeping, n.d.). According to Human Rights Watch (n.d.), as of 2019, more than 130 armed groups were active in South Kivu and North Kivu only. Armed groups emerge more often depending on grievances and political reasons.

The Congolese national army, the FARDC, has repeatedly violated human rights regardless of the presence of nearly twenty thousand United Nations uniformed and civilian personnel (von Billercheck & Tansey, 2019). On the other hand, many efforts have been made to reform the Congolese national police, but the reform efforts do not seem to be yielding any

results (Mandrup, 2018). Mandrup (2018) also argued that not only the security sector reform (SSR) program has failed to work for the police force, but also the disarmament, demobilization, repatriation, reintegration, and resettlement (DDR/RR) initiative to dismantle armed groups. The inability to improve the two central public security institutions (the military and the police) indicates the "failed state" nature of the DRC.

The illegal activities conducted by these institutions show a severe problem with the DRC. For example, addressing unending atrocities in the country's eastern provinces on June 19, 2021, in Bunia, the capital city of Ituri, President Félix Antoine Tshisekedi Tshilombo denounced a mafia system within the national army (FARDC) and other institutions (Jeune Afrique, 2021; Radio France International, 2021). Corroborating the President's statement, Sánchez de la Sierra (2020, p. 55) argued, "The FARDC is infiltrated by organized-crime networks who generate illicit revenue [from minerals] systematically."

The "failed state" status of the DRC has also been documented in other sectors that provide the basic needs of citizens, such as the foster care system (Foussiakda & Kasherwa, 2020). Therefore, Alexandre's (2018) study has justified the Congolese police corruption in Bukavu as a standard way to survive in the Failed Congo State. However, some scholars, including Hellmann (2019), have argued that Western nations have created and manipulated the "failed state" status of African countries to continue their dominance on the continent. Therefore, research shows that the concept of a "failed state" or "fragile state" is an ideology that has been used to benefit Western donors (Barakat & Larson, 2014). Nevertheless, regardless of the author of the ideological concept or manipulated images depicting the "failed state" nature of the DRC, evidence on the ground today proves the reality of Congolese law enforcement and the Failed Congo State. In other words, manipulation is possible but is based on reality.

Police Behaviors in Non-US Countries

The focus of this section is to examine the different behaviors of the police in non-US countries. The analysis is crucial because it helps the reader understand the sources of immigrants' perceptions of the police. According to Wals (2011), the imported socialization theory posits that perceptions of the police from home countries significantly impact the lives of immigrants in host countries, especially when interacting with public authorities, such as the police. In other words, the theory argues that immigrants who trusted their governments in their home countries would likely trust their host governments.

Therefore, examining police characteristics in non-US countries, including Africa, is essential for this study. Furthermore, it is believed that a significant number of immigrants leave their home countries regularly to live in Western nations, such as the United States, for several reasons, including the fact that they perceive their countries as weak and dependent on the Western world for help (Youngs, 2015). Therefore, the section examines police forces in a few African, South American, and Asian countries.

Police Corruption and Misconduct

It is widely assumed that police forces in developing countries are more corrupt than those in developed countries. Empirical research studies, however, contradict themselves on this matter. Some support the assumption, while others do not. For those that support the assumption, for example, Agbiboa (2015) argued that fundamental human rights in Nigeria are heavily abused. He found that corrupt policing in Nigeria was characterized by coercive ways of obtaining money and other services from marginalized citizens. The coercive mentality of policing in Nigeria, according to Agbiboa (2015), is rooted in colonialism, where policing was about controlling the indigenous population and enriching colonizers. Akinlabi (2017a)

corroborated Agbiboa's (2015) study and affirmed that Nigerian police forces use corruption in everyday policing. He added that this practice has caused the public to resent the law. One indication of this societal anomaly is the occurrence of news stories in several media outlets in the country.

Akinlabi (2017b) asserted that corruption in government institutions is part of life and beyond citizens' management. The author also argued that because favoritism and connection with people in the government play a crucial role in Nigerians' lives, those who refuse to give bribes to government officials do not get the services they need on time. Therefore, paying vital public authorities, such as police officers, alleviates time spent in queues waiting for services. Akinlabi (2017b) maintained that Nigerian high-ranking police officers abuse their offices and ranks by ordering checkpoints to obtain illegal money through corruption. Likewise, Alexandre (2018) found that corruption between traffic police officers and taxi drivers in Bukavu, DRC, was normal and a systematic way to gain a living on both sides. In other words, Alexandre (2018) concluded that the practice is not a moral issue as outsiders may view it; it is a standard living method. The author asserted that the damage would be enormous if the corruption system in the DRC gets stopped without another system.

Uganda is well known and documented for police corruption. For example, Motero et al. (2015) studied Ugandan wildlife law enforcement rangers' behaviors. The authors concluded that "rangers would directly coordinate with poachers in the development of patrol operations in order to reduce the potential for encountering one another in the bush" (Motero et al., 2015, p. 369). Another example of Ugandan police corruption is found in fishery activities in Lake Victoria, a lake bordering other countries, including Kenya and Tanzania (Nunan et al., 2018). Corroborating Agbiboa's (2015) study in Nigeria, Wamara (2017) argued that police corruption

in Uganda could be attributed to the British colonial administration. The author explained that colonial authorities coerced indigenous people and did not owe them an explanation for their mistreatment.

Therefore, today's Ugandan law enforcement inherited such a colonial practice. On the other hand, due to its corrupt police policers, a recent study has revealed that police reform projects, such as the Police Accountability and Reform Project, can produce enduring positive results regarding police integrity and proper conduct (Wagner et al., 2020). The authors asserted that police officers who participated in the study increased their willingness to report their misconduct, condemn their peers who showed signs of misconduct, and allow others to judge them for their misconduct. Because of high police corruption, research has been conducted to examine the role of female officers in reducing corruption. However, a recent research study concluded that gender perceptions and stereotyping make no difference in decreasing corruption in the Ugandan police (Wagner et al., 2017).

On the other hand, police corruption and misconduct in Kenya have taken a different dimension. It is not just about individual police officers engaging in corruption, but police officers collaborate with other influential police administrators to conduct corruption business (Hope, 2018). In other words, corruption in Kenya is systematic and conducted through channels of police officials, a more challenging puzzle to solve. Hope (2019) argued that Kenya is one of the most corrupt countries worldwide. The author added that the gravity of the Kenyan police corruption is that institutions that should hold the police accountable are compromised and filled with corrupt personnel. Hope (2019) listed several reasons Kenyan police officers are corrupt, including low pay and poor police administration and integrity. However, the Kenyan

government has implemented several anti-corruption measures to tackle the unending corruption epidemic.

Hope (2013) discussed numerous Kenyan anti-corruption legal frameworks, including the Anti-Corruption and Economic Crimes, the Kenya Anti-Corruption Commission, the Public Officer Ethics, the Government Financial Management, the Public Procurement and Disposal, the Proceeds of Crime and Anti-Money Laundering, and the Ethics and Anti-Corruption Commission. Nevertheless, unfortunately, Kenyan corruption remains unshakable due to multiple citizens' hardships, including "many years of bad governance and poor economic management," requiring the population to be able "to reclaim professionalism and confidence in public officers" (Hope, 2013, pp. 290-291). In other words, police (and general) corruption and misconduct in Kenya have led citizens to lose confidence in public authorities. The Kenyan government has implemented measures to reform the police; there is evidence of some improvements, but there is still a long way to go, to fully reform the institution (Gjelsvik, 2020; Osse, 2016; Hope, 2015).

Police Violence and Brutality

Many people assume that police forces in developing countries are more violent toward the general public, especially criminal suspects. For example, conducting a study in urban Costa Rica, Gingerich and Oliveros (2018) found that police violence among the Costa Rican police plays a crucial role in the public's willingness to report a crime. The authors pointed out that citizens' willingness to report a crime for which they were victims or witnesses was affected by the fact that they witnessed police violence. Observing police violence or police abuse impacts individuals differently, such as complying with laws.

For instance, research has revealed that witnessing police abuse or viewing police officers as predators determines people's compliance with laws (Akinlabi & Murphy, 2018). In addition, a study in Central America has shown that police violence and brutality decrease the public's confidence in the police (Cruz, 2015). In other words, the more incidents of police brutality the general public witnesses, the less confidence in the police community members feel. Therefore, police negative behaviors impact the public negatively.

Police in the Philippines can be characterized by wild police violence. Numerous sources have enumerated incidents where police officers were involved in brutal killings of criminal suspects. One example is the cruel treatment of a young man named Jose. Jensen and Hapal (2018) recounted Jose's story. He asked his friends to assist him in retrieving his money from an individual. Jose and his friends approached the individual's house with a gun. A police officer apprehended Jose and escorted him to the nearest police station because he possessed a firearm. Jose's friends ran away.

While in police custody, Jensen and Hapal (2018) argued that police officers allowed random citizens to assault Jose on the way to the police station. Then when he arrived at the police station, he was repeatedly beaten up and was forced to reveal where his friends were staying. Jose's friends were later apprehended and killed by the police. Jensen and Hapal (2018) maintained that Jose hesitated to file a torture complaint against police officers who beat him up because he feared police reprisals against him and his family members. In addition, police violence in the Philippines has increased, especially after Rodrigo Duterte became the country's president in 2016, where thousands of criminal suspects have been shot dead in the name of the war on drugs operation (Kreuzer, 2018). The "war on drugs" criminal crackdown has been

considered genocidal (Simangan, 2018). Unfortunately, the outbreak of COVID-19 has worsened police brutality in the Philippines due to strict lockdown policies (Corpuz, 2021).

In South Africa, police brutality is the expansion of the Apartheid's policy of the war on crime (McMicheal, 2016). McMichael (2016) also argued that unlike policing during the Apartheid era, where policing was aimed at protecting the interests of the white minority, today's policing in South Africa could be viewed as a way to undermine oppositional ideas toward inequality. McMichael (2016) also argued that the South African government uses its police institution to hunt down the poor. In other words, rich people do not experience police violence in the country. The author concluded that South African police use more raids and beatings to control crowds. Hesselink and Haefele (2015) argued that South African police officers were involved in severe crimes and convicted of them, including rape, murder, assault, and corruption. Hesselink and Haefele (2015) also conducted a research study on women in police custody in South Africa.

The authors found that police officers used extreme violence on women in their custody. The researchers' participants reported the following: physical assault (slapping, kicking, and hitting), rape, sexual assault, bribe attempt, and deprivation of food and medical treatment. Hesselink and Haefele (2015) found that low pay and poor police leadership were some of the reasons behind South African police violence and brutality. Govender and Pillay (2022) asserted that South African police officials were involved in rape cases. The researchers also argued that South African policing could be attributed to the colonial policing culture. Many scholars have argued that militarization practices characterize the South African police, like in other post-colonial nations, especially when implementing "war on crime" policies (Lamb, 2018; Stuurman, 2020). In addition, research has revealed that the abuse of authority among police officers in the

Republic of Zimbabwe causes a decrease in public support for the police, a loss of respect toward the police, and increased fear of the police (Mugari & Obioha, 2018).

Police Behaviors in the United States and Other Western Nations

This section highlights police behaviors in Western nations, including the United States, where this study's participants reside. By examining police behaviors in developed countries, this study allows the reader to see the comparison of police practices in developed and developing countries. The main reason for this exploration is to understand how immigrants' perceptions of police may be shaped differently due to immigrants' experiences with police in their home and host countries.

This section also covers several aspects of policing, including police contact, police legitimacy, and procedural justice. The study then discusses and compares confidence in the police among immigrant and non-immigrant populations, hoping to spotlight any differences or similarities. The section also examines crime reporting among immigrant and non-immigrant citizens. Then, because the study's participants are considered a minority in their home country, the study analyzes perceptions of police and discrimination against minorities by their home countries' law enforcement. Last but not least, the study reviews some positive policing impacts and practices.

Police Contact

Police officers in the United States have been repeatedly criticized for targeting ethnic minority groups in inner-city neighborhoods (Novich & Hunt, 2017). Novich and Hunt (2017) argued that ethnic minority youth in the United States tend to disrespect the police because the police treat them disrespectfully. The authors also found that when an ethnic minority group perceives the police treatment as respectful, they return the same. In other words, they respect

those who respect them and disrespect those who disrespect them. In addition, Leslie et al. (2018) examined the influence of police contact among youth and adult recreational drug users. They concluded that several factors impact the interaction between citizens and police officers.

Previous personal police contact and police contact reported by friends and family members are among many factors contributing to how regular contact with the police will turn out. Simply put, prior contact with the police plays a vital role in future contact with the police. Research shows that police contact and arrest among female youth create low levels of self-control in the future (Hipwell et al., 2018). The authors maintained that personal responsibility diminishes among female adolescents following their interactions with the police. On the same note, Hofer et al. (2020) found that legal skepticism among youth in urban areas resulted from police contact. In some critical cases, police contact in the United States has resulted in lifetime heartbreak.

For example, Baker et al. (2021) conducted qualitative research on 43 American families in the United States. They concluded that families of victims of police contact suffer sorrow for the rest of their lives. In other words, these families live with unanswered questions, for example, why the police killed their loved ones. In another study, Baker and Pillinger (2020) found that police contact makes families hesitant to call 911 for help because of what had happened to their loved ones after their police contact that resulted in death. In other words, their perceptions of police after death incidents of their loved ones become negative and reduce their willingness to ask the police for help even when they need it. Thus, previous police contact that went wrong makes citizens, particularly minority groups in the United States, fear police officers for their brutality (Graham et al., 2020).

Proactive policing practice in the United States has become a police culture. The intent behind the practice is for police officers to contact the public with consent or probable cause. It is argued that proactive policing policies have been developed with the intent to deter potential crime or crime in progress. However, while this idea sounds creative, police officers have been blamed for using proactive policing policies to violate citizens' rights. For example, Tyler et al. (2015) discussed how frequent stops by police were viewed by many as a form of police harassment, which caused many individuals to lose trust in the police. Because most Americans do not view themselves as suspicious, the authors concluded that police get blamed for their proactive contact policies.

As a result, social bonds between the police and the community have become loose. Police contact in other developed countries has been researched as well. For instance, in Istanbul, research has revealed that female adolescents perceive police competence positively than male adolescents (Özaşçılar et al., 2015). Özaşçılar et al. (2015) also argued that police officers in Istanbul treat boys differently than girls during their contact with the public. On the other hand, a study on police officers' perceptions of citizen contact in France showed that negative contact with citizens creates stress in police officers (Gordijn et al., 2017). The authors asserted that the negative perception of police officers influences their future policing, potentially promoting a hostile interaction between the police officer and the citizen. Studies conducted in the United States and Canada have shown that police contact is more associated with citizens' attitudes toward police than race (Alberton & Gorey, 2018). Simply put, police contact impacts everyone involved in the contact, police officers and citizens.

Police Legitimacy and Procedural Justice

Procedural justice is defined as the fair treatment of a citizen by a police officer (Madon et al., 2017). *Police legitimacy* is defined as the police's ability to maintain order by making the right decisions (Wolfe et al., 2016). Citizens judge the police based on the treatment they receive from police officers. If citizens view their encounter with the police as positive, they will consider the police legitimate. However, if citizens perceive their encounter with the police as negative, they will consider the police illegitimate. There is a strong association between procedural justice and police legitimacy.

Wolfe et al. (2016) found respect, voice, trustworthiness, and neutrality crucial in building and demonstrating procedural justice among police officers. By doing so, citizens' perceptions of police legitimacy increase, especially for disengaged ethnic minority groups. Parkin et al. (2021) examined extremism toward the police procedural justice and legitimacy among citizens by discussing high-profile death incidents in the United States among unarmed Black men, including the death of George Floyd in Minneapolis, Minnesota.

The authors argued that some police officers become victims of thousands of citizens who question and doubt police procedural justice and legitimacy. In contrast, other police officers play the extremists' card by conducting destructive behaviors against citizens, behaviors that ruin the police-citizen relationship. In other words, Parkin et al. (2021) concluded that citizen extremism toward the police directly threatens police officers. Similarly, Ewanation et al. (2019) investigated possible factors other than race that impact Canadians' perceptions of police legitimacy using four models: lawfulness, distributive fairness, procedural fairness, and effectiveness. Ewanation et al. (2019) found that Canadians, like Americans, perceive police legitimacy through the lens of the four models. In addition, Liu and Liu (2017) found that

procedural justice itself does not increase citizens' perceptions of police legitimacy but rather a combination of procedural justice, values and beliefs, and legal institutions.

Research also shows that the relationship between procedural justice and police legitimacy applies in different nations: non-Western and Western (Sun et al., 2017). The authors stated that cooperation with police might be acquired through police legitimacy, which results from procedural justice, distributive justice, and police effectiveness. The scholars concluded that this was true in the United States and China.

Confidence in the Police Among Non-Immigrants

Although not always, race plays a vital role in determining confidence levels in the police. Different confidence levels in the police were found in Blacks and Whites (Cao & Wu, 2019). Recent studies show that democracy is essential and influences confidence in the police (Choi & Kruis, 2020; Jang et al., 2015). Choi and Kruis (2020) analyzed data from 84 countries. They found that countries with a stable and strong democracy possess many citizens who are confident in the police.

However, countries with weak democracy may have individuals with low confidence in the police. Other factors determine levels of confidence in the police among citizens. For example, the homicide rate is one of the factors. Jang et al. (2015) concluded that as the level of homicide increases in a county, confidence in the police decreases. The propensity to commit a crime is another factor that lowers the level of confidence in the police because citizens who are likely to engage in deviant acts tend to dislike the police; hence, low confidence in the police occurs. In addition, examining the relationship between police and farmers in rural areas in the United Kingdom, Smith (2019) found that farmers had low confidence in the police due to the

inability and the ineffectiveness of police officers in dealing with unique incidents related to farms.

In studying the relationship between parents' attitudes toward the police and their children's attitudes, Sindall et al. (2017) found an interesting association. The scholars stated that for parents whose attitudes toward the police were positive, their children were found to possess similar attitudes. However, the reverse was also true. Parents with negative attitudes toward the police had children with negative attitudes toward the police. The meaning of this association is that parents whose prior experiences with the police were positive passed their experiences to their children, resulting in raising children with a high level of confidence in the police. On the other hand, parents whose prior experiences with the police were negative passed their experiences to their children, resulting in raising children with low confidence in the police. Sergeant and Bond (2015) agreed with Sindall et al. (2017). The scholars argued that policymakers should focus beyond police contact, delinquency, and other factors in their attempt to fix youth-related problems in society. They also pointed out that youth's attitude toward the police comes from youth's parents. When parents build negative perceptions of the police, their attitudes toward the police become negative. Therefore, parents transfer negative attitudes to their children. The result, of course, is obvious — children behave exactly as their parents have behaved. It becomes a generational transfer of attitudes.

Another aspect of confidence in the police comes from peer association. As mentioned above about the relationship between parents and their children, research shows that youth learn attitudes toward the police from their deviant peers (Nivette et al., 2015). Youth who use drugs, for instance, have tendencies to hide from the police. The reason is apparent; they do not want to get caught and arrested. Teenagers who become friends with delinquents are likely to hide and

run from the police, especially if they learn to use drugs from their peers. In other words, the association between non-delinquent and delinquent teenagers creates negative attitudes toward the police, which is the source of low confidence in the police.

Murphy (2015) found more effects of procedural justice among juveniles than adults. Juveniles' confidence levels increase when they perceive favorable and fair treatment from the police. However, when they think the police treatment toward them is unfair, youth become less confident in the police. In other words, procedural justice has more impact on youth than adults because when treated fairly, youth's willingness to cooperate with the police increases.

Confidence in the Police Among Immigrants

There are several reasons why non-immigrant communities possess low confidence in the police. However, immigrant communities around the world have their reasons, too. For instance, in comparing confidence in the police among Mongolian immigrants in South Korea and native Mongolians in Mongolia, Batzeveg et al. (2017) found that the level of confidence in the police for Mongolian immigrants was higher than that of native Mongolians in Mongolia. Previously, it was hypothesized that Mongolian immigrants in South Korea would possess low confidence in the police because a dominant culture surrounded them.

However, one of the reasons why such a high level of confidence was found among Mongolian immigrants in South Korea is the different levels of democracy between South Korea and Mongolia. It was argued that Mongolia's level of democracy was lower than that of South Korea. In other words, Mongolian immigrants were found in favor of the South Korean police. In addition, some host countries' police do not treat immigrants with dignity. For instance, unlike Batzeveg et al. (2017), Platkowska (2015) found that immigrants are more likely to possess lower confidence levels in the police than natives, especially in countries where discrimination

prevails. It happens, for example, when people leave their own countries for security reasons and face discrimination in host countries.

Nevertheless, even with the assumption that the relationship between American law enforcement and Latinos in the United States is weak due to issues related to the illegal immigration status, research shows that Hispanic immigrants of Mexican origin hold positive perceptions of American police (Roles et al., 2016). The authors concluded that illegal immigrants from Mexico, on the other hand, possess negative perceptions of the police because they feel threatened and unsecured for being undocumented with a potential of deportation. Therefore, this may be interpreted that legal Hispanic immigrant groups of Mexican descent have higher confidence in the police than Hispanic immigrants without legal documents.

Crime Reporting Among Non-Immigrants

Revealing a secret from one individual to another requires trust between the two parties. Likewise, reporting a crime to the police may require the reporting party to trust the police, especially their willingness and ability to solve problems. The main point is that there may be a prerequisite in reporting. Several key elements must exist for trust to be formulated. For example, individuals' attitudes toward the police play a central role in determining whether the person will report a crime or not (Boateng, 2018). In other words, if the victim or witness likes the police, they will likely report a crime to the police. However, if the victim dislikes the police, they are not likely to report a crime to the police.

Recent studies have revealed that police misconduct and prior personal victimization by the police can make citizens hesitate to dial 911 and report a crime (Desmond et al., 2016; Slocum, 2018). The authors listed police violence against unarmed Black males as one of the reasons members of the Black community in the United States refrain from reporting crime due

to not trusting the police. The scholars added that this is a serious matter because it is associated with public safety. Many Blacks' attitudes toward the police in the United States are rooted in distrusting the police. A long history of discrimination by the police leads the Black community to have such attitudes. Black families in the United States have lived in a hostile environment with the police. This has been proven through several policies criticized for targeting Black neighborhoods. For example, the lack of trust between African Americans and the police prevents them from reporting crimes effectively to the police (Ranapurwala et al., 2016).

Crime Reporting Among Immigrants

A body of research has analyzed the relationship between immigration and reporting crime. For example, Gutierrez and Kirk (2017) found that the more immigrants and foreign-born citizens a city had, the less crime reporting. The authors also suggested that immigration status might be associated with low levels of reporting violent crimes than property crime. This finding asserts that the hesitation in reporting crime among immigrants may be due to cultural differences. Another factor to consider is that being uncomfortable in a foreign country can prevent one from reporting a crime. For instance, Bjornstrom (2015) investigated the influence of nativity, among other elements, on reporting police misconduct. The scholar concluded that foreign-born Latinos hesitate to report police unfair treatment toward them compared to African Americans and Whites. However, when studying criminal involvement among several immigrant generations and US-born citizens, Bersani and Piquero (2017) found no difference in crime reporting biases. The authors concluded that crime reporting divergence has no impact on foreign-born, first-generation immigrants.

Perceptions of Police

Non-immigrants and immigrants have different perceptions of police, depending on their experiences with law enforcement in general. For instance, Pryce (2014) found that Ghanaian immigrants in the United States negatively perceived Ghanaian police. In addition, Ayoyo (2018) argued that many black immigrants in North America have negative perceptions of police due to numerous deadly encounters between the police and black people. Therefore, black immigrants tend to behave carefully during contact with the police.

Other studies have shown how individual police officers perceive their effectiveness, highlighting possible police organizational pitfalls. However, after interviewing 271 police officers in China, Boateng and Guangzhen (2020) found that police administrative support to individual officers and their effectiveness were not related, meaning that individual police officers develop their habits and apply them to their performance.

Discrimination Against Minority Groups and Perceptions of Police

The Rohingya Community in Myanmar

When people move to safe countries for their safety, they bring all they have with them, including perceptions of law enforcement in their home countries. Minority groups, in particular, possess a unique type of perception of police. For example, Myanmar has a Muslim minority community called Rohingya. The Rohingya community has been denied its national right for decades. It is one of the communities across the globe referred to as stateless. Using the country's law enforcement and the military, the Myanmar government has been reported to discriminate against the Rohingya community; the Rohingya community claims to belong to Myanmar, not anywhere else (Cheesman, 2017). The author also argued that Myanmar's authorities claim that the country has 135 national races or ethnic groups or *taingyintha*, excluding the Rohingya community.

However, the list of the 135 national races is debatable, mainly how the races were recorded and determined. The United Nations has repeatedly condemned the ill-treatment of the Rohingya people, and this community has experienced many adverse effects due to discrimination, including mental health problems (Hossain & Purohit, 2018). Because of extreme discrimination, scholars identify the Rohingya community as a lost generation and stateless (Mahbubur & Mohajan, 2019). The Myanmar government has attempted to eliminate the Rohingya community by forcing its members to go to neighboring countries. Mithun (2019) stated that Rohingya people consider themselves natives of Rakhine State, but their neighbors treat them as illegal immigrants.

Therefore, the exodus of the Rohingya community has resulted from denying its indigenousness. Research reveals how members of the Rohingya community suffer in refugee camps, for example, in Bangladesh, while Myanmar authorities ignore their sufferings (The Lancet, 2019). The Rohingya community's perceptions of Myanmar law enforcement and the Myanmar government cannot be favorable due to the mistreatment this community has experienced.

The Malaise Creole Community in Mauritius

The Malaise Creole community lives in Mauritius. In explaining the problematic situation of the Malaise Creole community, Lallmahomed-Aumeerally (2017) explored the balance between majority and minority groups in post-colonial societies in different countries, where majority groups tend to control vital institutions of the country while minority groups are left behind. The author explained that the Malaise Creole community in Mauritius emerged and grew in the 1990s due to the mistreatment slave descendants received from the Church and State, creating a social and economic split within the nation. The author also indicated instances where

individuals from the Malaise Creole were detained and died in law enforcement custody or prison, resulting in riots and other public dissatisfaction.

In addition, dominant groups and some Creoles in Mauritius have accused the Malaise Creole community of being a constructed identity to manage the whole Creole group in the country, complicating the real root of the Malaise Creole community's problem (Boswell, 2005). Boswell (2005) argued that the accusation involves political advantages against the Malaise Creole community. However, regardless of the allegations and political arguments, it is understood that the Malaise Creole community members possess negative perceptions of law enforcement or army forces due to their ill-treatment experience.

The Banyamulenge Community in the Democratic Republic of Congo

Like the Rohingya community in Myanmar, the Banyamulenge community in the Democratic Republic of Congo faces similar discriminatory treatment. The contested number of ethnic groups in Myanmar is 135, while the contested number of ethnic groups in the Congo is around or more than 450. The similarity is that both communities experience the denial of their belongingness. In addition, both communities have been experiencing exodus for several decades by their governments and members of other ethnic groups. Marginalization against the Banyamulenge people in the Congo is not recent. For example, it forced Banyamulenge youths to join military liberation movements in the region, such as the Rwandan Patriotic Army (RPA) in Rwanda and the *Alliance des Forces Démocratique pour la Libération du Congo-Zaire* (AFDL) in the Congo (Davey, 2020). The author implied that Banyamulenge youths had no other options than to join the movements to overcome their community's insecurity.

Ntanyoma and Hintjens (2021) discussed recent violence and possible genocide against the Banyamulenge community. The authors argued that race narratives drive the hatred against

this community. The researchers also asserted that this hatred might be rooted in colonial ideologies of setting a country's hierarchy of races or ethnic groups. With the help of some government members, specifically, the national army, local Mai Mai armed groups and their allies from neighboring countries have conducted heavy military attacks in Banyamulenge villages. Since 2015, violence against the Banyamulenge community has increased, resulting in internally displaced people in several camps.

In addition, Ntanyoma and Hintjens (2021) reported that starvation had been used as a weapon against the Banyamulenge people, a possible indication of slow genocide. Moreover, when an ethnic group is discriminated against, all its members are subject to a collective rejection regardless of professionalism. For example, Ntanyoma (2021) recounted his research experience in his native country, the Democratic Republic of Congo, and how his ethnic appearance as a member of the Banyamulenge community made people reluctant to cooperate with him.

Summary

The current study's theoretical framework is based on immigrant-specific experiential theories: the imported socialization theory and the contrast thesis. In addition to this framework, the study also discussed the immigrant paradox thesis and the assimilation theory. Under the imported socialization theory, immigrants who trusted their home countries' government institutions before migrating to host countries would also trust host countries' governments (Wals, 2011). The contrast thesis claims that immigrants who experienced police brutality in their home countries would enjoy democratic policing in host countries (Wu et al., 2017). Under the immigrant paradox thesis, there is a contradiction among scholars about immigrants' attitudes toward the police in host countries (Wu et al., 2017). The assimilation theory posits that first-

generation immigrants tend to adjust well in host countries, including viewing the police positively, more than the next generations after the first generation (Warner & Srole, 1945, as cited in Wu et al., 2017; Nagasawa et al., 2001).

The first part of the Literature Review section focused on the historical background of the Banyamulenge community, a Congolese minority ethnic group to which the current study participants belong. Researching this background was intended to answer historical-related questions that could arise to understand the participants' profound perceptions of police in the United States. Despite living in the Democratic Republic of Congo for centuries, Banyamulenge still experience discrimination and persecution today, with disparaging references to them as "foreigners" or "Rwandan immigrants."

Throughout this part, the study showed how this ethnic hatred originated from the Belgian colonial administration's revocation of Banyamulenge's traditional chiefdoms in 1933. However, the customary administrative entities were officially established in 1906 and given to the Itombwe Tutsis (known as Banyamulenge) by the Congolese Independent State or *l'État Indépendant du Congo* (Willame, 1997). Mutambo (1997) revealed that the revocation resulted from Banyamulenge's refusal to cooperate with the Belgians, especially regarding the appropriation of the land. This revocation is highly believed to be the root of discrimination and persecution against the Banyamulenge community in the last decades. One prominent example is the Vangu Commission. Created by the High Council of the Republic - Transitional Parliament in 1994, the Vangu Commission concluded that Banyamulenge were "foreigners." As a result, efforts to force them out of the country began shortly after the commission's completion. The first part of the Literature Review section discussed and documented many events resulting from

the Belgian colonial administration's decision, including selective arrests and killings the current study participants survived in 1998.

The second part of the Literature Review section focused on the study-related literature. In this part, the researcher explained how Congolese law enforcement and the Congolese State have failed to maintain order. Because of established disorders in the country, the study showed how the Congolese national army is part of the law enforcement community because members of the institution enforce laws and regulations like or with the police (Kirk et al., 2021), making it difficult to distinguish one from another. The study then discussed in-depth police misconduct and brutality, among others, in non-US countries and emphasized Wals' (2011) imported socialization theory and how perceptions of the police from countries of origin are carried over to host countries.

In addition, existing literature on police behaviors in Western nations, including the United States, where the current study participants reside, indicates that the police force faces extreme criticism regarding how they target minority groups (Novich & Hunt, 2017). Existing literature also reveals conflicting findings about confidence in the police and crime reporting among immigrant groups in host countries. Regardless of the negative policing impacts discussed in previous sections, there is enough evidence about the positivity of policing worldwide. In other words, policing should never be viewed only from one angle. Unfortunately, negative policing behaviors are more noticeable and documented than positive ones. Therefore, negative policing behaviors blur positive behaviors, making people focus on only negative impacts.

The study concluded this part by giving examples of three ethnic minority groups from three countries and the relationship between their discrimination and perceptions of their national

police. The Rohingya community in Myanmar, the Malaise Creole community in Mauritius, and the Banyamulenge community in the Democratic Republic of Congo have similar histories of discrimination and persecution by their governments.

CHAPTER THREE: METHODS

Overview

The study aimed to understand the perceptions of the police among the Banyamulenge immigrants, a Congolese community, in the United States. The uniqueness of this particular community is that it has been treated, among other few communities, as foreigners and refugees in their home country for decades. The Second Congo War of 1998 highlighted the Banyamulenge's (and the Tutsis in general) persecution by the Congolese government and their fellow citizens. This chapter explains the methods used for procedures, the research participants' recruitment, data collection, data analysis, the researcher's role, and other related points.

Qualitative Research Design

The study utilized a qualitative research design. The qualitative study aimed to explore the in-depth experiences of participants using a combination of their observations and detailed interview questions (Simony et al., 2019). Semi-structured interviews were conducted because such interviews elicit detailed information from participants, ensure plausible results, and assist in understanding the meaning of human experiences (Daykin et al., 2018; Kallio et al., 2016; Fiori et al., 2019; & Constantinou et al., 2017). While research participants were asked about their past experiences with Congolese law enforcement, a portion of the interview questions was dedicated to exploring their experiences with the police in the United States. Therefore, the research's second half about their experiences with the police in the United States was phenomenological because experiences in participants' everyday life were the focus (Alenchery et al., 2018).

Qualitative research is a way of understanding people's experiences (Denny & Weckesser, 2018). Similar to understanding people's perceptions using qualitative research,

Denny and Weckesser (2018) argued that in healthcare fields, such as obstetrics and gynecology, qualitative research helps clinical researchers understand people's "complex thoughts and actions within their lives" (p. 369). Perceptions deal with thoughts and actions resulting from ideas. Most importantly, Denny and Weckesser (2018) asserted that qualitative research allows research participants to include their voices in research being conducted on them, an indispensable privilege for research participants.

Finlay (2013) explained the phenomenological process in qualitative research using five approaches, including the lifeworld. Finlay (2013) argued that the lifeworld combines a person who experiences the world and the world itself. This also means that individuals share lifeworlds. Therefore, a qualitative researcher enables the research participant to describe their experience richly and deeply. For example, Finlay (2013) encouraged researchers to use senses in their research questions.

One way is to ask research participants to describe what they saw, heard, smelled, touched, and tasted. Finlay (2013) also encouraged qualitative researchers to view participants' experiences as vivid processes rather than fixed phenomena. The more the researcher asks participants for full detail, the more the past lifeworld is re-experienced, recommending qualitative researchers to obtain even more information rather than jumping to interpretations (Finlay, 2013). Finally, Finlay (2013) suggested that researchers focus on experience rather than participants' feelings during the interview.

Qualitative research relies heavily on interviews as its primary data collection method (Englander, 2012). Englander (2012) argued that qualitative research does not have one method but several methods, including hermeneutic phenomenology, descriptive phenomenology, grounded theory, and content analysis. However, the scholar criticized students who make the

mistake of combining multiple qualitative research methods and calling it one. This study uses descriptive phenomenology. Englander (2012) emphasized the importance of the rigorous quality of a qualitative study. Englander (2012) encouraged researchers to use one method for data collection and analysis. The scholar also added that data collection and data analysis should use the same theory to attain rigor. The main purpose of phenomenological research is to study participants' lived experiences to understand experiences meaning (Englander, 2012). The scholar suggested that it is imperative to consider the research method being used for the study when formulating research questions, leading to data collection and analysis.

Research Questions

The central research question for the study was: What are the Banyamulenge immigrants' perceptions of the police in the United States, and what impact do their experiences with law enforcement in the Democratic Republic of Congo have on their perceptions of the police in the United States? In order to develop the central research question to get an in-depth understanding of the matter, four sub-research questions were formed and are as follows:

RQ1: What are the lived experiences of the Banyamulenge prisoners with law enforcement in Congo in 1998?

RQ2: What are the Banyamulenge immigrants' perceptions of the police in the United States?

RQ3: What factors influence the Banyamulenge immigrants' confidence in the police and crime reporting in the United States?

RQ4: What does it mean to be discriminated against by Congolese law enforcement and its impact on perceptions of the police in the United States?

Setting

Research shows that a home setting is favorable for ensuring holistic data collection (Sivell et al., 2019). Therefore, the current study's setting was a quiet environment, either a home, park, or another convenient place where the participants and I agreed. Sivell et al. (2019) also argued that a home environment keeps the conversation between the researcher and the research participant natural because it is a comfort zone. Therefore, choosing a home setting or another quiet place ensured that the conversation stayed natural and that audio recordings would not be interrupted. Individual interviews were the primary tool to obtain participants' answers. Because some participants did not live with me or were not close to where I lived, phone call interviews were administered. I conducted all the interviews on the telephone in a quiet place, at home. I also ensured the participants were in quiet areas because the recordings were clear afterward. Any interruptions were addressed before continuing with the interview.

Participants

Ten research participants were selected using convenience sampling based on participants' availability and experience (Stratton, 2021). The main criterion in the sample selection process was a combination of past interactions with police in Congo and recent interactions with police in the United States. However, according to Stratton (2021), convenience sampling can create biases, and, as a result, the research results can only be applied to the participant group, not the general population. Therefore, the results of this study apply to one group of the Banyamulenge people who have moved to the United States, those imprisoned in the Second Congo War of 1998 in Lubumbashi and the surrounding cities and regions, including the capital city, Kinshasa. In addition, the results also apply to Banyamulenge former prisoners in other Democratic Republic of Congo wars. In other words, this current study's generalizability

applies to members of the Banyamulenge community who experienced ethnic-driven and arbitrary imprisonment and persecution in the Democratic Republic of Congo.

Englander (2012) suggested that participants' selection be the first step in collecting data. The scholar argued that the general question for phenomenological research should be "what is it like"? Therefore, Englander (2012) advised that phenomenological researchers should always ask themselves if the participants they are interested in have the experience they are looking for. Such knowledge enables researchers to be confident in their participants since they have experienced the phenomenon being studied (Englander, 2012). Regarding the qualitative research sample size, Englander (2012) did not agree with other scholars, such as Kvale (1994), who advocated a high number of interview subjects. Englander (2012) found that, since the "how many" question belongs to quantitative research, qualitative research should focus on the "what is it like" question.

Englander (2012) also suggested that the misconception may be rooted in generalizing results because a study with a large sample size may be perceived as more legitimate. Therefore, Englander (2012, p. 20) argued, "If one can achieve the goal of representativeness and generalizability from a small number of research participants, then a qualitative method such as phenomenology can meet this general scientific criterion as well as a statistically-based approach." Indeed, qualitative results are specific to the sample population, not the population at large (Denny & Weckesser, 2018).

As a result, I recruited ten participants from different cities and states in the United States. The recruitment occurred using participants' availability and existing connections (Stratton, 2021), either my connections or others’. The purpose of recruiting participants from different areas was to understand Banyamulenge immigrants' perceptions of police from various

police departments. Texas was considered one of the few states with many Banyamulenge people. Participants were selected using purposive, convenience sampling that reflected the variety in age, sex, and geographic area (Summers et al., 2017). Participants' eligibility was determined by asking them qualification questions related to their experiences with Congolese and American law enforcement (Bakhit et al., 2019).

Informed consent was obtained from each participant because it was essential in conducting a study on human participants (Abay et al., 2016). Participants were advised that interviews would be recorded to transcribe answers verbatim only, ensuring all the answers were recorded at the maximum level. I assured participants that their recorded audio files might be stored for transcription but would not be shared with anyone else. Participants were then requested to consent to recording their interviews (Amin & Abdelmageed, 2020). For security purposes, mainly because some participants traveled back to Congo for personal reasons, all participants' identification was kept confidential and not used in the study.

The following were the criteria of this study:

- Being a member of the Banyamulenge community and born in the Democratic Republic of Congo.
- Have been imprisoned during the Second Congo War of 1998 in Lubumbashi, the surrounding cities and regions, including the capital city, Kinshasa.
- Have been imprisoned for being a member of the Banyamulenge community or similar identifications, such as Tutsi or Rwandan.

Scope and Limitations

To my knowledge, this is the first study evaluating the interactions of members of the Banyamulenge with Congolese law enforcement and how these interactions have impacted their

perceptions of police in the United States. Members of this community are dispersed across the American nation. The number of Banyamulenge immigrants in the United States is unknown, but it is believed that more than 5,000 Banyamulenge people live in different states. The interviews were conducted on adults only, 18 years and older, males and females. The interviews were also administered to individuals who spent time in prison in 1998, in Lubumbashi and surrounding cities and regions, including Kinshasa.

The length of resettlement in the United States did not play a role in determining research participants. However, it is believed that most of the 1998 Banyamulenge prisoners settled in the United States in 2000 or later. The research was limited to ten Banyamulenge civilians imprisoned for their ethnicity. The study did not touch on other cases outside the specified area and year in the region.

Other limitations included participant bias (Stratton, 2021), absence of previous research, lack of diverse participants, breadth of study, and the number of participants. The research participants were expected to be biased because they told their worst experiences with the Congolese army and law enforcement. Bias was also based on the participants' remembrance of cruelty and inhuman treatment against them. Finally, convenience sampling creates bias (Stratton, 2021). In addition, the lack of previous research on the exact topic and ethnic group presented a limitation. Previous research would have been a valuable asset, guidance, and recommendation for newer studies.

Moreover, the research study was limited to only a few members of the Banyamulenge ethnic group. Research on the same topic from members of different ethnic groups in the Congo would have been more inclusive and generalized. Therefore, such a study would have shed more light on Congolese immigrants' general perceptions of the police in the United States. Hence, the

lack of diverse participants limited the breadth of the study. Finally, even within the Banyamulenge community, ten participants were not enough to be inclusive and generalized within such an ethnic group. However, because of the qualitative nature of the study, I preferred to deal with a small number of participants to obtain in-depth details about their past experiences with their home country's law enforcement, leading to their perceptions of the police in the United States.

Procedures

I first sought the approval of Liberty University to recruit and collect data through the university's Institutional Review Board (IRB). Obtaining permission was crucial and a prerequisite to reaching out to potential research participants. After receiving approval from the Liberty University IRB to begin participant recruitment and data collection, I spoke with different people in the Banyamulenge community. I inquired about former prisoners during the Second Congo War of 1998. Research participants were selected using purposive, convenience sampling (Summers et al., 2017; Stratton (2021). Therefore, recruiting participants using community members' existing connections and relationships was convenient.

The Researcher’s Role

In the Situation to Self section of the Introduction chapter, I addressed myself as an insider researcher. However, while being an insider researcher has advantages, there are also disadvantages. For example, Englander (2012, p. 19) stated that "the data may transcend what the researcher thinks he/she knows about the phenomenon, and in fact the researcher wants to suspend pre-understandings in order to discover the meaning of the phenomenon." Therefore, even though I was not imprisoned in the Democratic Republic of the Congo like my research participants, I share ethnicity with them, implying an indirect sharing of their experiences.

However, regardless of this indirect connection with the research participants, I stood aside as much as possible as a researcher to avoid biases and get the full meaning of the events they experienced. In addition, I reminded myself to remain objective throughout the gathering and analysis of data. I strongly believe that my objective role was sustained because I had never experienced the same phenomenon as the participants. Indeed, I opened my eyes and ears widely and was eager to learn from the participants as an outsider to the phenomenon.

Data Collection

I collected data using different tools. However, interviews were the primary source of gathering data. While interviewing research participants, I collected and analyzed cues as they related their stories. Finlay (2013) argued that data collection alone is not the real research. Instead, the real research involves data processing and analysis, which is explained in detail in the following sections. In this section, I also explain data saturation.

Interview Data

I was interested in understanding research respondents' subjective perspectives about their experiences and perceptions (McGrath et al., 2021). I began making phone calls to set up phone appointments with each participant. Unfavorable settings may interfere with data collection (McGraph et al., 2021). That is why I preferred to interview participants in the presence of no one else but themselves (Hess et al., 2017). Interviewing participants without other people around them created a comfort zone and allowed them to tell their stories with no distractions, ensuring the interview's confidentiality.

Upon reaching an agreement on the day and time of the interview, the first phone meeting was to clarify how the actual interview would be handled. I read each participant the recruitment script. For those participants who were ready to proceed, the interview occurred on the same day.

For those who were not, another interview meeting was scheduled. In addition, during the first meeting, I also gave participants a consent form to familiarize themselves with their commitment to the study. Participants were asked to sign the consent form. Participants were allowed to ask any questions before the actual interview. Participants were given the interview guide to help them understand interview expectations. This gave the participants peace of mind and avoided surprising them with interview questions on the day of the interview. I sent a digital copy of the consent form for phone interviews and received a signed form back.

During actual interview sessions, I encouraged the participants to answer questions truthfully to the best of their knowledge and provide accurate information (Powell & Brubarcher, 2020). In addition, I encouraged the participants to use the "no" word for interview questions that did not apply to them, giving them the freedom to answer how they found fit (Powell & Brubarcher, 2020). The step served as a guide and prevented gathering inaccurate information, which could ruin the study. To ensure this aspect was maintained, I investigated before interviewing the participants, ensuring they would only be asked about their experiences or things they went through.

Because interviewing vulnerable participants is challenging, Powell and Earhart (2018) encouraged researchers to keep questions simple. In addition, the events occurred more than two decades ago. Therefore, some of the crucial details of the events may have been forgotten, negatively impacting the study. Finally, because some participants could not read, write, or speak English, I collected data using semi-structured individual interview questions, translating the questions from English to their language, Kinyamulenge.

Table 1

Semi-Structured Interview Questions

Standardized Interview Questions	Research Questions
1. Please tell me where you were in 1998, who arrested you (police, soldiers, or others), and how they initially treated you.	RQ1
2. What was the nature of your crime? In other words, what was the nature of the reason you were arrested?	RQ1
3. Were you a civilian when you were arrested? If so, what was it like being a prisoner of war as a civilian?	RQ1
4. I understand it is painful to remember and tell your experiences in Congo in 1998. Can you describe how Congolese police or soldiers treated you and other prisoners with you?	RQ1
5. You have been living in the United States for many years now. Based on your experience, can you tell me what you think of the police in the United States compared to law enforcement (police/soldiers) in Congo?	RQ2
6. Do you think the police in the United States respect the human rights of those in their custody compared to Congolese law enforcement? Would you describe any difference?	RQ2
7. With perceptions of law enforcement from both countries, how would it be different if you encountered the American police in 1998 instead of Congolese law enforcement?	RQ2
8. The police in the United States may have contacted you. Would you walk me through the contact and how you were treated?	RQ2
9. Would you dial 911 for your assistance or another person's assistance in the United States? Why or why not?	RQ3
10. Compared to your experience with Congolese law enforcement, please tell me how you would feel in American police custody, during a consent contact, or a traffic stop.	RQ3
11. Between the police in the United States and Congolese law enforcement, who would you call for help? Why?	RQ3
12. What do you remember of the treatment by Congolese law enforcement in prison?	RQ4
13. Do you think your identity or ethnic affiliation played a role in how Congolese police or soldiers treated you? Why?	RQ4
14. What did it mean to be a member of the Banyamulenge community or similar communities in Congo in 1998?	RQ4
15. Do you think the police in the United States would treat you differently because you are a member of the Banyamulenge community? Why or why not?	RQ4

Questions 1 through 4 were used to describe the study participants' experience in Congolese prisons. Questions 5 through 8 helped to answer the second research question about the participants' perceptions of American police. Questions 9 through 11 addressed the third research question to understand some factors influencing confidence in the police and crime reporting among the participants. Finally, questions 12 through 15 focused on the last research question, understanding the impact of law enforcement discrimination in one's country on perceptions of the police in the host country.

Reflexive Memos

Reflexive memos are an asset in qualitative research, mainly when recorded with interviews (Jackson et al., 2018). Reflexive memos are recorded alongside interviews, taking account of the researcher's presence during the investigation. Not only do reflexive memos help to collect adequate data, but also they help analyze collected data (Olsman et al., 2015). Olsman et al. (2015) argued that during their analysis process, the scholars used reflexivity and member checking. Kennedy (2020) wrote memos, studied them, and one of the findings was the struggle with self-doubt. The researcher looked back to their memos and evaluated their personality effect on the study. It is like standing guard to look for different things, including biases, in the researcher's world about the study. Reflexive memos help control biases, especially if biases and assumptions are documented before collecting and analyzing data (Kogan et al., 2013). As a result, I recorded and used my reflexive memos as an audit trail to help the study data's trustworthiness, for instance, by writing steps I took before and after the interview process and data collection.

Observational Data

Finlay (2013) advocated empathic listening when interviewing a qualitative research participant. Finlay (2013) argued that inexperienced researchers spend time reporting long quotations from participants without going beyond participants' descriptive words. I was actively engaged in the study by recording observations or cues in my notes (Adhikari et al., 2018). By paying attention to observations, I could describe what interview questions could not, real-life evidence (Chatterjee et al., 2018). Participants' statements during phone interviews helped gather in-depth, rich data.

Data Saturation

Data saturation is a critical component of data collection to ensure that the quality of research results is attained (Fusch & Ness, 2015). Fusch and Ness (2015) argued that data saturation has two vital elements to be met: rich data and thick data. Rich data means quality, and thick data means quantity. It is possible to meet only one element. Data can be rich, not thick. Data can also be thick, not rich. According to the scholars, a study that does not present data saturation issues must meet both elements.

Fusch and Ness (2015) asserted that one of the methods to ensure a study's results reach data saturation is through conducting interviews. Weller et al. (2018) defined saturation in the qualitative study as the number or series of interviews needed to ensure all items and themes are covered. The authors affirmed that the collection of the most important ideas and themes is what is required for a qualitative study rather than the collection of all or most ideas and themes. In other words, the focus should be on the most noticeable items and themes, not all items and themes. Therefore, I attempted to cover most of the aspects of the study to meet the data saturation requirement. I collected rich (quality) data and thick (quantity) data.

Data Analysis

McGraph et al. (2021) recommended qualitative data analysis before the conclusion of all interviews because qualitative data tend to be very large. Therefore, I used the iterative process to analyze data. According to Fraser and Taylor (2022), iteration is used to talk to current participants about past results from other participants, specifically when participants experienced a similar event. For example, since the current research participants experienced similar events in different prisons and regions, they were all treated by the same body of civilian personnel, police, and military forces. Therefore, the iterative process was helpful because participants were asked clarification questions about what other participants reported they experienced. After the interviews were transcribed verbatim and exported into Microsoft Word, the coding process began (Iwelunmor et al., 2017). McGraph et al. (2021) indicated that transcribing all cues in recording data, including pauses and giggles, is essential.

The inductive approach was used to analyze data (Iwelunmor et al., 2015 & Lim et al., 2019). These scholars indicated that their data analyses were conducted independently by different authors. However, I analyzed data on various occasions to reach the coding review requirement. The study used thematic analysis to find and discuss different themes throughout the dataset (Lim et al., 2019). In addition, similar ideas in participants' statements were grouped using codes, then the codes formed sub-themes, and finally, actual themes were formed and discussed further. Then the themes later indicated the similarities and differences in the participants' experiences, leading to their perceptions.

Thematic Analysis

According to Lester et al. (2020), thematic analysis is a good starting point for new researchers in the qualitative research field. The scholars emphasized that thematic analysis may

be suitable for only some qualitative research designs. However, thematic analysis has not received recognition as other qualitative research analyses, such as grounded theory, ethnography, or phenomenology (Nowell et al., 2017). Nevertheless, researchers have argued that thematic analysis can fulfill the rigor of qualitative research when appropriately conducted (Lester et al., 2020; Nowell et al., 2017). For example, Lester et al. (2020) explained seven practices for conducting a rigorous thematic analysis. The seven phases are preparing and organizing the data for analysis, transcribing the data, becoming familiar with the data, memoing the data, coding the data, moving from codes to categories and categories to themes, and making the analytic process transparent.

In addition, Lester et al. (2020) and Nowell et al. (2017) emphasized the significance of verifying the analytic approach of thematic analysis. Nowell et al. (2017) explained the advantages and disadvantages of thematic analysis. The researchers appreciated the thematic analysis's flexibility and minimal knowledge of technological tools that other analytic approaches require. Thematic analysis is also easier and quicker to learn and grasp than other qualitative research approaches, such as grounded theory and ethnography. However, one of the disadvantages of thematic analysis is the lack of adequate literature on thematic analysis to help novice researchers excel in the field. Nowell et al. (2017) argued that other qualitative methods possess substantial literature for students to use when learning. Finally, the scholars emphasized that the thematic analysis's flexibility could lead to inconsistency in developing themes.

To avoid difficulties managing qualitative data, I followed the seven phases proposed and described by Lester et al. (2020) to ensure I conducted a rigorous thematic analysis. The phases are preparing and organizing the data for analysis, transcribing the data, becoming familiar with the data, memoing the data, coding the data, moving from codes to categories and categories to

themes, and making the analytic process transparent. Making the analytic process transparent is a crucial step. For example, Lester et al. (2020) argued that presenting information from a qualitative research study requires specific methods that outsiders of the said study can easily verify. That is why trustworthiness in qualitative research is a vital element.

First Cycle Coding

In his coding manual book, Saldaña (2016) explained different methods that can be used during the first coding cycle. Because data are still unorganized, these methods occur during the initial phase of coding to determine initial codes to be further analyzed in the second coding cycle. Saldaña (2016) suggested that several techniques may be mixed during the first coding cycle, but the author warned about incompatible processes. The author indicated that a single method might suffice during this first cycle, depending on the study and what the researcher wants to achieve. Saldaña (2016) also emphasized the importance of research question alignment and appropriate coding methods for a particular study, especially regarding, for example, ontology and epistemology, the two philosophical beliefs I presented in the first chapter of the dissertation.

For instance, ontological questions may begin with "what is," and some appropriate coding methods for these questions include In Vivo, Process, and Emotion. On the other hand, epistemological questions may begin with "what does it mean," and some appropriate coding methods for these types of questions include Versus, Causation, and Pattern Coding. Ontological questions aim to understand "the nature of participants' realities," while epistemological questions seek to understand participants' "perceptions found within the data" (Saldaña, 2016, p. 70).

Saldaña (2016) presented many coding methods during the first coding cycle, but I chose a few methods that I believed would be more beneficial to my study. However, I first focused on coding methods aligned with my central research questions based on ontological and epistemological questions. Therefore, the following were the coding methods I used in the first coding cycle: Attribute Coding (participant demographics), Subcoding (organizing data into hierarchies), In Vivo Coding (utilizing the participant's own language without paraphrasing to give the participant a voice), Emotion Coding (labeling the participant's feelings of their experience), and Versus Coding (documenting patterns of conflict in the participant's experience). In addition, Saldaña (2016) advocated for a post-coding transition between the first and second coding cycles to reorganize the modified data.

Second Cycle Coding

According to Saldaña (2016), the second coding cycle may not be needed to transition first cycle codes. However, when required, the second cycle is a phase of "reorganizing and reanalyzing data coded through first cycle methods" (Saldaña, 2016, p. 234). The ultimate goal for the second coding cycle "is to develop a sense of categorical, thematic, conceptual, and/or theoretical organization from your array of first cycle codes" (Saldaña, 2016, p. 234). Therefore, the second coding cycle aims to develop and select more exhaustive categories, themes, or concepts, leading to the research write-up.

Like the first coding cycle, there are multiple coding methods for the second coding cycle. For Pattern Coding, for example, Saldaña (2016) argued that it could be sufficient as the only second-cycle coding method. Pattern Coding helps assemble similar codes from the first cycle. Focused Coding was another coding method I utilized for the second coding cycle. "Focused Coding categorizes coded data based on thematic or conceptual similarity" (Saldaña,

2016, p. 235). I preferred Focused Coding because it follows In Vivo Coding, one of the coding methods I used through the first coding cycle, and Focused Coding helped develop the most important categories and themes from my coded data (Saldaña, 2016).

Trustworthiness

Trustworthiness for all research is required (Adler, 2022). Adler (2022) argued that quantitative research is more trustworthy than qualitative research because it uses numbers to find relationships in data and is easier to evaluate. On the other hand, qualitative research's trustworthiness becomes questionable because finding relationships comes from the researcher's analysis of the participant's words. Therefore, some scholars have suggested that qualitative research's trustworthiness should be based on credibility, dependability, confirmability, and transferability (Lincoln & Guba, 1985, as cited in Adler, 2022).

For example, to meet the credibility criterion, the researcher must verify the study findings with the participants to complete the audit requirement (Cope, 2014). Dependability focuses on documenting the researcher's research activities for an audit trail, including maintaining process logs or the researcher's notes indicating, for example, the study process, such as the list of participants and what to watch during the interview (Connelly, 2016). Cope (2014) also emphasized that using direct quotes from the participants during qualitative research reporting would suffice to meet the confirmability requirement. Finally, the scholar argued that qualitative research results are transferable if other individuals outside the study can find meaning in research results.

Furthermore, Adler (2022) maintained that transparency is central to trustworthiness in qualitative research. The scholar also argued that making qualitative research trustworthy requires several steps, especially clearly explaining the theoretical framework (the foundation of

how research questions are developed) and methods. In showing methods, reflexivity (to maintain objectivity through sharing with readers any interference between the researcher and the participant) and triangulation (cross-checking) are among the most effective methods of showing trustworthiness in qualitative research (Adler, 2022). Therefore, reflexivity was applied throughout my study to maintain objectivity as much as I could. In addition, Adler (2022) asserted that there are many forms of triangulation, including theory triangulation (applying different theories to the data), which I used in the study.

Ethical Considerations

Ethical considerations in research have been debatable for a long time. One of the famous studies that made ethical considerations questionable occurred in 1971, a study carried out by Professor Philip Zimbardo. Not only did Zimbardo's Stanford Prison Experiment restrict the decision-making ability of research participants, but the restriction was also applied to the experiment prison guards "about how to behave and run the prison" (Haslam et al., 2019, p. 817). My study considered this classic ethical violation in research by utilizing informed consent to give participants autonomy to participate and make decisions voluntarily before and during the data collection process (Mallia, 2018), of course, after receiving Institutional Review Board's approval to proceed with the study. The study participants were also reminded they could withdraw their participation at any time.

Confidentiality and privacy in research are essential to allow participants to participate freely. The two concepts, among others, are mostly considered to protect vulnerable populations (Surmiak, 2018) who may be at risk of harm (Aldridge, 2014) due to participating in a research study. Therefore, I consider my study participants vulnerable because they were war prisoners who were imprisoned not because of violating their country's laws but because of their ethnic

affiliation. Surmiak (2018) interviewed sociologists and anthropologists in Poland and found that researchers considered themselves responsible for keeping their participants confidential.

Being accountable for ensuring the participants' confidentiality enabled me to use pseudonyms to avoid displaying the participants' identities in the study. Some scholars have recommended inviting participants to choose their own pseudonyms (Allen & Wiles, 2016; Heaton, 2022), but others, including Heaton (2022), have recommended the opposite, assigning pseudonyms to study participants. Therefore, I gave the study participants both options, creating or choosing their pseudonyms or assigning pseudonyms to them.

Summary

The study aimed to understand the perceptions of American police among the Banyamulenge immigrants, a Congolese community in the United States. The chapter details the study participants, setting, research questions, criteria for selecting the participants, and data collection and analysis, with thematic analysis as the lead analysis method. Research participants were selected using purposive, convenience sampling, mainly using community members' existing connections and relationships. Semi-structured questions and reflexive memos enabled the collection of adequate data. The analysis went through two cycles of coding. The chapter also showed how trustworthiness, especially theory triangulation, and ethical considerations were met. The next chapter provides the study results.

CHAPTER FOUR: FINDINGS

Overview

This qualitative study aimed to understand the perceptions of the police among the Banyamulenge immigrants, a Congolese community, in the United States of America. This chapter discusses research findings. The following four questions led the study:

RQ1: What are the lived experiences of the Banyamulenge prisoners with law enforcement in Congo in 1998?

RQ2: What are the Banyamulenge immigrants' perceptions of the police in the United States?

RQ3: What factors influence the Banyamulenge immigrants' confidence in the police and crime reporting in the United States?

RQ4: What does it mean to be discriminated against by Congolese law enforcement and its impact on perceptions of the police in the United States?

This section will briefly introduce each research participant's demographic description. Then the study results will be discussed using themes developed through thematic data analysis. Lastly, each research question will be addressed thoroughly using the research participants' experiences.

Participants

Ten research participants were recruited, voluntarily agreed, and participated in this study. Seven were male, and three were female. Three pieces of participants' demographics were collected: pseudonyms, gender, and age range. I was not interested in specific demographic information, for example, education level, because the study had nothing to do with participants' education. To ensure confidentiality, pseudonyms and age range were used. Pseudonyms were

used to hide the participants' real names, and I preferred to use the age range to conceal their exact ages, making it hard to guess. All the participants ranged from 30 to 69 years old (see Table 2).

Table 2

Participant Demographics

Participant	Gender	Age Range
Asimwe	Male	40 – 49 years
Barbara	Female	40 – 49 years
Chase	Male	30 – 39 years
Daisy	Female	50 – 59 years
Eastman	Male	60 – 69 years
Freeman	Male	30 – 39 years
Gi	Male	60 – 69 years
Hugo	Male	40 – 49 years
Isha	Female	40 – 49 years
Jay	Male	40 – 49 years

Asimwe

Asimwe was in his 40s when participating in this study. During the 1998 Second Congo War, he was a civilian in the city of Mbuji-Mayi, in the province of Kasaï-Oriental. He was

recruited based on availability, convenience, and prior knowledge of his prison experience in 1998 in the Democratic Republic of Congo (DRC or Congo). He has been in the United States for at least two decades. He was illegally imprisoned in the Congo in 1998 based on his ethnic group.

Barbara

Barbara was one of the three female participants. When she participated in this study, she was in her 40s. When the Second Congo War of 1998 started, she was a civilian in Lubumbashi, the second biggest city in the country after the capital city, Kinshasa. Her recruitment was based on availability, convenience, and prior knowledge of her prison experience in 1998 in the Congo. She has been in the United States for at least two decades. Her illegal imprisonment in the Congo in 1998 was based on her ethnic group.

Chase

Chase was in his 30s during the study's data collection. He was a civilian in the city of Mbuji-Mayi, in the province of Kasaï-Oriental, in 1998, during the Second Congo War. He has been in the United States for over two decades. His recruitment was based on availability, convenience, and prior knowledge of his prison experience through other participants. He was illegally imprisoned in the Congo in 1998 based on his ethnic group.

Daisy

Daisy was in her 50s during the study interview. She was one of the three female participants to be interviewed for this study. Daisy was in Lubumbashi when the Second Congo War started in 1998. She was a resident there. She and her children were illegally detained for being members of the Banyamulenge community. Daisy's recruitment was based on availability,

convenience, and prior knowledge of her prison experience in the Congo. She has been in the United States for over two decades.

Eastman

Eastman was a civilian and merchant in Lubumbashi when the 1998 Second Congo War began. He was illegally arrested and accused of being a member of his ethnic group, the sole crime. During this study, he was in his 60s. He has been living in the United States for many decades. His recruitment was based on availability, convenience, and prior knowledge of his prison experience through other friends.

Freeman

Freeman was a civilian in Mbuji-Mayi, Congo, when the 1998 Second Congo War began. He was illegally arrested when soldiers invaded his residence. His only crime was being a member of the Banyamulenge community. He also survived illegal imprisonment and torture after his family members were killed. He was in his 30s during this interview. He has been in the United States for more than twenty years. He was recruited based on convenience and prior knowledge of his prison experience in the Congo.

Gi

Gi was a civilian and merchant in Lubumbashi when the 1998 Second Congo War began. He reported he did not commit a crime when he was illegally arrested during this war. His only crime was his ethnic affiliation, being a member of the Banyamulenge community. As a participant in this research, Gi was in his 60s. His recruitment was based on availability, convenience, and prior knowledge of his prison experience through other research participants. He has been in the United States for over two decades.

Hugo

Hugo was in his 40s during the study interview. He was a civilian and student when he was illegally arrested for being a member of the Banyamulenge community in Lubumbashi during the Second Congo War in 1998. He survived the killings of members of his community when he ran away from a soldier assigned to shoot him. The soldier shot several times toward him but missed him. He has been in the United States for two decades. His recruitment was based on convenience and prior knowledge of his prison experience in the Congo in 1998.

Isha

Isha was one of the three female participants in this study. She was in her 40s during this interview. She was illegally detained in Lubumbashi in 1998 for her ethnic group affiliation, being a member of the Banyamulenge community. She had her child in prison. She experienced inhuman, illegal imprisonment as a pregnant woman. Having a child in prison was a miracle. She has been in the United States for over twenty years. She was recruited based on convenience, availability, and prior knowledge of her prison experience in the Congo in 1998.

Jay

Jay was a civilian and student in Lubumbashi in 1998 during the Second Congo War. He was illegally arrested by a military commander who knew them well. His only crime was being a member of the Banyamulenge community. Like other prisoners, he experienced inhuman treatment. His recruitment was based on convenience, availability, and prior knowledge of his prison experience in the Congo in 1998. He has been in the United States for more than two decades.

Results

The data was collected using two different methods: a set of semi-structured interview questions and reflexive memos. While semi-structured interview questions were used to collect

the primary dataset, reflexive notes helped the researcher avoid possible biases or involvement in the research findings. After interviewing all ten research participants and transcribing all the recording interviews, the researcher reviewed 121 raw pages of the dataset for relevant information analysis.

After two coding cycles and thorough dataset analysis, ten distinct themes were identified and will be discussed below. The identified themes are 1) *arresting all Banyamulenge, Tutsi, and Rwandans*; 2) *beating, raping, torturing, and looting*; 3) *death camp and beheading place*; 4) *humiliating, traumatizing, and dehumanizing*; 5) *neighbors and soldiers helping, wanting to help, and rejecting detainees*; 6) *perceptions of the American police*; 7) *confidence in the police and willingness to call for help*; 8) *being detestable, getting rid of, and being destroyed*; 9) *negative impact on perceptions of American police*; and 10) *positive impact on perceptions of American police*. The four research questions discussed throughout the study will be addressed by analyzing these themes.

Theme Development

Two data collection methods were used: semi-structured interviews, which were used to collect the primary dataset, and reflexive memos to maintain objectivity through data collection and analysis. To maintain trustworthiness in this qualitative research, theory triangulation or applying different theories to the data played a significant role (Adler, 2022). Therefore, immigrant-specific experiential theories were kept in mind during theme development. After obtaining approval from Liberty University's Institutional Review Board (see Appendix A), interviews were recorded using a recording electronic device and transcribed using Microsoft Word. Then, the transcripts were loaded into NVIVO 14 software for analysis. Themes and sub-themes were developed from initial and individual codes from each interview.

First Cycle Coding

According to Saldaña (2016), four main coding methods were utilized during the first coding cycle: Subcoding, In Vivo Coding, Emotion Coding, and Versus Coding. Among several coding methods presented by Saldaña (2016), I picked only these four because they best fit my research methods and questions. They helped me identify specific and most significant words and phrases to address the study's research questions better.

Second Cycle Coding

Focused Coding was picked among many coding methods during the second coding cycle. The reason was that Saldaña (2016) explains that Focused Coding follows In Vivo Coding, one of the four coding methods used during the first coding cycle. Like the four main coding methods used during the first coding cycle, Focused Coding was used in NVIVO 14 software to develop themes and sub-themes from initial codes (see Table 3).

Table 3

Themes and Related Codes

Themes	Sub-Themes
Arresting all Banyamulenge, Tutsi, and Rwandans	Arrested by soldiers and police Accused of and arrested for no crime Accused of tribal relationship Only offense being our ethnic group
Beating, Raping, Torturing, and Looting	Extreme beating beyond reasonable punishment Raped in front of families Stealing and looting detainees Tied and thrown into vehicles like firewood
Death Camp and Beheading Place	Condemned to die and shooting them

Humiliating, Traumatizing, and Dehumanizing	Ashamed of ourselves Depressed and traumatized by experiences Inhumane treatment
Neighbors and Soldiers Helping, Wanting to Help, and Rejecting Detainees	Helping and trying to help Would be treated like you
Perceptions of the American police	American police are better than Congolese law enforcement Sense of responsibility Serving with humaneness and easiness The likeness of God and *Umubyeyi* Unequal treatment of American police Would not have been persecuted and killed
Confidence in the Police and Willingness to Call for Help	Calling American police for help Not being scared Relying on American police for protection and justice
Being Detestable, Getting Rid of, and Being Destroyed	Being dehumanized and humiliated Being persecuted based on ethnic group Deserving horrible mistreatment and death Feeling worthless and denying ourselves Living with horrific memories forever
Negative Impact on Perceptions of the American Police	May treat blackness in me Racism here is black
Positive Impact on Perceptions of the American Police	Not different from others

Arresting all Banyamulenge, Tutsi, and Rwandans

Arresting all Banyamulenge, Tutsi, and Rwandans was identified as one of the main themes of the study because it indicated the beginning of all other participants' experiences that came afterward. All ten research participants expressed that they were arrested because of their

ethnic identity, Banyamulenge. They also indicated that soldiers or police officers detained them using other terms to identify them, specifically Tutsi and Rwandan. The following were the (4) sub-themes developed under this theme: *arrested by soldiers and police*, *accused of and arrested for no crime*, *accused of tribal relationship*, and *only offense being our ethnic group*.

Arrested by Soldiers and Police. This sub-theme was essential to specify who made the arrests and how they were made. Out of ten research participants, five reported that they were arrested by a mixture of soldiers and police officers or were handled by both security forces at different times during the detention period, and five others stated that only soldiers detained them. However, no participant reported that only police officers arrested them. Some detainees were also used to show soldiers and police officers where their ethnic group members were throughout the city. Asimwe reported:

> They were all together. They had already arrested one of us who was not living with us. They used him to show them where we lived. This individual called me because he knew me. I looked outside through a window and realized it was a person I knew, and I realized he was with soldiers. I opened the door for him. This individual had been arrested with others, whom they killed after they arrested them. They threatened to kill him if he refused to reveal where other Banyamulenge or Tutsis lived. They spared his life to use him to detain others. He showed soldiers where Banyamulenge, Rwandans, or Tutsis lived.

Barbara stated, "Although I went through different security forces, including the police, after being arrested, I was initially arrested by soldiers from President Kabila's residence, the presidential guards." Hugo said he was a university student "fleeing from the university" because "soldiers were looking for all members of the Banyamulenge community." Gi described how his

worker, who had his money, brought security forces to arrest him. He reported, "An individual who worked for me told police officers and soldiers where I was hiding. He showed police officers and soldiers where I was to keep my money." Isha said a military commander lied to them that he would take them to their parent's house, but instead, he "took us, and the next thing we knew, he put us in prison at Kabila's residence."

Accused of and Arrested for no Crime. Four participants felt they were charged with and arrested for no crime. For example, Eastman stated, "They did not accuse us of any other crime. They said, 'Here they are. They come back again.' Then they began ravaging, picking up whomever they came across." Freeman felt the same and argued:

> There was no crime. But to them [soldiers and police], crime was who I was created to be. Many people with us were killed. They did not commit any crime. They were civilians. They did not know anything about the military. They were not in the army. They were business people, ordinary people.

Gi also expressed his frustration about his arrest:

> It was persecution. I was discriminated against. I was not apprehended with a gun. I was not captured fighting. And I was detained by people who knew me and did business together. They did not arrest me for any crime. They simply accused me of being an enemy, that we [Banyamulenge people] had started the war, and they called us Rwandans and Tutsis. That is what they accused us of.

Hugo explained his experience, "Then, a military police (PM) unit came and loaded us in the back of a small Toyota pickup. They detained us and did not tell us anything. The leader of this military police unit knew us, and we used to go out with him."

Accused of Tribal Relationship. Nine out of ten participants believed they were arrested because of their tribal relationship with those who had invaded the country in 1998 during the Second Congo War. Eastman explained:

> Soldiers arrested me, those called *kadogos* (the small ones). We were sitting at a butchery when we heard about the war of the RCD [Rally for Congolese Democracy] in Goma. Soldiers just showed up and detained us. There were many of us. Some were selling cows at the butchery, and others were trying to get paid. They [soldiers] came and said that Banyarwanda [people from Rwanda] had invaded [the country] in Goma. Then they said, "These are the ones who bring them. They will bring them again and do us what they did to Mobutu."

Eastman continued:

> In the evening, we were informed that one of the commanders from our tribe in Kasumbalesa [at the Congolese border with Zambia] had fought with the regular army, and many soldiers were injured. They accused us of a tribal relationship with the commander. They [soldiers] told us we were all the same. They said dead bodies [from the battlefield] had come. They said some of the soldiers from our tribe had come from Goma and others from Kasumbalesa, things like that.

Gi reported, "The crime they accused us of was that we had started a war. He indicated they were told, "You have started a war. You are Tutsi. You are Rwandans." Hugo stated, "Because the 13 soldiers from the Banyamulenge community had escaped and killed other soldiers who attempted to fight them, it was decided to detain and kill all the members of the Banyamulenge or Tutsi community." Isha said, "They called us Rwandans. They told us,

'Kagame, your brother, is fighting us and killing people.' They added they should kill us before he got to them."

Only Offense Being Our Ethnic Group. Eight participants felt that the only offense that made them arrested was their ethnic group because they were unaware of any other crime they had committed or were accused of. For example, Isha stated, "The crime was how God created us and our appearance. The offense was that we were Banyamulenge. They denied the fact that we were Banyamulenge. They called us Rwandans. Nothing else they accused us of." Jay said, "After we entered the police inspector's office, he said, 'You are Rwandans.' We replied, 'No. We are Banyamulenge.'"

Jay reported:

> We were not accused of any crime. The only crime we could think of was who we were. Nothing else. They [soldiers] called us names however they wanted, mostly Rwandans. Even in the prison, before they killed many of us, they whispered to us through small prison windows that they would give us a free ride to Rwanda. They listed those they said they had already taken. However, all of those they said they had taken to Rwanda had been killed [going to Rwanda to them meant getting killed].

Daisy explained:

> They [soldiers] said we were Rwandans, that they did not want to see our faces because we were Rwandans. That is what they told me we were arrested for, nothing else. No other crime. The crime was how we were created, that we were Rwandans. They were straightforward in that they did not want the Rwandan tribe in the country. I defended myself and argued that my husband had worked with them for many years, and we had

been living together. How did we turn into Rwandans? They did not even want to hear me.

Chase said, "The nature of my crime was being a member of the Banyamulenge. When they [soldiers] came, they were like, Banyamulenge, Tutsi. These are the two words they used." He added, "They also said, '*Boza ba Rwandais*,' [in Lingala for] 'You are Rwandans.' Things like that. They added, 'You have refused to go home [Rwanda] peacefully, but we will kill you here.'" Asimwe stated, "We asked why we were arrested, and they told us they had arrested us because we were Tutsis, and Tutsis had invaded the country."

Beating, Raping, Torturing, and Looting

The second identified theme was beating, raping, torturing, and looting. The theme explains the initial treatment of the participants. The answers of all ten research participants helped develop this theme using beating, raping, torturing, and looting incidents. The theme was divided into four (4) sub-themes: *extreme beating beyond reasonable punishment*, *raped in front of families*, *stealing and looting detainees*, and *tied and thrown into vehicles like firewood*.

Extreme Beating Beyond Reasonable Punishment. Eight out of the ten participants shared their experience of fierce beating while in Congolese soldiers and police custody in 1998 during the Second Congo War. For instance, Barbara explained how soldiers apprehended them, "They took us in their cars while beating us painfully. They pushed, brutalized, and threw us at each other. I cannot tell you the nature of our ride from the house to the jail." She added, "They pushed us; they beat us; they did not choose where to hit: in the face, in the head… they hit us with anything, including metals, without considering the damage it would cause."

Barbara also explained how a soldier called her a psychologist when she was found with a Psychology book. The soldier returned later and asked her to guess if it would rain that day.

Barbara guessed wrong. The soldier summoned other soldiers to beat Barbara while holding her to the ground for guessing wrong. Barbara stated:

> After it rained, he came and took me outside. He made me lie down. He said, "I will hit you with all these sticks you see." He called other soldiers. If you have been in the Hauts Plateaux [in South Kivu, Democratic Republic of the Congo], do you know what is called *akangiringiri*? Yes. *Akangiringiri*. That day, they beat me *akangiringiri*. [*Akangiringiri* is a term describing a village activity when three people pound grains, for example, corn, to make flour. It's called *akangiringiri* because three people pound grains with pieces of wood simultaneously without stopping, giving each other turns in a rhythm.] Three soldiers beat me in a rhythm like pounding corn in *akangiringiri*.

Barbara described her feelings during the beating:

I remember that I started screaming. I screamed to the point of thinking that someone else was screaming next to me. I reached a point where I thought the sticks were being heard somewhere very far away. The bodily pain was no more. I became curious to see the lower part of my body being beaten if it was still connected to my upper part, where I still had feelings.

Chase recounted his experience, "They beat us every day. We got abused to the level where everybody, pretty much, was wishing for death." Asimwe, Freeman, and Jay reported that the morning beating was called tea or having tea. Jay told the story of new female prisoners, Tutsis from Rwanda, from another city. He stated:

> When they entered the jail, soldiers said the newcomers had not yet received tea, meaning the beating. They first undressed the 17-year-old girl. She was left in underwear. They beat her everywhere on her body, including her breasts and head, until she became bloody. She bled as if she was having a menstrual period. She bled until we all cried.

> They beat the grown-up women until their thigh muscles were torn, and blood was everywhere on their bodies. Even the 70-year-old woman was beaten to the point of losing her toes.

Raped in Front of Families. Reporting rape is usually brutal, yet a severe incident that was difficult to overlook during data analysis. One out of the three female participants said female detainees were raped in front of their families: parents and siblings. Isha stated, "Soldiers raped girls in front of their mothers. They also raped grown-up women. At this point, we were over 40 women with three older men." When asked when she remembered during her detention, Isha said, "And they knew well I was pregnant. Being raped. I think that's enough—starvation, being beaten, and being raped." Asimwe stated that he did not see detainees being raped, but female prisoners indicated it indirectly and needed protection from male prisoners. He reported, "Young women told us they were in danger. They said, 'When you see they call us on the side, nothing else they tell us other than trying to get us out of the prison.'"

Stealing and Looting Detainees. Three participants reported stealing and looting incidents from soldiers and police officers. For example, Daisy described how random people from the neighborhood stole her household belongings when she was under house arrest:

> After a few days, several random people came to my house. They said they wanted to buy my household belongings. They said they did not want my belongings taken away for free. They expressed their willingness to buy them instead. To me, [however], the act indicated that we were in danger, and the strong message was that we were to be killed at any time. They [random people in the neighborhood] came and took everything in the house and left only a few items. They even took my new clothes. However, they never came back with money. Unlike what they told me, they took my belongings for free. They never paid me. They must have known we were

to be taken away from our house. They must have known what was going on, what was being planned for us.

Gi explained how security forces invaded his house and took his money, "My room had several things many people had stored inside because my room was secure. Police officers and soldiers immediately began going through bags. The bags contained money." Hugo recounted his story, "I had $100 in my wallet. When they got us to the military detention center, they searched us and took away our belts, wallets, money, and other belongings."

Tied and Thrown into Vehicles like Firewood. Eight participants recounted their stories of being tied and thrown into vehicles like firewood during transport from one place to another, especially from their homes to jail. Asimwe illustrated, "They grabbed us brutally and threw us into a vehicle as if we were goods. They grabbed babies and threw them into vehicles like bags." Asimwe added that other types of torture included being "used as mattresses for prisoners from other Congolese tribes. Other prisoners from communities other than the Tutsi slept on us at night." Asimwe also said that one day, he was "stabbed by a female soldier carrying a baby on her back. She stabbed me because I asked her for water to drink."

Barbara explained her experience, "When they found us, with lots of anger, they tied our arms and legs. They grabbed and threw us into the vehicle like throwing a pile of firewood. That's how I was apprehended." Daisy recounted, "My husband had been illegally arrested in harmful conditions. They [soldiers] stacked them in vehicles like firewood." Eastman described how soldiers tied them while being transported, "They stacked us like woods, one on top of another. Three of us, including myself, were on top of other prisoners, and soldiers were on top of us. They drove us through the city of Lubumbashi." Isha explained how male prisoners were treated, "We found our people's hands tied to the back when they opened the prison door for us.

They were singing and praying. I have no doubt they went to heaven." She added, "They loaded them into trucks with their hands still tied to the back. They threw them like sacks of corn flour."

Gi described the rope used to tie their hands to the back and legs:

> They tied us with ropes. They were not regular ropes. They were made of wires. The outside of the ropes was normal, but the inside was all wires. Whenever they wanted to cut the cord, they had to burn it to break it apart. It was impossible to cut it with hands. Another option was to use a knife. They used a lighter. [When they lighted the lighter on the rope], the rope melted. Many of us were burned during the melting of the cord. Their skins came off. The melting rope, dripping oily flames, burned some of us.

Death Camp and Beheading Place

This theme was alarming and significant to discuss. Nine participants expressed their horrible experiences with death. One participant said he was shot several times, but the shooter missed him. All ten research participants were civilians when they were illegally arrested. The two phrases were picked from participants' own words to represent incidents of death experienced by participants. Because many codes from all the participants were identical, only one (1) sub-theme was developed: *condemned to die and shooting them*.

Condemned to Die and Shooting Them. All participants expressed the fact they felt they were condemned to be killed because they were desperate that their government failed to stop the persecution against their ethnic group, the Banyamulenge. Barbara showed her hopelessness when she stated, "Yes, I was a civilian. I had no police or military background. The way I see it, that was an ethnic cleansing." She added that "the words they were singing were '*Munyarwanda, catch Munyarwanda, kill Munyarwanda'*" [The term "Munyarwanda" means

Rwandan, and it was used to label members of the Banyamulenge community, calling them Rwandans].

Chase described the situation they were found in as a death camp when he said:

> Yes. I was a civilian. I don't think I would call it a prison. We now know what a prison looks like in developed countries and the rights of those in prison. That was not a prison. That was like a death camp. You know? It is because of where they placed us. They [soldiers] killed people. They came and took a person or two and killed them. Every time they [soldiers] came and took a body out, you became jealous. You wanted to be the one. Because it did not seem there was a way out. It was like, you will be tortured until you die anyway. That is why people wished for death.

Eastman explained how male prisoners were about to be taken away to be killed, and a female prisoner wanted to go with her husband, only to be warned by the commander's wife (the military commander, known as Papa Seven, who had arrested and guarded detainees):

> The woman [the prisoner's wife] said she wanted to go with us. The commander's wife told her, "They are going to die." The commander's wife also told her that no grave did not bury people, that she would be buried where she was [meaning, it did not matter where she would be, whether to go with the male prisoners, including her husband, or not]. The woman hugged her husband and said goodbye. She was left [at Papa Seven's house].

Eastman continued:

> They [soldiers] took us to Camp Vangu. When you arrived at Camp Vangu, [we realized] it was a beheading place. Only God brought me back [to life], but I was to be killed.

> Many people were in holes in the underground area. We were to be killed by two forms of death: starvation or bullet, not to mention the beating.

Jay recounted his story when he reported, "When soldiers saw us coming, they started screaming, 'Thompson.' That's how they called us. Thompson fish was popular in Lubumbashi. They meant they had found food to eat, us, Thompson fish. They were thirsty to shed blood." Gi stated, "We listened to radios announcing to find and kill us using any weapon, including a knife. [While being transported,] civilians [on the streets] carried machetes, hoes, and other weapons and screamed, 'Kill them.' Civilians apprehended some of us, and they injured them."

Hugo reported that a soldier assigned to execute him shot him multiple times and missed him. He described his experience:

> I was a student. All Banyamulenge detainees... They drove us for about 45 minutes from downtown [Lubumbashi]. For those who know Lubumbashi, they took us to Kipushi, near Kasumbalesa, at the Congo-Zambia border. It was ordered to unload five detainees. They [soldiers] unloaded five and shot them. They shot them one at a time. Miraculously, one of the five broke free and ran away from the soldiers who were killing us. He is still alive today.

Hugo continued with his story:

> To prevent more detainees from escaping, the soldiers were ordered to hold detainees' hands as they were being unloaded from the trucks before shooting them. They unloaded five more. They shot them. We were all watching it. Five more were shot. They unloaded me along with the other four. I was weak when I got to the ground because it was the fourth day without eating. A soldier pushed me, and I tripped. He might have thought that

> I was about to run. He asked me, "Do you want to run?" I said, "No. I am not going to run. Take me and do whatever you want."
>
> Hugo continued explaining:
>
> The truck's headlights were facing a hole in front of it. Those who got killed were thrown in that hole. They were shooting people on the edge of the hole. The soldier took me to the hole, and I saw it. He pushed me to create a distance between us in order to shoot me. As he pushed me, I jumped that hole over dead bodies. After I jumped, he fired toward me. I fell to the ground, got back up, and kept running. He fired for the second time. I got up and kept going. I fell again; he fired for the third time and still missed me. My heart convinced me to keep on running because I had gotten away.

Humiliating, Traumatizing, and Dehumanizing

Humiliating, traumatizing, and dehumanizing was another significant theme where all research participants reported horrible incidents that led to the development of the theme. Related codes created from the incidents helped form three (3) sub-themes: *ashamed of ourselves*, *depressed and traumatized by experiences*, and *inhumane treatment*.

Ashamed of Ourselves. Daisy stated that some soldiers where she was held were unhappy with her and her children. Daisy reported, "Some soldiers revealed their grievances toward me. They wondered why my children and I were still alive. They said, 'Why are you still letting them free, these faces? Are you still patient to see their faces?'" Eastman recounted how soldiers who guarded referred to the story of the Israelites' journey in the wilderness as a way of tormenting them. He said:

> Some soldiers taught and reminded us of the wilderness journey of the Israelites, how they complained to God, not knowing they would die. They wanted us to understand

> what was planned [for us]. They brought a mirror, asked us to see ourselves in it, and told us we would no longer see our faces. They also told us that our hands tied to the back would not count money anymore. They kept referring to the journey of the Israelites.

Gi stated that they "did not have a place to go." Gi and Jay described how one of their community members denied his ethnic group membership to spare his life (see theme *to be detestable, get rid of, and destroyed* below for more details). Jay explained how a military who arrested them took them into the public and left them there alone. He stated:

> He took us to the public square and dropped us in plain view of the public. We were ashamed of ourselves in public because of the country's situation. We took a taxi. When the driver asked us our destination, we told him to drive because we did not have a place to go. There were four of us. When the taxi got us downtown, we did not have a place to stand. t was not easy at all to find a hiding place during the daytime.

Jay continued:

> At a certain point, when someone is being falsely accused of something, they end up feeling that the false accusation is true. You may think that being you is a crime. When you think again, you realize that you did not contribute to your being or how you were created. You ask yourself, "How is this a crime?" Then, if you are a believer, you shift the blame to God. We blamed God. I asked myself, "Why me? Why us? Why my ethnic group everywhere? Why are we going through such torture?"

Depressed and Traumatized by Experiences. Nine research participants reported being depressed and traumatized by what they experienced in 1998 during the Second Congo War in the Democratic Republic of Congo and after the war. For example, Asimwe stated:

> They came screaming at us, which traumatized us because it was our first time seeing such a thing. Soldiers circled us, and we asked ourselves what was going on. It traumatized us. And the way they handled us was brutal. Secondly, they tortured us morally because we did not expect to be released. We knew we were dead. I remember seeing what I had never seen. I saw people being killed, like seeing a goat or chicken being slaughtered. I have that picture until today.

Barbara indicated, "We watched TV to find out what was happening outside. We watched people being killed, people we knew, and others we did not know but who looked similar to us." She added, "I saw people being killed. There were many, some because of being tortured, others because of hunger, others because of depression, inability to take the suffering." Daisy recounted her story, "We were waiting for death. We realized we were simply going to be killed. I was thinking about nothing else." She continued, "I thought we were going to get killed this time. At this point, our only prayer request was asking God to forgive us because we were prepared to die. We knew it was done."

Daisy then reported how her children reacted once in the United States after they saw people in military uniform:

> When we first arrived in the United States, my youngest son saw someone in a military uniform. My son ran away in extreme fear. He told me, "Mom, soldiers are here again." I comforted him. I told him soldiers here are not the same as those in the Congo. It took time for my children to get out of the trauma, understanding that soldiers and police officers in the United States are different from those in the Congo.

Isha reported her experience, "Soldiers would return to us wearing bloody coveralls after killing some of us. That made us more panicked and depressed." Hugo said, "This image has not

left me. A light-skinned young man in his early 20s attempted to disarm a soldier [to defend himself and others being killed]. He was immediately shot in the vehicle by another soldier."

Inhumane Treatment. Five participants indicated incidents where they felt they were treated inhumanely. For instance, Asimwe stated, "First, they did not treat us as humans. They treated us as animals." Daisy said, "The soldiers we found in the fenced area started checking us. They undressed us, completely naked as the day one was born. They said they were checking if we did not have guns." Huge explained more about the nature of being naked:

> They undressed all of us entirely as at birth. At this time, we were detained for real with hands to the back and completely naked. The day they left us completely naked, one of the arrested soldiers with us said, "When you are detained and get undressed, know that you are dead." He recommended us to ask God for forgiveness. We all asked God for forgiveness.

Neighbors and Soldiers Helping, Wanting to Help, and Rejecting Detainees

This theme stood out because it revealed incidents where neighbors and some soldiers were compassionate and wanted to help the detainees however they could. Some ultimately rejected the detainees, fearing to be treated the same. Six research participants told their stories that contributed to the development of this theme. The theme was divided into two (2) sub-themes: *helping and trying to help* and *would be treated like you*.

Helping and Trying to Help. Daisy was arrested with her children. Not all the soldiers who arrested and guarded her wanted her family to perish. Daisy recounted the story of one soldier who expressed a strong desire to help her:

> My son was three years old. One soldier looked at him and said, "What is this baby arrested for? Why are this woman and children in jail?" Some soldiers thought like

humans. They were also humans. Humaneness had returned to them: "Such a small baby that goes without food day and night!" One soldier said, "Do you know these are a soldier's children and wife you treat like this?" Others replied, "A Rwandan is a Rwandan. It does not matter if they are soldiers or not." I still had a small mattress with me. One soldier said, "Let her keep that small mattress because she is a soldier's wife. A soldier's children need to sleep on it."

Gi reported:

My friend told police officers and soldiers, "You are harming him for no reason because he's not a soldier. He is my friend. The meat you eat here comes from his cows. He is not a soldier and has never carried a gun." I found a soldier I knew because we used to drink beer together. He told me, "Go well. We won't see each other again." That's when I realized we were going to be killed. He bade me a farewell. He gave me a handshake and wept. He came to me and said he wanted to tell me to find a way to flee on Monday [because soldiers and police] arrested us on a Wednesday.

Hugo stated that after his killer attempted several times to shoot him but managed to escape, he ran naked into a village where he found people who refused to help him and others willing to help him find his way back to Lubumbashi. When a police officer was about to take him away from his guides, Hugo stated, "When my guides made eye contact with me, one of them cried. They were fully aware of my situation. One of my guides told me, 'God who saved you will save you again.'"

Jay described his experience:

> We were in the taxi and reminded ourselves of a woman from Kasaï. We never asked the woman if we could come into her house. We just entered her home. She must have known what was going on. She told us, "Come in, come in."

Daisy explained:

> One day, a soldier from South Kivu wanted to help me but did not want to get caught. He concealed and handed money to one of my children and told her to give it to me. The child gave me the cash and told me who had given it to her.

Would be Treated Like You. There were people participants reported they were willing to help them but feared for their lives. Chase said, "When I arrived at the neighbor's house, he said, 'You've come to me. If they know you are here, my family will have problems.'" Daisy stated, "My friends were not allowed to visit me. They were threatened that whoever attempted to visit me would be treated like me."

Daisy continued with her story:

> They told my friends, especially those from South Kivu, my home province, "Whoever visits Rwandans will go with them." We were cast out and only subject to be guarded by soldiers. People from South Kivu were called the Baswahili, those who spoke Kiswahili. That is why my friends from South Kivu could not visit me.

Hugo told the story of an intelligence informant from the ANR (the Agence Nationale de Renseignements) he found in a village he ran to after escaping his killer. He said the informant was part of the *Wachembechembe*, civilians who helped the national intelligence agency. Hugo reported:

> He stared at me for about five minutes without saying a word. Then he told me, "You are a Rwandan. You are a Tutsi, and you are a soldier." I replied, "I am not a soldier. I am a

student." He added, "You are a soldier. Whoever guides you will make soldiers come to kill everyone in the village."

Isha said that some soldiers from South Kivu (Bashi or Barega) helped them but were in fear of being caught doing so. She stated, "Those soldiers would use their own money to buy us food and drink. Then they would tell us, 'Clean your mouths' [to hide from other soldiers]." Jay described how a university professor who taught them refused to hide them for fear of being treated like them, "He said he did not want to hide us because his entire family would be treated like us. He said he did not want to put his family in danger. He told us to leave after we had a drink."

Perceptions of the American Police

All research participants communicated their perceptions of the police in the United States. All participants were interviewed after being in the United States for over 20 years. This theme was crucial because it elaborated the details of participants' police experiences, leading to their perceptions of the police in the United States. Based on initial codes, the theme was divided into six (6) sub-themes: *American police are better than Congolese law enforcement*, *sense of responsibility*, *serving with humaneness and easiness*, *the likeness of God and Umubyeyi*, *unequal treatment of American police*, and *would not have been persecuted and killed*.

American Police are Better than Congolese Law Enforcement. All ten research participants preferred the American police to Congolese law enforcement (soldiers and police). Chase, for example, said he had had negative encounters with the police in the United States, but he stated Congolese law enforcement was worse. He reported:

> I have experienced some racial things here in America by the police. But it's minimal. I cannot compare it to Congo. The police in America may show racial tendencies, whatever. Those are personal feelings, but overall, they follow the law. Versus in the Congo, there is no law to follow. Killing a member of the Banyamulenge wasn't a crime to them. But here, of course, it's much better compared to the police or military in the Congo. Here, people still treat people humanely versus in the Congo, especially regarding members of the Banyamulenge. They don't treat us like humans. I wouldn't say it's 100%, but it's much better here compared to Congo. That's for sure.

Daisy explained how, in the Congo, the police don't have a telephone number system similar to 911 to call for help. She described her experience in her own words:

> But you cannot call the police to take you to a hospital. If Congolese police come to your house and you have a goat, they will take it. If I go to the police station for help, they will ask me for a hen before they do anything about my problem. Before they deal with your problem, they first see how you are and what you can give them. For example, if they know you have many goats, they will ask you for a goat before they take care of your problem. It depends on what you have. If you have money, they will ask for it before they can talk about the problem.

Freeman sounded desperate when talking about Congolese law enforcement:

> But the police system here [in the United States], we are so appreciative of it. Not everybody is good. You will always have bad people in any entity you go to or any group you may be associated with. There are some good people and some bad people. Overall, it's excellent here [in the United States]. First of all, it's a job here [in the United States]. Nobody wants to lose their job. The law here is more punitive than back home. If you get

> stopped on the road, they can do whatever they wanna do. They can imprison you. They are the law. But here [in the United States], there is law for the people, and that law is at work.

Freeman continued:

> Things I experienced are not even close to what I am telling you about the police here [in the United States]. Me saying that they have been rude, guess what, compared to what I went through, that's nothing, man. Honestly, I am telling you, it's not near close. They [police officers in the United States] can be rude, and they can do whatever to me, [but] it's minimal.

Gi told his experience, “I have nothing to blame them [the police in the United States] for not respecting human rights. Even for those [police officers] who may make mistakes, I cannot compare them to the Congolese police. There is no resemblance.” Hugo stated, “To compare the American police to the Congolese police is an insult.” He added, “I would insult the American police because there is no respect for human rights with the Congolese police, especially regarding members of the Banyamulenge community.”

On the other hand, Jay explained his experience with the police in the United States and said there were some similarities between the American police and Congolese law enforcement:

> I cannot put the American police on the same level as the Congolese police. But there are similarities. In the Congo, I would be worried about taking away my stuff. I am afraid in the United States, they [police officers] would accuse you of a crime you did not commit. Here in the United States, some laws set a limitation. Police officers in the United States are afraid of going beyond that limitation. However, in the Congo, anything can happen. Once you are in their hands [law enforcement's hands], you can expect anything.

> Therefore, law enforcement in both countries abuses human rights differently. One thing with the American police is that they don't take things into their own hands. There is a judicial procedure.

Sense of Responsibility. Some participants took the blame to themselves while explaining their experience with the police in the United States on traffic stops. They expressed their driving behaviors played a role in their involvement with the police, especially being pulled over while driving. For example, Barbara stated, “The officer asked me again, ‘You did not see the sign prohibiting you from turning here?’ I told the officer, "I am sorry; I did not see it." I am very sorry. I have made a mistake. I assume the responsibility for my mistake.” Barbara said the police officer did not give her a citation for the violation. Isha reported, “The police officer gave me a ticket. I understood the ticket was necessary because of the violation. Although he punished me, I am the one who violated the law.”

Serving with Humaneness and Easiness. All ten research participants, although some expressed negative encounters with the police in the United States, appreciated the police in the United States for their customer service-oriented policing practices. Asimwe described how a traffic stop went and how a police officer encouraged him to take the matter to court if he disagreed with him:

> One day, I drove and sped to work. A police officer stopped me about 200 meters away. He stopped me using a radar. After he stopped me, I asked him his reason for stopping me. He told me I was speeding. I rejected what he said. We argued. But he convinced me I had the right to appear in court. He even showed me where I was supposed to go. He told me to take the matter to court. He said he had just done his job. He advised me to complain in court.

Barbara stated, “I see police officers in the United States greet a person of interest first or speak with them, then they place the person under detention and tell them the reason for the arrest.” Then she recounted her experience at a traffic stop and how the police officer treated her:

> They [police officer] pulled me over, and I stopped. They greeted me. First of all, hear the difference. An American police officer gave me an evening greeting. Good evening! I replied. Are you okay? I said yes. I asked him, “Can you tell me the reason why you have stopped me?" The police officer asked me, "Why did you turn here?" We spoke in a calm voice. We were both relaxed and smiling. The officer said, “No problem. Go and be careful.”

Chase stated, “On a big scale, yes. They [the American police] treat people with dignity. Most of the time, when I got stopped by the police, I was told the reason for the stop.” Daisy told her story, “Here, they know how to help people and understand the value of a human being. You are talking to a person, and the person is not pushing you or cursing. Here [in the United States], they [police officers] still have humaneness. They might give you the wrong ticket, but they also give you a chance to fight it in court.” Eastman provided an appreciative experience with the police in the United States by stating, “Here [in the United States], when they [law enforcement officers] realize you have made a mistake, let's begin with traffic tickets, they tell you everything [about the violation]. They issue you a ticket, and [you have] a chance to deal with it later. It shows that a person is respected.”

Freeman described his encounter with the police in the United States and how appreciative he was toward the police officer who pulled him over for speeding. He knew he was speeding. He had to rush to his sister’s school because his sister was sick. He said:

> He [the police officer] said, "Sir, you know, please, go slowly. Listen, look at it differently. You can be in a rush and get into a car accident. So, how are you gonna solve that situation? You have to slow down and be calm and get there safely instead of getting into a car accident. You cannot help your sister then, which will delay you even more." He did not give me a ticket. He just gave me a verbal warning and advice. I have never encountered a nice policeman like that dude. It was great. You see how people have different understandings?

Jay described how a police officer assisted him when he had a flat tire, “I had a flat tire. Then I saw a police car driving by. I stopped it. He gave me a ride to Discount Tire. The police officer put the tire in his vehicle and drove me back to where I had left my vehicle. The police officer then put the new tire on my vehicle, and I left.”

The Likeness of God and *Umubyeyi*. This sub-theme was generated from the responses of five participants. Daisy explained her likeness of American police to *Umubyeyi*, a parental figure:

> The American police are *Umubyeyi*, a parental figure. They are like parental figures because you go to them for assistance when you have a problem. If you are sick or have someone sick, anything that threatens or disturbs you, you call the police, and they come to your rescue. Even American soldiers, when there is a huge problem, such as floods, soldiers come to rescue citizens. Here, they know how to help people and understand the value of a human being. Even when you see an American police officer in a scary area, your fear is gone. Even when you see their police car alone in your neighborhood, even when you don't know who is driving it, you feel safe.

Gi reported, "The American police are like God [compared to Congolese law enforcement]. We can't compare humans to God. Since I have lived in the United States, I have never been stopped and arrested while driving."

Barbara described her feelings upon seeing a police vehicle and how American police ensure the safety of those in their custody:

> When I see a police officer in the United States, I feel safe. Even when I am driving and see a police vehicle beside me or behind me, I feel safe. I usually see police officers protect the heads of those in their custody when entering their patrol vehicles, ensuring they don't get hurt in the process. In other words, they look out for their safety, the [safety of the] person in their custody.

Eastman stated that being in the United States and experiencing the treatment of American police compared to Congolese law enforcement is "like being born again." Although he expressed negative encounters with American police, Jay explained how he felt when he first came to the United States, "When I came, I considered the United States a perfect world. That's the idea I had. I regarded the United States as an injustice-free country, like heaven."

Unequal Treatment of American Police. Three out of ten research participants expressed harsh and unequal treatment of American police. They told their stories of how their encounters with the police were unpleasant. However, when compared to Congolese law enforcement, the three participants favored American police.

Chase described how he felt he was illegally pulled over and searched by a police officer sitting and waiting in a nearby parking lot while he was leaving a nightclub:

> I have experienced some racial things here in America by the police. But it's minimal compared to Congo. Those bad apples. I experienced where I felt I wasn't treated fairly. I

had never heard of that before from anybody for the police to tell you you are being stopped for security reasons without being a threat or disturbing anything, just seeing you? It was very disappointing. For a country you admire, you feel protected, but some people can still come and disturb that peace of mind because of their feelings or perceptions of the person being stopped. You know? But there is nothing you can do except to cooperate. Even though I did cooperate, I know he was wrong for stopping for the wrong reason. The result [of the traffic stop was that] he [the police officer] searched my vehicle.

Chase continued telling his story:

Then, when I said something out of frustration, I was like, I know you have stopped me because I am black. That's not fair. Then he said, "I don't care how you feel." Straight up. I laughed after that. I was like, oh wow! That's funny. I had never experienced that in America, but everybody [police officers] can't be good or follow the law. That guy wasn't following the law, for sure. He [the police officer] was among those who could kill someone and make up a story. With no witness, you die with no justice.

Freeman also explained how one of his traffic stops went and how the police officer treated him:

According to history, what we see on the streets, we can't say that this is the best you can get. There is still more improvement in law enforcement here, the brutality of some police officers here. We cannot deny racism here [in the United States]. Sometimes, they [police officers] profile you. I got pulled over. I was going at an average speed limit. I am talking to you, like, people are passing me. You feel me? But for you to pull me over for

> that was the court, and I went to court. I went to court, and the police officer did not show up. He did not show up to court, so they dismissed my case.

Jay recounted encounters with the police, including how he felt his white colleagues were treated fairly even after committing a crime. He stated:

> My white colleagues would drive while intoxicated. Police officers would stop them, and they would admit having been drinking one or two beers. They would be given warnings and drove off. [On the other hand], I have family members here who used to drink at their apartment complexes. When they attempted to get something out of their vehicles, police officers stopped them at their vehicles' doors and gave them a DUI (Driving Under the Influence).

Jay strongly believed that "American police abuse people by setting them up for a crime they probably did not commit. They put you in the judicial system. Then, the judicial system prosecutes you." He said this when he told his story of how he felt he was illegally arrested and jailed, where he could have been released because "I asked them to allow me to go somewhere else. They refused and said they must take me to jail."

Would not Have Been Persecuted and Killed. Eight participants stated that if they had encountered American police in the Congo in 1998, they would not have been persecuted and their loved ones killed. For example, Asimwe said, "It would be different because I wouldn't have been tortured because of my morphology or ethnic affiliation. I wouldn't have been ill-treated because of how I was born. I would have been released sooner because I didn't commit any crime." Barbara reported, "They would have told me the crime I was being detained for; they would have taken me to the right place, according to my crime, and waited for the trial."

Eastman explained:

If American police had arrested me, they would have tried me. I would have been sent to prison if I were found guilty. They would probably have sent me back home. They would have checked my documents, including my passport and things like that. They would not have simply arrested people. If American police had arrested me, I would not have been mistreated, and my hands tied to the back to the point of getting scars from ropes. They would have tried me first and punished me only after being found guilty.

Chase also expressed what he thought if he had encountered American police in the Congo in 1998:

If we had been detained by American police in 1998 in Congo, we would have waited for justice. But we would have been arrested with all rights like other prisoners. We wouldn't have been treated differently than other prisoners. We wouldn't have been detained at all because of our ethnic affiliation. It's no, no, for sure, because being a member of the Banyamulenge community is not a crime.

Freeman stated:

Okay, with the same training they have here [in the United States], man, they will not arrest you like that. There is probably gonna be a summons, you know. There is gonna be a process. There has to be a [probable] cause for you to be arrested. They would read you your rights and be detained, but there would be an investigation. At least you still have a chance to rest your case. But I am assuming, as much as I know, law enforcement here [in the United States], if it were in 1998, they would still have had the same state of mind. They would have treated you with dignity. They would have taken into account that I had rights. They would have treated me better than the people [law enforcement] over there [in the Congo].

Isha told her story within the same lines when she said, "They [American police] would have protected me because I didn't commit a crime. They would have saved me. I would not have been imprisoned. Those who were killed would not have been killed."

Confidence in the Police and Willingness to Call for Help

This theme was developed to explain how the participants felt about crime reporting in the United States and their confidence in American police. All ten research participants demonstrated confidence in the police and stated they would be willing to report crime by calling the police for their own assistance or other people's. The participants revealed this by indicating that their home law enforcement did not have a system in place, precisely similar to the 911 telephone system, to call the police for help. This theme was divided into three (3) sub-themes: *calling the American police for help, not being scared,* and *relying on the American police for protection and justice*.

Calling the American Police for Help. All ten participants showed their willingness to call the police in the United States for help. For example, Asimwe stated, "I would dial 911 for my safety and another person's safety when I realized something was wrong. We have been taught that anyone can call 911 for an emergency."

Asimwe emphasized that if he were given two options to call for help between the police in the United States and Congolese law enforcement, he would not even think about Congolese law enforcement because "an American police officer would not oppress me, would not ask for a bribe, and would listen to me." He added, "I would not ask a Congolese police officer for help because I know a Congolese police officer would ask me for *inkoko y'amaguru* [literally meaning "a chicken for legs" or compensation for being called]." Barbara reported, "I would dial

911 for help. I have dialed it several times for myself and others." Chase also stated, "If I feel threatened, I can. I would also call 911 for someone's help. That's for sure."

When asked to choose who to call between the police in the United States and Congolese law enforcement, Daisy laughed and stated, "I would call the American police for help because they would help me. But the Congolese police, if you called them for help, would come and take whatever you have and leave you with nothing." Eastman said he would call the American police for assistance "if I have a problem." He stated about Congolese law enforcement, "You cannot call them for help. They would not help you. They discriminated against us based on our ethnic group and our appearance."

Gi reported:

> If I had an issue at my house, if an intruder entered my home and I realized I could not handle them, I would call the police to remove the intruder. If I had a problem with neighbors, instead of fighting them, I would call the police to come. If I had one of my family members sick, I would call—things like that. I would call the American police for help.

Hugo said he would ask the police in the United States for help if he had an emergency or someone invaded him. He added, "I would call them for help because they would help me without expecting anything from me. That's their job. That's what they do: protecting citizens." Jay indicated, "Even though there are bad apples [within the police force] and a bad system, which needs reform, there are still police officers who are dedicated to their work, [that is] to help." He concluded, "Some people are still alive because of law enforcement."

Not Being Scared. Five participants stated they did not get scared when talking to police officers in the United States. For instance, Asimwe said, "When an American police officer stops

someone who thinks they are innocent, for example, without possessing a firearm illegally or drugs or something else, you do not get frightened." He added, "You stop and speak with the officer without being scared. The officer tells you nicely the reason for contacting you." Eastman demonstrated how, in the Congo, law enforcement officers would "find a way to get money from you, *urw'itabi* [or money to buy cigarettes]." He argued that, in the United States, law enforcement "have laws and follow them."

Gi explained how his encounter with a police officer on a traffic stop went, "When they [American police] stopped me, I was not frightened. I was not scared at all because I was stopped for a violation." Then he placed the situation in the Congo, "If I had been stopped by the Congolese police [on that traffic stop], I would have been beaten and spent so much money compared to what I paid for the ticket."

Hugo described how he felt at a traffic stop, "I was not worried or scared. He [the police officer] told me the reason, but I was not worried or afraid of being arrested or that another bad thing would happen to me." Isha stated, "After the police officer spoke to me nicely, I was relieved and was not scared of the police anymore. If I did nothing wrong, I would tell them I did not do it freely."

Relying on the American Police for Protection and Justice. Seven participants discussed their thoughts about the American police for their protection and justice. They referred to Congolese law enforcement. Jay stated, "In the Congo, there are no laws to protect you. There might be a law, but it would not protect you, especially in those persecuted communities. Even other communities are vulnerable." He added, "But to persecuted communities, it's almost a guarantee that there is no law to protect them." Isha expressed herself, "If I called the police in

the Congo for help, it would mean making myself more vulnerable and subject to more persecution."

Eastman stated:

> But here in the United States, many people are from different countries. It's the law. When you call the police, they come with laws. Then, you go to court because of the law. People from different countries here [in the United States] abide by the law. There is no difference here [in the United States]. People are on the same level. It's only the law [that matters]. If the law were disregarded, they [American law enforcement officials] would not perform their duties.

Chase expressed how he would feel in American police custody:

> In American police custody, I would feel safe. I would feel like I am gonna get justice. If I am wrong, I am gonna get the punishment I deserve. If not, I am gonna be let go. But the police in the Congo, it's by the grace of God to get away once you are in their custody, especially being a Munyamulenge [a member of the Banyamulenge community]. I would feel much safer being in police custody here [in the United States]. I may get a lawyer and get justice. Versus in the Congo, we did not have that option.

Barbara explained:

> If it happens and I find myself in American police custody, I would feel safe. I would feel the right to defend myself, and I would feel the right to ask for someone else to protect me, an attorney or a lawyer, which I was not entitled to in the Congo. In the Congo, I could not ask for an attorney to defend me, and I did not have the right to defend myself or speak for myself.

Being Detestable, Getting Rid of, and Being Destroyed

This study's theme focused on how the participants felt about the discrimination they experienced in the Congo during the Second Congo War by Congolese soldiers and police officers. Initial codes from the participants indicated strong beliefs about being detestable, getting rid of, and being destroyed by Congolese law enforcement (soldiers and police). Stories from ten research participants supported their beliefs. The theme was divided into five (5) sub-themes: *being dehumanized and humiliated*, *being persecuted based on ethnic group*, *deserving horrible mistreatment and deaths, feeling worthless and denying ourselves*, and *living with bad memories forever*.

Being Dehumanized and Humiliated. Seven participants conveyed feelings of dehumanization and humiliation towards members of their ethnic community by members of Congolese law enforcement (soldiers and police). For example, Asimwe stated, "President [Laurent] Kabila himself had said that we were a danger and snakes. Yerodia's speeches were against the Tutsi people [Abdulaye Yerodia Ndombasi was a key figure close to President Laurent Kabila]." Daisy felt that members of her ethnic group (Banyamulenge) were "regarded as animals" by soldiers and police officers.

Eastman told his story in the following manner:

> They [soldiers] told us. This tribe, things like that, *batu ya mubaya* (evil people). Words like that. We realized it was because of our appearance or who we were. They said we were snakes, Rwandans, things like that, like the names they called Jesus.

Freeman said, "They called us coach roaches. If somebody sees you as a coach roach, man, you are nothing. If they see you as a snake, guess what? You are nothing." He added, "At that moment, we were nothing to them. If you are nothing, killing you is what is worth to them." Gi described the deaths of two brothers who died one after another inside his prison cell, "Their

bodies were left inside the prison with us until they decomposed. We stayed with the decomposed bodies inside. We yelled outside for the removal of the bodies, but we were told to let them decompose." Hugo reported how he felt, "To them, being a member of the Banyamulenge community was like an animal. They considered us animals. In 1998, I was regarded as an animal. I was not regarded as a human."

Jay explained in detail what he went through during the Second Congo War in 1998:

> They called us many bad names, including snakes and vermin. We were not humans [to them] anymore. We were dehumanized. We were equal to insects, including ants. To them [soldiers and police], being a member of the Banyamulenge community was regarded as a monster and enemy, the greatest enemy they could possibly have. They did not consider us humans. We were considered beneath human beings. That's how we were to them.

Being Persecuted Based on Ethnic Group. Nine participants felt they were persecuted based on their ethnic group. Chase stated, "At that time, being a Munyamulenge [a member of the Banyamulenge] was a crime. It was a crime to them [Congolese law enforcement], not me. It was a crime because all Banyamulenge were being hunted down throughout the country." Daisy expressed how she felt, "Even after our release, we were not allowed to go back home. Instead, we became refugees in our country." However, Daisy did not think her ethnic group was the cause, but it was because the country had no laws to protect members of her community or its laws did not work for their protection. She said, "It's a country that has no laws. It's not because of my ethnic group; if laws existed and worked, we wouldn't have suffered. It's a country whose laws didn't work."

Eastman said, "All Banyamulenge and Tutsi were being hunted down. They showed us we were not the same; it's like they were Cain's troops against Abel's. We did not get along at all. They decided to do us harm." Freeman stated he was in prison with Congolese who were imprisoned because they looked like members of the Banyamulenge community. He reported, "Many people from Mbuji-Mayi, Kasaï, died. We were with some of them in the camp, a 100% Congolese Kasaïans, you know? Just because they looked like us. How did they look like us? Because they had a pointy nose." He added, "So, my ethnic group played that role. That's why we got imprisoned and killed. That's the reason why." Gi explained, "Nothing else but our identity played a role in how we were treated. We were persecuted because of our ethnic group because we were told our people had started the war."

Deserving Horrible Mistreatment and Deaths. All ten research participants felt it was as if they deserved to be treated terribly and die. For example, Asimwe explained how he was stabbed by a female soldier carrying a baby in the back because he asked her for water to drink. He stated:

> I have a scar on my thigh. Each time I shower, I see it and remember being stabbed with a bayonet. I was stabbed by a female soldier carrying a baby on her back. She stabbed me because I asked her for water to drink. I stood by a window and asked her if I could have water to drink. She looked at me and said, "You, a Tutsi, have no respect to ask me for water." She immediately stabbed me in the thigh with a bayonet. The crime was our identity, our community. To all other Congolese communities, we were considered the country's enemy who deserved to die. We knew that once caught as a member of the Banyamulenge community, it meant to be killed.

Barbara detailed what she witnessed, "I remember the beatings. I remember deaths. I remember hunger. I remember diseases, lots of diseases. People got sick." She continued:

> I remember people sitting on top of others. They put a lot of us in a tiny room. Whenever they brought others into the small room, they told us, "Build your Rwanda there." They stacked people over others. We took turns to stand up and sit down. I remember they [law enforcement personnel] beat people so badly until, when being pulled, their clothes came with their skins; clothes were stuck in skins. They first took some of us. They [soldiers and police] returned, handed us bloody knives, and told us the knives were used to slaughter our people [those they took]. They ordered us to clean the bloody knives.

Eastman recounted his experience, "I told you that where they [soldiers] took us to *iciro ry'imitwe* (the beheading place) [at Camp Vangu]; it was only a place to kill people. If you don't get killed by a bullet, you die of hunger."

Freeman expressed his disappointment towards the wickedness of humanity:

> I am talking about women and kids, man. No remorse at all. They just saw you as an enemy. I saw how we went for 15 days without eating. Seeing people with you, kids dying because of no access to any source of help. Just starve to death. Can you imagine putting a woman who just gave birth and the baby in prison? There was no food for the mother. There was no food for the baby to the point that the baby starved to death, man. That's horrible. It's unthinkable what can a human being do to another human being! So, living in fear that you are next tomorrow itself is a killer. I remember they came and took this guy who was a doctor, a retired doctor, man. They took him and killed him. Banyamulenge were enemies to them. They deserved to be killed, according to them.

Gi explained how an old toilet hole became his prison cell and how they were mistreated:

> We were thrown in that toilet hole, and the toilet doors were welded. The beating happened outside. They [soldiers] took detainees out to beat them and returned them inside after they finished. During the beating, soldiers asked prisoners to give them money. Those who did not have money were beaten until they died. Some of us were beaten and left outside dead. Some of us were beaten while asked if they were members of the Banyamulenge ethnic group.

Feeling Worthless and Denying Ourselves. Nine participants described the torture they experienced, specifically how soldiers asked them to deny themselves. Jay put his experience in the following manner:

> Those at the ANR (Agence Nationale de Renseignements) were tortured. They asked them to deny their ethnic group, the Banyamulenge. They asked them, "Who is not a member of the Banyamulenge?" One man raised his hand and said he was not a member of the Banyamulenge community. So, during the suffering, many Banyamulenge prisoners did not want to be identified as Banyamulenge. However, it was tough to deny their ethnic group. There is no better person than a member of the Banyamulenge, and a member of the Banyamulenge is no better than any other person. I did not ask to belong to the Banyamulenge community, and I cannot request not to belong to such a community.

Isha stated, "To be a member of the Banyamulenge community was worthless. It was like we did not belong to any ethnic group. It felt like we did not have ethnicity. It felt like we were useless." Isha added, "We were Congolese, but they rejected our Congolese belongingness. We did not have anywhere to go because we were Banyamulenge and Congolese. Where else would you go that is not Congo when you are Congolese?" Isha continued expressing her frustration:

> You are a human, but, at the same time, not a human with no ethnic group. Who are you when your ethnic group is stripped away? I was with my elementary and secondary classmates there. But that day, they saw me being loaded into vehicles to go to prison [for ethnic affiliation]. What would you say about that? Then you ask yourself what you are and don't find an answer.

Gi said, "Some were beaten, and, as a result, they denied their identity. They said they were not Tutsis, and they were not Banyamulenge. They denied their ethnic affiliation because of the suffering." Gi reported that those who denied themselves were rebuked and told, "You are denying that you are a Munyamulenge. If you say you are, they will kill you. If you say you aren't, they will kill you." Freeman felt that members of the Banyamulenge community were like cows, "Them [soldier] come to pick up some people, and they kill them, and you are next. It's almost like a cow waiting to be butchered." He added, "Being a Munyamulenge [a member of the Banyamulenge community] was meaningless then. We were worthless to them. They called us coach roaches."

Daisy described what resulted from their mistreatment, "They [soldiers] frightened us to the point of thinking that we were not humans anymore. Whenever we came outside the prison, we felt we were beasts." Asimwe stated, "We were disappointed because we were being killed and persecuted to the point of asking ourselves, 'Why was I born Munyamulenge [a member of the Banyamulenge community]? Why was I not born in another community?'"

Living with Horrific Memories Forever. Seven research participants stated they had lived with horrific memories for the rest of their lives. Barbara said, "I remember screams of crying children being separated from their fathers. I remember darkness. I remember that that day became dark." Asimwe stated, "The first thing I remember is that I have a scar. Each time I

shower, I see it and remember being stabbed with a bayonet." Gi reported, "I saw people being stabbed. I saw people being shot—things like that. Some of us were slaughtered at Camp Lido."

Isha described how she had her baby in prison, "Having babies in prison was not easy at all. My pregnancy was in its first weeks of development when I was imprisoned. I was in the same place from the first month to the ninth month. There was a time when my baby stopped moving in my stomach." Jay remembered, "I remember horror, cries, and deaths. That's what comes to my mind every time: agonizing people. I also remember suffering from hunger. People turned into skeletons."

Negative Impact on Perceptions of the American Police

The participants were asked what they thought of their ethnic group in the United States regarding their encounters with the police, specifically if their ethnic group played any role in how the police treated them. While all ten participants indicated their ethnic group was more than likely unknown to the police in the United States, only two participants introduced "blackness" into the equation. This theme was divided into two (2) sub-themes: *may treat blackness in me*, and *racism here is black*.

May Treat Blackness in Me. For example, Jay expressed negative perceptions of the police in the United States and stated that his skin color was the problem, not his ethnic group. He reported:

> However, they may treat me the way they want because they see blackness in me or because of being an immigrant. Being an immigrant can be good or bad, depending on if they want to treat you as a black. It all depends on police officers and how they want to treat people differently. It depends on police officers' perspectives on how they want to treat immigrants, blacks, and the rest.

Racism Here is Black. Freeman was one of the few participants who explained their negative encounters with the police in the United States. He described how his skin color played a role in how he was treated, not his ethnic affiliation:

First of all, they [Banyamulenge] are unknown. You know what I mean? I don't think American law enforcement, for those who profile people as black, whatever, go by, oh, he is a Munyamulenge [a member of the Banyamulenge community], or he is a Nigerian. Racism here [in the United States] is [about the] black [color].

Positive Impact on Perceptions of the American Police

This theme represented most of the participants' responses on how their experiences with Congolese law enforcement (police and military) may have impacted their perceptions of the police in the United States. Nine out of ten participants felt they were not different from other American citizens regarding police treatment, which is why this theme was divided into only one (1) sub-theme: *not different from others*.

Not Different from Others. As mentioned above, nine participants felt protected by the same laws protecting all American citizens. For instance, Asimwe stated:

> I don't think I have special protection in the United States. I am in the United States and receive the same treatment as other immigrants. The laws that protect immigrants are the same laws that protect me. The laws that protect all Americans are the same laws that protect me. I am protected by the same laws that protect other human beings. This is a country led by laws, by the rule of law.

Barbara reported, "I do not think they [police officers] would treat me differently because I am a member of the Banyamulenge community." She added, "I have not seen it before. I have never heard anyone report that they have been treated differently because they are members of

the Banyamulenge community." Chase emphasized what Barbara stated by saying, "First, they [the police in the United States] can't tell I am a Munyamulenge [a member of the Banyamulenge community] just by looking at me. Plus, they probably don't know what a Munyamulenge is."

Daisy explained how she did not think she would be treated differently because of her ethnic group in the United States:

> Not at all. I have lived here [in the United States] for 23 years. I live peacefully. I have never seen it. I am a human like others. I work and go home. I live in a house. I pay for it and sleep and wake up without being harassed. I am not different from other people. I live here like anybody else.

Eastman described how the law does not allow law enforcement officers in the United States to treat people differently, "The law does not permit them [officers] to do so. Here [in the United States], a human being matters. The law is the only thing that makes people live together despite their differences. You smile even when you meet someone for the first time." Gi stated that American law enforcement officers would not differentiate him from other Americans, "It would not differentiate me [from others]. They have not separated people, labeling who is an American and who is not. When you become an American and come to America with legal documents, they will not [treat you differently] and will never do it."

Hugo added, "After living here for so many years, it has not happened to me. I have never heard of such a case in which someone has been accused of being a member of the Banyamulenge community." Isha reported, "Here in the United States, they [the police] cannot tell who is a member of the Banyamulenge community and who is not. That cannot happen in the United States. It won't happen." Despite negative experiences with the police in the United

States, Jay believed that "they [the police] won't treat me differently because I am a member of the Banyamulenge community."

Answering the Research Questions

RQ 1: What are the lived experiences of the Banyamulenge prisoners with law enforcement in Congo in 1998?

This research question examined former Banyamulenge prisoners' experiences with Congolese law enforcement (soldiers and police officers) during the Second Congo War in 1998 in different regions of the Democratic Republic of the Congo. Out of the ten themes identified from the dataset, five themes applied to this research question: (a) *arresting all Banyamulenge, Tutsi, and Rwandans*; (b) *beating, raping, torturing, and looting*; (c) *death camp and beheading place*; (d) *humiliating, traumatizing, and dehumanizing*; and (e) *neighbors and soldiers helping, wanting to help, and rejecting detainees*.

After thoroughly analyzing the transcripts from participants' interviews, each theme had at least one sub-theme. The sub-themes for the first theme, *arresting all Banyamulenge, Tutsi, and Rwandans,* were as follows: *arrested by soldiers and police*, *accused of and arrested for no crime*, *accused of tribal relationship*, and *only offense being our ethnic group*. The sub-themes for the second theme, *beating, raping, torturing, and looting*, were as follows: *extreme beating beyond reasonable punishment, raped in front of families*, *stealing and looting detainees*, and *tied and thrown into vehicles like firewood*. The only sub-theme identified for the third theme, *death camp and beheading place*, was *condemned to die and shooting them*. The sub-themes developed for the fourth theme, *humiliating, traumatizing, and dehumanizing,* were as follows: *ashamed of ourselves*, *depressed and traumatized by experiences*, and *inhumane treatment*. Finally, two sub-themes were developed for the theme, *neighbors and soldiers*

helping, wanting to help, and rejecting detainees: *helping and trying to help* and *would be treated like you*.

RQ 2: What are the Banyamulenge immigrants' perceptions of the police in the United States?

The focus of the second research question was to understand the Banyamulenge immigrants' perceptions of the police in the United States. Out of the ten themes identified from the study's dataset, only one theme applied to the second research question: *perceptions of the American police*. After concluding the data analysis, six sub-themes were identified to communicate *perceptions of the American police*: *American police are better than Congolese law enforcement*, *sense of responsibility*, *serving with humaneness and easiness*, *the likeness of God and Umubyeyi*, *unequal treatment of American police*, and *would not have been persecuted and killed*.

RQ 3: What factors influence the Banyamulenge immigrants' confidence in the police and crime reporting in the United States?

The third research question evaluated confidence in the police among the Banyamulenge immigrants. It also attempted to understand their willingness to call the police in the United States for help. After thoroughly analyzing participants' transcripts, only one theme was identified to answer the research question: *confidence in the police and willingness to call for help*. Three sub-themes were developed to inform *confidence in the police and willingness to call for help*. The sub-themes were as follows: *calling American police for help*, *not being scared*, and *relying on American police for protection and justice*.

RQ 4: What does it mean to be discriminated against by Congolese law enforcement and its impact on perceptions of the police in the United States?

The purpose of the fourth research question was to understand the meaning of Banyamulenge's discrimination by Congolese law enforcement in 1998 in the Congo and its impact, if any, on perceptions of the police in the United States. Three themes were developed after the data analysis: (a) *being detestable, getting rid of, and being destroyed*; (b) *negative impact on perceptions of American police*; and (c) *positive impact on perceptions of American police*. At least one sub-theme emerged from the three themes.

The following five sub-themes were developed through in-depth analysis of the participants' data transcripts to communicate *being detestable, getting rid of, and being destroyed*. The sub-themes were *being dehumanized and humiliated*, *being persecuted based on ethnic group, deserving horrible mistreatment and death*, *feeling worthless and denying ourselves,* and *living with horrific memories forever*. The theme, negative impact on perceptions of American police, was identified with the following sub-themes: *may treat blackness in me* and *racism here is black*. Finally, the theme, *positive impact on perceptions of American police,* was identified with only one sub-theme: *not different from others*.

Summary

Discussing the data analysis was the focus of this chapter. In this chapter also, the study's findings were presented. The four research questions were restated in the overview section, followed by the introduction of the ten research participants. Then, the study's results were discussed. After in-depth data analysis of the participants' interview transcripts, ten themes and their sub-themes were developed. The next chapter will evaluate the study's findings, discuss the implications, especially in public policy, and examine the study's limitations. Recommendations for future studies will also be presented.

CHAPTER FIVE: CONCLUSION

Overview

This qualitative study investigated the lived experiences of Banyamulenge immigrants, a Congolese diaspora in the United States. The main objective was to examine their experiences with Congolese law enforcement (soldiers and police) in the Democratic Republic of Congo during the 1998 Second Congo War. Learning about their experiences in the Congo led to understanding their perceptions of the police in the United States. The researcher also aimed to understand their discrimination in the Congo and its impact, if any, on their perceptions of the American police. The study also examined factors influencing their confidence in the American police and crime reporting. A detailed summary of the study findings and their discussion will be provided in this chapter. Existing literature and theoretical and empirical implications of the study findings will be discussed. Then, limitations, delimitations, and recommendations for future research will be addressed in this chapter.

The following four research questions were the guide to understanding Banyamulenge immigrants' lived experiences with Congolese law enforcement in the Congo in 1998 and their perceptions of the American police in the United States:

RQ1: What are the lived experiences of the Banyamulenge prisoners with law enforcement in Congo in 1998?

RQ2: What are the Banyamulenge immigrants' perceptions of the police in the United States?

RQ3: What factors influence the Banyamulenge immigrants' confidence in the police and crime reporting in the United States?

RQ4: What does it mean to be discriminated against by Congolese law enforcement and its impact on perceptions of the police in the United States?

During the data collection phase, semi-structured interview questions were the primary tool to gather thick raw data transcripts of over 120 pages. After two cycles of coding, I developed ten themes and their sub-themes. The identified themes were: (a) arresting all Banyamulenge, Tutsi, and Rwandans, (b) beating, raping, torturing, and looting, (c) death camp and beheading place, (d) humiliating, traumatizing, and dehumanizing, (e) neighbors and soldiers helping, wanting to help, and rejecting detainees, (f) perceptions of the American police, (g) confidence in the police and willingness to call for help, (h) being detestable, get rid of, and being destroyed, (i) negative impact on perceptions of American police, and (j) positive impact on perceptions of American police. Five first themes applied to RQ1. Only one theme, perceptions of the American police, applied to RQ2. Only one theme, confidence in the police and willingness to call for help, was identified to answer RQ3. The three last themes answered RQ4.

Research Question One

What are the lived experiences of the Banyamulenge prisoners with law enforcement in Congo in 1998?

Five themes emerged to answer this first research question: (a) arresting all Banyamulenge, Tutsi, and Rwandans, (b) beating, raping, torturing, and looting, (c) death camp and beheading place, (d) humiliating, traumatizing, and dehumanizing, and (e) neighbors and soldiers helping, wanting to help, and rejecting detainees. After thoroughly analyzing data transcripts, I identified several sub-themes for each theme. Four sub-themes emerged for arresting all Banyamulenge, Tutsi, and Rwandans: accused of and arrested for no crime, accused

of tribal relationship, arrested by soldiers and police, and only offense being our ethnic group. Four sub-themes were developed for the second theme, beating, raping, torturing, and looting: extreme beating beyond reasonable punishment, raped in front of families, stealing and looting detainees, and tied and thrown into vehicles like firewood. Only one sub-theme emerged for the third theme, death camp and beheading place: condemned to die and shooting them. The humiliating, traumatizing, and dehumanizing theme had three sub-themes: ashamed of ourselves, depressed and traumatized by experiences, and inhumane treatment. Finally, the theme, neighbors and soldiers helping, wanting to help, and rejecting detainees, had two sub-themes: helping and trying to help and would be treated like you.

Research Question Two

What are the Banyamulenge immigrants' perceptions of the police in the United States?

This research question was identified by one theme: perceptions of the American police. Through thorough data analysis of participants' interview transcripts, six sub-themes emerged: American police are better than Congolese law enforcement, sense of responsibility, serving with humaneness and easiness, the likeness of God and Umubyeyi, unequal treatment of American police, and would not have been persecuted and killed.

Research Question Three

What factors influence the Banyamulenge immigrants' confidence in the police and crime reporting in the United States?

Like research question two, this research question had only one theme identifying it: confidence in the police and willingness to call for help. After analyzing a thick dataset, three sub-themes were developed to explore the theme: calling American police for help, not being scared, and relying on American police for protection and justice.

Research Question Four

What does it mean to be discriminated against by Congolese law enforcement and its impact on perceptions of the police in the United States?

Three themes emerged to address this research question: (a) being detestable, get rid of, and being destroyed, (b) negative impact on perceptions of American police, and (c) positive impact on perceptions of American police. Rich raw data transcripts were thoroughly examined to develop sub-themes for each theme. Five sub-themes emerged for the theme, being detestable, get rid of, and being destroyed: being dehumanized and humiliated, being persecuted based on ethnic group, deserving horrible mistreatment and deaths, feeling worthless and denying ourselves, and living with horrific memories forever. The theme, negative impact on perceptions of American police, was identified with two sub-themes: may treat blackness in me and racism here is black. Only one sub-theme emerged for the theme, positive impact on perceptions of American police: not different from others.

Discussion

This qualitative research explored the lived experiences of Banyamulenge immigrants, a Congolese diaspora, in the United States. Semi-structured interviews were conducted because such interviews elicit detailed information from participants, ensure plausible results, and assist in understanding the meaning of human experiences (Daykin et al., 2018; Kallio et al., 2016; Fiori et al., 2019; & Constantinou et al., 2017). Reflexive memos assisted in controlling the researcher's biases (Kogan et al., 2013) during data collection and analysis. The study also aimed to understand the participants' experiences with law enforcement in the Congo and the United States. The study was guided by immigrant-specific experiential theories: the imported socialization theory and the contrast thesis. Convenience sampling was the method for selecting

participants because it was based on participants' availability and experience (Stratton, 2021). In the following section, I will discuss the study findings in terms of the theoretical and empirical literature. Examination of how this research supports or does not support the study's peer-reviewed literature will also be provided.

Theoretical Literature

This study's theoretical framework was immigrant-specific experiential theories: the imported socialization theory and the contrast thesis. Wu et al. (2017) argued that immigrant and non-immigrant populations possess different life experiences. The immigrant population takes their home country experiences to host countries, influencing their new livelihoods. Wu et al. (2017) found that immigrants' home country's police experiences may influence their police encounters in the United States. The imported socialization theory posits that immigrants with higher levels of trust in their home countries' political institutions mean the same would likely apply in the United States (Wals, 2011).

Menjivar and Bejarano (2004) argued that the immigrant population perceives the world through a bifocal lens, including criminal justice systems in home and host countries. Khondaker et al. (2016) found that immigrants with negative experiences with their home country's police tend to lower their confidence in the host country's police. According to the contrast thesis, Wu et al. (2017) argued that immigrants from countries whose police forces abused their citizens tend to enjoy the democratic way of policing in host countries.

All ten research participants provided their negative experiences with law enforcement in the Democratic Republic of Congo during the 1998 Second Congo War. They described their lived experiences during the first days of the war in different cities in which they resided. They all indicated Congolese law enforcement's treatment toward them was selective and ethnic-

motivated because they were told they were arrested because of their ethnic group, Banyamulenge. Sometimes, they were called Rwandans or Tutsi. The arresting all Banyamulenge, Tutsi, and Rwandans theme and its four sub-themes emerged as the summary of their experiences with Congolese law enforcement (soldiers and police officers). Accused of tribal relationship and only offense being our ethnic group were two of the four sub-themes. Nine of ten participants perceived they were arrested because they were related to those accused of starting the country's second war, while eight of ten participants reported that they felt the only offense that made them arrested was their ethnic group. This study's finding supports the findings of Wu et al. (2017) that immigrant populations take their home law enforcement experience to host countries.

In trying to understand the participants' experiences with the police in the United States, especially during traffic stops, three of the ten participants indicated they had had negative police encounters in the United States, where they felt they were discriminated against because they were black. However, despite the negative experience from the three participants, all ten participants indicated they preferred the police in the United States to Congolese law enforcement (soldiers and police officers).

For example, Chase used the word "worse" to compare law enforcement from both countries. Freeman used the word "nothing" to indicate that his negative experience with the police in the United States was "nothing" compared to what he experienced in the Congo in 1998. Jay used the sentence "I cannot put the American police on the same level as the Congolese police" to describe his preference for the American police regardless of his negative experience with them. However, this study's finding does not support the findings of Khondaker et al. (2016), who found that immigrants with negative experiences with their home country's

police tend to lower their confidence in the host country's police. Instead, the study's participants indicated they had faith in the American police compared to law enforcement in their home country.

On the other hand, among seven participants who did not indicate negative experiences with the police in the United States, some of them were even tempted to compare the American police to God and *Umubyeyi*, a parental figure. For instance, Daisy stated that "the American police are like *Umubyeyi*." Gi compared the American police to God, and then he realized, "We can't compare humans to God." Eastman described his treatment by the police in the United States compared to Congolese law enforcement as "like being born again." The finding of this study supports the findings of Wu et al. (2017), where, according to the contrast thesis, the study's participants preferred the American way of policing because of their abusive lived experiences with Congolese law enforcement (soldiers and police officers).

Empirical Literature

Arresting all Banyamulenge, Tutsi, and Rwandans

During the data collection, all ten participants indicated they were arrested for no crime. The only crime they reported and were told by Congolese law enforcement during the arrest was that they were Banyamulenge, Tutsi, or Rwandans. According to the participants, the terms "Tutsi" and "Rwandans" were utilized by both Congolese soldiers and police officers interchangeably with their ethnic group's name, Banyamulenge, accusing them of a Rwandan origin. The participants also described how they were mistreated for their tribal relationship with those who were accused of invading the country in 1998. This finding supports the findings of Ntanyoma and Hintjens (2021) that the hatred against the Banyamulenge originated from the

colonial era. Also related to this study's finding are the conclusions of Zihindula and Maharaj (2015) that Congolese security institutions have failed to maintain order.

Beating, Raping, Torturing, and Looting

Ill-treatment was one of many results of the participants' illegal arrest. The participants reported incidents where they were inhumanely beaten, raped, tortured, and their property looted by Congolese law enforcement and citizens. Collective punishment and deliberate mistreatment toward the study's participants based solely on their ethnic group resonated with the findings of Hossain and Purohit (2018) and Ntanyoma and Hintjens (2021), where oppressed minority ethnic groups, such as the Rohingya and Banyamulenge, were reported to experience marginalization by their governments.

Death Camp and Beheading Place

The participants provided descriptive lived experiences of how the treatment they experienced turned quickly into executing them using different methods, including shooting and exposing them to severe starvation. The participants also described how they were taken to designated locations and military camps to be killed. This finding was related to the results of Ntanyoma and Hintjens (2021), where, as of 2021 during their research, members of the Banyamulenge community in their home villages in the Congo were exposed to starvation as a weapon in a possible slow genocide against them.

Humiliating, Traumatizing, and Dehumanizing

The participants provided instances of unspeakable humiliation by their captors, Congolese law enforcement, including undressing them completely naked. For example, one participant described how her children ran away from members of the American military in uniform when her family first arrived in the United States. This finding relates to the conclusions

from Mithun (2019), where discriminated ethnic minority groups, such as the Rohingya community in Myanmar, face inhumane treatment because they are perceived as illegal immigrants in their own countries.

Neighbors and Soldiers Helping, Wanting to Help, and Rejecting Detainees

The study's participants indicated compassion from a few soldiers and ordinary citizens, while the majority chose not to sympathize with the detainees. Unfortunately, those who pitied the detainees for their misfortunes had no authority or power to overrule what the Congolese government had allowed. This finding corroborates the findings of Lallmahomed-Aumeerally (2017), who found mistreatment of minority groups by majority groups in post-colonial societies in different countries. Lallmahomed-Aumeerally's (2017) findings expressly referred to the case of the Malaise Creole community in Mauritius.

Perceptions of the American Police

All participants indicated they positively perceived the American police regardless of the negative experiences reported by some of them. They all firmly stated they preferred the American police to Congolese law enforcement. However, three participants recounted their negative police encounters in the United States and related them to racism toward blacks among white police officers. This finding is related to the results of Pryce (2014), who found that Ghanaian immigrants in the United States negatively perceived Ghanaian police. This finding was also related to the findings of Ayoyo (2018), where black immigrants in North America indicated negative perceptions of police due to numerous deadly encounters between the police and black people.

Confidence in the Police and Willingness to Call for Help

All ten participants indicated they had confidence in the police in the United States regarding their experiences with Congolese law enforcement. They also reported they would call the American police for help for themselves and others. Wu et al. (2017) found that immigrants tend to have a higher level of confidence in the police in host countries, especially if their home country's police abused them. This study's finding supports the findings of Batzeveg et al. (2017), who found that Mongolian immigrants in South Korea had a higher level of confidence in the South Korean police. This study's finding also supports the findings of Roles et al. (2016) that, even with a weak relationship between Latinos and the police in the United States due to illegal immigration issues, Hispanic immigrants of Mexican origin hold positive perceptions of the American police.

Regarding crime reporting or willingness to call the police for help in the United States among immigrants, the study's participants indicated they would call the police for help for themselves and others, for example, if they encountered an intruder in their homes. No participant stated they would not call the police for help. However, researchers have reported conflicting findings. Some study participants indicated that they would choose to cooperate with the police to avoid more problems during their police encounters. Therefore, this study's finding supports the findings of Bjornstrom (2015), who found that foreign-born Latinos hesitate to report police unfair treatment toward them compared to African Americans and Whites.

Being Detestable, Getting Rid of, and Being Destroyed

The participants reported discrimination against their ethnic group was a severe issue during their experience with Congolese law enforcement in 1998. They felt worthless because they were detestable, and they perceived they would be getting rid of and destroyed. Some of the detainees reached a point of denying their ethnic group, hoping to be released. This finding

supports Cheesman's (2017) findings that discriminated minority groups, such as the Rohingya in Myanmar, face rejection by the rest of the population with the government's support.

Negative Impact on Perceptions of the American Police

Of the ten participants, two provided their negative police encounters in the United States and reported they felt they would be treated differently because they were blacks. They also said they felt racism was about blacks in the United States. In other words, these participants perceived discrimination in the United States by the police, which they related to ethnic discrimination they experienced in the Congo by Congolese law enforcement. This finding supports the findings of Platkowska (2015), who found that immigrants possess lower confidence levels in the police than natives, especially in countries where discrimination prevails.

Positive Impact on Perceptions of the American Police

Nine out of ten participants indicated they were not different from other Americans and did not think the police would treat them differently because of their ethnic group. This finding contributes to Madon et al. (2017) and Wolfe et al. (2016) about procedural justice and police legitimacy. According to Madon et al. (2017), procedural justice occurs when citizens perceive fair treatment by the police. The study participants perceived the police in the United States would not treat them differently based on their ethnic group, indicating appropriate treatment. Wolfe et al. (2016) defined police legitimacy as the police's ability to maintain order by making the right decisions, reflecting the study participants' perception of seeing themselves as not different from other American citizens in the police's eyes.

Implications

This qualitative study explored the lived experiences of Banyamulenge's immigrants in the United States, who experienced illegal and ethnic-motivated imprisonment in their country, the Democratic Republic of the Congo, in 1998 during what is known as the Second Congo War. Their experiences in the United States with law enforcement were also investigated. In this section, I will discuss the study's theoretical, empirical, and practical implications. Recommendations for American law enforcement and local leaders are also addressed.

Theoretical

This study aimed to understand what Banyamulenge's immigrants in the United States went through before they left their country, the Democratic Republic of the Congo. Specifically, the study focused on those who were illegally arrested based on their ethnic affiliation by Congolese law enforcement during the country's second war in 1998. The theoretical foundation of the study was immigrant-specific experiential theories: the imported socialization theory and the contrast thesis. The findings showed that Congolese law enforcement's ill-treatment toward the participants did not negatively impact participants' perceptions of the police in the United States.

Instead, the participants preferred the American police to Congolese law enforcement because they felt treated with dignity in the United States. Wu et al. (2017) argued that immigrants from countries whose police forces abused their citizens tend to enjoy the democratic way of policing in host countries. On the other hand, three participants related their police encounters in the United States to those they had in the Congo, arguing similarities in both countries' law enforcement. This finding supported the imported socialization theory, where immigrants tend to import their home countries' negative experiences with law enforcement into host countries (Wu et al., 2017; Khondaker et al., 2016). However, regardless of their reported

negative experience with the police in the United States, the three participants still preferred American law enforcement to Congolese law enforcement.

Empirical

The first implication is that each research participant had their own lived experiences. Although most of them were arrested and ill-treated in Lubumbashi by the same military or police unit, they provided different versions of experience. These versions were not the opposite of each other in the sense of contradicting each other but completed each other. One meaning is that 23 years after imprisonment, the participants' memories and recollection capacity may have been different or deteriorated. Regardless, it is expected, for instance, for two people to tell different stories from one event they partake as witnesses.

However, also observed during the interviews, for example, is that the participants had different views on soldiers originating from their home province, South Kivu. Some participants reported that these soldiers joined with the rest of the soldiers and police officers to maltreat them. On the other hand, other participants stated that these soldiers sympathized with them and secretly helped them with money and food. This empirical finding is significant. The participants' province of origin is South Kivu. Although some lived in Shaba before the 1998 war, their ancestors are from South Kivu, and, in 1998, during the second war, they still had many families in South Kivu. Because of a decades-long ethnic conflict between Banyamulenge and other tribes in South Kivu, it is interesting to learn that soldiers from different tribes in South Kivu treated the participants (Banyamulenge) differently.

The second implication is that all the participants reported negative experiences with Congolese law enforcement, but their experiences with the police in the United States differed. The majority (seven participants) stated that they liked how the American police treated them

with dignity to the point of likening them to God and *Umubyeyi* (a parental figure). Those who stated they had been given traffic tickets for violations owned up to their mistakes and felt they received fair justice. However, three participants provided their negative encounters with the police in the United States and felt that there were similarities between the police in the United States and Congo. But they still preferred law enforcement in the United States to law enforcement in the Congo.

Practical

This study's implications should be important to multiple stakeholders, including law enforcement and local leaders in the United States. Law enforcement administrators and police officers need to understand and remember that their citizenry comprises two types of population: non-immigrants and immigrants. While the non-immigrant population tends to be the majority, the immigrant population needs special attention due to seeing their world through a bifocal lens: criminal justice systems from their home nations and the American criminal justice system.

Some immigrants, for example, this research participants, experienced the worst cruelty the world has ever known in their home countries by law enforcement, who was supposed to protect them. The imported socialization theory posits that immigrants bring their experiences with their home countries' law enforcement to host countries. This study suggests that police departments in the United States should consider the study's findings and create specific policies for dealing with the immigrant population. Likewise, public and private local leaders should join police departments in helping the immigrant population to assimilate the American culture and values. Handling these new citizens with care would help them heal past wounds from their homes to live in harmony with others, especially the police.

Delimitations and Limitations

A delimitation among the population for this study was evident due to its aim. The creation of delimitation was inevitable because the study purposed to understand the lived experiences of Banyamulenge immigrants in the United States, a Congolese diaspora whose experiences in their home country, the Democratic Republic of the Congo, involved discrimination and inhumane abuse, primarily by law enforcement (soldiers and police officers). The second aspect of the study was understanding their perceptions of the police in the United States, examining the impact, if any, caused by their experiences in their country of origin. The study's criteria included being a member of the Banyamulenge community, being an ex-prisoner during the Congo's Second War in 1998 in the Congo, and being imprisoned for being a member of the Banyamulenge community or similar identifications, such as Tutsi or Rwandan. During data collection, all research participants indicated they had lived in the United States for at least 23 years. They had both sets of experiences the study aimed at investigating: experiences with law enforcement from the Congo and the United States.

Being a member of the Banyamulenge community was the first criterion because the study's purpose was to investigate Congolese law enforcement abuse toward them in the Congo. That is why members of other Congolese communities were disqualified. While many members of the Banyamulenge community in the United States may have experienced some discrimination and abuse based solely on their ethnic group in the Congo, the second criterion ensured each research participant had more than enough experience for the study's investigation. The last criterion was used to delimit only those whose arrests were ethnic-motivated to understand what impact the participants' experiences with Congolese law enforcement had on their perceptions of the American police.

Two limitations of this study involved demographic representation and the method used to recruit participants, which is convenience sampling based on participants' availability and experience (Stratton, 2021). Demographic representation was limited to only members of the Banyamulenge community who experienced inhumane treatment by Congolese law enforcement in the Congo in 1998. The study did not investigate other atrocities in different years. The study also did not examine atrocities from other Congolese communities. Of the ten participants, only three were female. As a result, according to Stratton (2021), the research results can only apply to the participant group, not the general population (the Banyamulenge community as an ethnic group or all Congolese). Therefore, this current study's generalizability applies to members of the Banyamulenge community who experienced ethnic-driven and arbitrary imprisonment and persecution in the Democratic Republic of Congo.

Recommendations for Future Research

I intended to understand the lived experiences of members of the Banyamulenge immigrants in the United States who experienced inhumane treatment in 1998 in the Congo by their country's law enforcement sensed to protect all citizens alike. To my knowledge, being the first doctoral study on this particular population, this study's limitations should open plenty of opportunity for future researchers to study other populations (Banyamulenge and others) with similar experiences with their law enforcement and in different years. Most importantly, future scholars should also use their participants' home country experiences with law enforcement to investigate their impact on police encounters in host countries. Future research should also use quantitative methodology to measure police experience rates from both countries.

Summary

This qualitative study's purpose was to understand the lived experiences of Banyamulenge immigrants in the United States, a Congolese diaspora who experienced inhumane treatment related to their ethnic group by Congolese law enforcement (soldiers and police officers) in their home country, the Democratic Republic of the Congo during the 1998 war. In addition, the study examined their perceptions of the police, confidence in the police, and crime reporting in the United States, their host country. The theoretical framework for the research was the immigrant-specific experiential theories: the imported socialization theory and the contrast thesis. To my knowledge, this was the first doctoral study focusing on this population in this setting. The study had four research questions: What are the lived experiences of the Banyamulenge prisoners with law enforcement in Congo in 1998? What are the Banyamulenge immigrants' perceptions of the police in the United States? What factors influence the Banyamulenge immigrants' confidence in the police and crime reporting in the United States? What does it mean to be discriminated against by Congolese law enforcement and its impact on perceptions of the police in the United States?

First, the study found that members of the Banyamulenge community in the 1998 Second Congo War were arrested simply because of their ethnic group, Banyamulenge, not because they had committed a crime. Second, the study also found that Congolese law enforcement (soldiers and police officers) treated them inhumanely and killed them for their ethnic group. Third, all the research participants, including three who reported negative encounters with the police in the United States, preferred American law enforcement to Congolese law enforcement. Except for the two participants who felt the police in the United States treated them because they were black, the rest of the participants believed American law enforcement would not treat them

differently because of their ethnic group. Fourth, the study found that the participants were confident in the police in the United States and would call the police for help.

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APPENDICES

Appendix A: IRB Approval Letter

LIBERTY UNIVERSITY.
INSTITUTIONAL REVIEW BOARD

May 23, 2023

Fidele Sebahizi
Evaristus Obinyan

Re: IRB Approval - IRB-FY22-23-1253 Banyamulenge immigrants' perceptions of the police in the United States.

Dear Fidele Sebahizi, Evaristus Obinyan,

We are pleased to inform you that your study has been approved by the Liberty University Institutional Review Board (IRB). This approval is extended to you for one year from the following date: May 23, 2023. If you need to make changes to the methodology as it pertains to human subjects, you must submit a modification to the IRB. Modifications can be completed through your Cayuse IRB account.

Your study falls under the expedited review category (45 CFR 46.110), which is applicable to specific, minimal risk studies and minor changes to approved studies for the following reason(s):

7. Research on individual or group characteristics or behavior (including, but not limited to, research on perception, cognition, motivation, identity, language, communication, cultural beliefs or practices, and social behavior) or research employing survey, interview, oral history, focus group, program evaluation, human factors evaluation, or quality assurance methodologies. (NOTE: Some research in this category may be exempt from the HHS regulations for the protection of human subjects. 45 CFR 46.101(b)(2) and (b)(3). This listing refers only to research that is not exempt.)

Your stamped consent form(s) and final versions of your study documents can be found under the Attachments tab within the Submission Details section of your study on Cayuse IRB. Your stamped consent form(s) should be copied and used to gain the consent of your research participants. If you plan to provide your consent information electronically, the contents of the attached consent document(s) should be made available without alteration.

Thank you for your cooperation with the IRB, and we wish you well with your research project.

Sincerely,

G. Michele Baker, PhD, CIP
Administrative Chair
Research Ethics Office

Appendix B: Semi-Structured Interview Guide

Demographic Information

1. What is your gender?
    a. Male
    b. Female
    c. Other
    d. Decline to state
2. What is your age range?
    a. 20 – 29 years
    b. 30 – 39 years
    c. 40 – 49 years
    d. 50 – 59 years
    e. 60 – 69 years
    f. 70 – 79 years
    g. 80 – 89 years

Data Collection

1. Please tell me where you were in 1998, who arrested you (police, soldiers, or others), and how they initially treated you.
2. What was the nature of your crime? In other words, what was the nature of the reason you were arrested?
3. Were you a civilian when you were arrested? If so, what was it like being a prisoner of war as a civilian?

4. I understand it is painful to remember and tell your experiences in Congo in 1998. Can you describe how Congolese police or soldiers treated you and other prisoners with you?
5. You have been living in the United States for many years now. Based on your experience, can you tell me what you think of the police in the United States compared to law enforcement (police/soldiers) in Congo?
6. Do you think the police in the United States respect the human rights of those in their custody compared to Congolese law enforcement? Would you describe any difference?
7. With perceptions of law enforcement from both countries, how would it be different if you encountered the American police in 1998 instead of Congolese law enforcement?
8. The police in the United States may have contacted you. Would you walk me through the contact and how you were treated?
9. Would you dial 911 for your assistance or another person's assistance in the United States? Why or why not?
10. Compared to your experience with Congolese law enforcement, please tell me how you would feel in American police custody, during a consent contact, or a traffic stop.
11. Between the police in the United States and Congolese law enforcement, who would you call for help? Why?
12. What do you remember of the treatment by Congolese law enforcement in prison?
13. Do you think your identity or ethnic affiliation played a role in how Congolese police or soldiers treated you? Why?
14. What did it mean to be a member of the Banyamulenge community or similar communities in Congo in 1998?

15. Do you think the police in the United States would treat you differently because you are a member of the Banyamulenge community? Why or why not?

Probing Questions

- Continuation probes
    - "Would you tell me more?"
- Elaboration probes
    - "Would you tell me more about that?"
- Verbal agreement probes
    - "I understand, I see, right…"
- Clarification probes
    - "Would you clarify that? What does that mean to you?"
- Steering probes
    - "Can we go back to where you said…"
- Evidence probes
    - "Would you describe a situation when something like that happened?"
- Echo probes
    - The interviewer repeats what the participant says to encourage elaboration.
- Silent probes
    - The interviewer remains silent to encourage the participant to think and respond thoroughly.

Appendix C: Recruitment: Verbal Script (Phone or In Person)

Hello [Potential Participant],

As a graduate student in the Helms School of Government at Liberty University, I am conducting research to better understand perceptions of the police in the United States among Banyamulenge immigrants who experienced illegal and arbitrary imprisonment in the Democratic Republic of the Congo (DRC). The purpose of my research is to understand the lived experiences of the Banyamulenge prisoners with law enforcement in Congo in 1998, their perceptions of the police in the United States, what factors influence their confidence in the police and crime reporting in the United States, and what it means to be discriminated against by Congolese law enforcement and its impact on perceptions of the police in the United, and if you meet my participant criteria and are interested, I would like to invite you to join my study.

Participants must be 18 years of age or older, be a Munyamulenge (Banyamulenge member) and born in the DRC, were imprisoned during the Second Congo War of 1998, and were imprisoned for ethnic affiliation, including Banyamulenge, Tutsi, or Rwandan. Participants, if willing, will be asked to answer interview questions. It should take approximately one hour to complete the procedure listed. Additionally, a follow-up, audio-recorded interview will be conducted that should last approximately 30 minutes. Names and other identifying information will be requested as part of this study, but the information will remain confidential.

Would you like to participate? Yes. Great, can we set up a time for an interview? No. I understand. Thank you for your time.

Appendix D: Informed Consent

Title of the Project: Banyamulenge Immigrants' Perceptions of Police in the United States: A Qualitative Study

Principal Investigator: Fidele Sebahizi, Ph.D. Candidate, Helms School of Government, Liberty University

Invitation to be Part of a Research Study

You are invited to participate in a research study. In order to participate, you must be 18 or older, a member of the Banyamulenge community, born in the Democratic Republic of Congo (DRC), was imprisoned in the DRC during the Second Congo War in 1998, and was imprisoned for your ethnic affiliation: Banyamulenge, Tutsi, or Rwandan. Participating in this research study is voluntary.

Please take time to read this entire form and ask questions before deciding whether to take part in this research.

What is the study about and why is it being done?

The purpose of this research study is to understand the perceptions of the police in the United States among Banyamulenge members who were imprisoned because of their ethnic affiliation during the Second Congo War in 1998 in the Democratic Republic of Congo.

What will happen if you take part in this study?

If you agree to participate in this research project, I would ask you to do the following:

1. Participate in an audio-recorded interview conducted using a telephone call or in-person session. No video will be recorded to ensure anonymity. The interview will be scheduled according to participants' availability and will last approximately one hour. After the data has been analyzed, participants will be allowed to review the findings to verify accuracy.
2. Follow-up session: individual recorded interview: 20 – 30 minutes

How could you or others benefit from this study?

Participants should not expect to receive a direct benefit from participating in this study.

However, data collected from this study could benefit society, specifically the law enforcement community, to understand immigrants' experience with law enforcement in their countries of origin before they come to live in host countries. It is believed that understanding such past

experiences would enable law enforcement in host countries to empathize with immigrants to gain rapport and cooperation. This would benefit both immigrants and law enforcement officers.

What risks might you experience from being in this study?

The risks involved in this research study are minimal, meaning they are equal to the risks you would encounter in everyday life even if you did not participate in the study.

How will personal information be protected?

The records of this study will be kept private. Participants' personal information will not be published, making it difficult to identify them. The records will be stored in a secure place. Only the research investigator will access the research records. Data collected in this study may be shared with other researchers to advance this research topic or subject or related subjects. Research participants' information will be removed before sharing data.

1. Participants' interview answers will be kept confidential using pseudonyms. Interviews will be conducted in a quiet location, participants' comfort zone, to ensure the conversation is not overheard.
2. Data will be stored on a password-locked USB drive and may be used in future presentations. After three years, all electronic records will be deleted.
3. Interviews will be recorded and transcribed for analysis. Recordings will be stored on a password-locked computer for three years then completely deleted. Only the research investigator will access the research records.

How will you be compensated for being part of the study?

Participants will not be compensated for participating in this study.

Is study participation voluntary?

Yes. Participating in the study is absolutely voluntary. Your decision whether to participate will not affect your current or future relations with Liberty University or the researcher. If you decide to participate, you are free to not answer any question or withdraw at any time without affecting those relationships.

What should you do if you decide to withdraw from the study?

If you choose to withdraw from the study, please contact at the phone number or email provided in the next paragraph. Should you choose to withdraw, data collected from you will be destroyed immediately and will not be included in this study at all.

Whom do you contact if you have questions or concerns about the study?

The researcher conducting this study is Fidele Sebahizi. You may ask any questions you have now. If you have questions later, **you are very encouraged** to contact him at [redacted] and/or **fnsebahizi@liberty.edu**. You may also contact the researcher's faculty chair, Dr. Evaristus Obinyan, at [redacted]

Whom do you contact if you have questions about your rights as a research participant?

If you have any questions or concerns regarding this study and would like to talk to someone other than the researcher, **you are encouraged** to contact the IRB. Our physical address is Institutional Review Board, 1971 University Blvd., Green Hall Ste. 2845, Lynchburg, VA, 24515; our phone number is 434-592-5530, and our email address is irb@liberty.edu.

Disclaimer: The Institutional Review Board (IRB) is tasked with ensuring that human subjects research will be conducted in an ethical manner as defined and required by federal regulations. The topics covered and viewpoints expressed or alluded to by student and faculty researchers are those of the researchers and do not necessarily reflect the official policies or positions of Liberty University.

Your Consent

By signing this document, you are agreeing to be in this study. Make sure you understand what the study is about before you sign. You will be given a copy of this document for your records. The researcher will keep a copy with the study records. If you have any questions about the study after you sign this document, you can contact the researcher using the information provided above.
I have read and understood the above information. I have asked questions and have received answers. I consent to participate in the study.

☐ The researcher has my permission to audio-record me as part of my participation in this study.

_____
Printed Subject Name

_____
Signature & Date