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ANALYSING "MOB LYNCHING" IN INDIA

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ABSTRACT

In democratic societies, citizens play a pivotal role in fostering growth. However, when unchecked, this power can lead to alarming consequences. A pressing issue in contemporary democracies is "Mob Lynching," where individuals, bypassing legal procedures, mete out harsh and extrajudicial punishments. This form of violence is a grave deviation from societal norms, characterized by extreme cruelty and anti-social tendencies. The proliferation of such incidents on social media has spurred debates but hasn't always culminated in justice. The escalating frequency of mob lynching serves as a warning for the nation's guardians. If unchecked, India risks being dubbed "Lynchistan". It's crucial to curb such activities to protect individual rights and maintain societal harmony. This research delves into the phenomenon of mob lynching in India, exploring its root causes. By deciphering these factors, the study aims to provide recommendations to mitigate such distressing events in our society.

Introduction

In recent times, we've witnessed a surge in hate crimes, with collective violence and mob lynching becoming alarmingly common. These acts of violence have resulted in severe injuries, brutal attacks, and even the deaths of defenseless individuals, both young and old. Mob lynching involves a group partaking in extrajudicial actions without providing the accused a fair chance to defend them. Such actions pose a significant challenge to democratic values¹. Here, citizens, who should be the pillars of a democratic society, become its adversaries. The unchecked behavior of

these mobs erodes the foundation of social order and undermines the rule of law. The increasing frequency of such incidents underscores the gravity of the situation. It's essential to delve into the physical and psychological triggers behind these acts, as well as to understand the shortcomings of our legal and societal framework. This research aims to dissect recent incidents to uncover underlying patterns. By comprehending all these elements, the study hopes to offer solutions to prevent such heinous acts in our society.

Understanding Mob Lynching in India

The term "mob" typically refers to a group

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predisposed to violent behavior, while "lynch" describes the act of a crowd attacking someone they believe to have committed a crime, often with lethal intent². Generally, this violent act involves a collective, not just an individual. Such extrajudicial killings by enraged groups are termed lynching. In India, the phenomenon of mob lynching has its unique characteristics influenced by diverse societal factors. The vast diversity in the country, encompassing religion, caste, gender, race, language, and place of origin, sometimes results in conflicts. In the Indian context, lynching targets not only those accused of crimes like murder or rape but also those perceived by mobs as deviants. Witch-hunting serves as a glaring example of lynching in India. Additionally, traditional bodies like Khap Panchayats have perpetrated violence against interfaith relationships³. Presently, cow vigilantism has taken a forefront in lynching incidents, but it's just one of many triggers. The Indian Penal Code (IPC) doesn't specifically define mob lynching, making official data elusive. Yet, many incidents gain attention through media reports. A significant portion of these lynching are linked to rumors of child kidnapping, followed by cow vigilantism, interfaith relationships, theft, among other reasons. It's crucial to acknowledge that numerous incidents likely remain unreported, suggesting a disturbingly high prevalence in society.

Various Types of Mob Lynching's-

India's vast societal diversity also leads to a diverse range of crimes. In a nation like India, while there are numerous instances of mob lynching, they aren't all of the same nature. Thus, it's essential to

understand the primary categories of mob lynching in the country.

Lynching for cow

This is the one of the significant reasons, by which mob lynching is famous. It is actually a matter of belief of one of the significant religions of India. Some people believe that cows are a sacred animal for their religion that is the reason it ought to be regarded and safeguarded however there are some people who believe that they have right to eat it or carry forward their Cow-Related Lynching: One of the prominent triggers for mob lynching in India revolves around the cow, a revered animal in one of the country's major religions. While many hold the cow sacred and believe in its protection, others view it as a source of livelihood or food. The Supreme Court of India's suspension of the ban on cow slaughter has, at times, led individuals to take the law into their own hands to safeguard what they see as a religious emblem. Numerous incidents have arisen where individuals were attacked or killed by mobs under the pretext of cow protection. Groups such as 'Gau Rakshak' operate in various parts of India, often engaging in these unlawful acts. Tragically, there have been cases where innocent individuals were mistaken for cow smugglers or consumers and were subjected to fatal violence. It is imperative for the state to identify and curb such groups and enforce measures to prevent such incidents.

2. Witch Hunts:

Witch hunts typically involve labeling individuals, primarily women, as witches based on declarations by local shamans or witch doctors. Once branded as witches, these individuals endure various forms

of cruelty: from physical beatings to being set ablaze, paraded naked through villages, forced to consume human excrement, and in some instances, even raped. There have been cases where their hair is forcibly cut, and both the accused and their offspring face social ostracization, with some even facing fatal consequences⁴. Such incidents, particularly in rural settings, often go unnoticed by mainstream media, leading to their underreporting and lack of intervention. This underscores the urgency for heightened attention and action against such practices.

3. Lynching Stemming from Inter-Caste

Relationships:

In India, marriages or relationships that transcend caste boundaries often face societal backlash. Such unions are yet to be fully embraced by society at large. Many view these relationships as tarnishing societal honor, branding the involved individuals as "deviants."⁵ Consequently, families feel that this perceived "dishonor" can only be rectified by resorting to violence against those they deem responsible. This form of violence, driven by the desire to preserve societal norms and honor, has broader implications for society. Regrettably, these acts are often not categorized or reported as mob lynching.

4. Lynching Due to Child Kidnapping

Suspicious and Social Media Rumors:

Child kidnapping is an age-old concern in many parts of India. Tales of child snatchers are often narrated to children as cautionary tales. However, suspicions of child abductions can sometimes lead to mobs attacking innocent individuals. These suspicions are exacerbated by unfounded rumors

on social media, portraying certain individuals as kidnappers. Some malicious entities even deliberately disseminate such misinformation⁶. Consequently, the public, driven by fear and anger, might resort to vigilantism, meting out harsh punishments without any substantial evidence or investigation.

REASONS FOR MOB LYNCHINGS

1. Feeling of doing justice:

Generally, people use the law to punish others in the belief that they are doing justice and that this is the only way to curtail undesirable behaviour in society. Individual differences and logic disappear in a mob, which makes the people there more agitated and less aware of what they are doing. They fail to remember that justice will be served following a legal process. People often attack victims brutally when they are furious. Acting in the name of justice, they inadvertently commit a new wrongdoing in society.

2. Lack of trust in the judicial process

Distrust in the legal system often prompts individuals to take matters into their own hands, believing they must deliver justice themselves. This skepticism arises when they feel the system won't stand up for them, leading them to act as their own defenders, even if it means meting out punishment personally. This deep-seated mistrust can be attributed to rampant corruption in law enforcement, prolonged judicial proceedings, and the perceived favoritism shown to the affluent and influential. Though the law offers a structured approach to justice, many, driven by impatience, seek immediate redress.

3. Anonymity:

The primary benefit for individuals participating in mob activities is the sheer number of people involved. The vastness of the crowd makes individual identification challenging, leading many to believe they won't be singled out. This perceived anonymity emboldens them to engage in unlawful actions, making the allure of the mob even stronger.

4. Youths aggressive nature

Recent digital shows and movies, such as Mirzapur, Sacred Games, Aghoran, Gangs of Wasseypur, and the like, portray the intense and competitive lives of underworld figures. This depiction, laden with rivalry and firearms, tends to captivate the younger audience. By watching these kinds of shows, young people develop a fixation on a life filled with wealth and power. They also become more violent and sometimes become heartless, which is very bad for society. The drive for violent behaviour causes a loose disposition when dealing with petty issues. Additionally, they actively participate in these crimes or encourage others to do so in an effort to gain notoriety or political prominence. This psychological shift makes the mob, which includes young people, more violent than others. They willingly participate in crimes like mob lynchings because they lack patience and have the opportunity to use violence. Other major reasons responsible for mob lynching

Other reasons such as-

- i. Fake and Hate News on social platform
- ii. Provocation of collective violence through messaging apps
- iii. The silence of political class

iv. High Unemployment rates

v. Ineffectiveness of administrative agencies

vi. Inter Caste-Marriage, Inter-Religious Marriage and Honour killing

vii. Intolerance

viii. Theft cases

Conclusion

Mob lynching is not an ordinary crime; mob lynching is one of those heinous crimes in which a person is targeted by a large number of people. Citizens cannot take the law into their own hands or become a law unto themselves. The Supreme Court of India referred to these crowds' heinous crimes of Mobocracy as "Heinous acts of Mobocracy". In today's India, we see many instances of mob lynching, often on a massive scale. Getting together and turning it into a mob lynching is strange behavior. Mob lynching is akin to hell in that a group of people or vigilantes target an innocent individual or family who is accused, abused for some reason and damages, kills, brutally beaten, and murdered

The largest benefit for those who are participating in mob crime is membership in it. They have a strong sense that they won't be identified because there are a lot of individuals, making it exceedingly difficult to identify everyone. This emotion gives one the motivation to commit any unlawful conduct. It is vital to identify any ways to stop these instances from happening in our society after learning about the many forms of mob lynching's and their causes. To prevent these barbaric acts of mob lynching, India requires a codified law. Following the Supreme Court's directives, many states drafted legislation to combat mob lynching.

The draught legislation calls for harsher punishment for lynchers. The law enforcement agency must adopt a zero-tolerance policy toward hate crimes and mob lynching. The Indian Parliament is also considering enacting comprehensive legislation on the subject. Meanwhile, the number of lynchings continues to rise.

Suggestions

As discussed above, in order to stop this, it is essential to keep the causes in mind so that the issue can be resolved at its emergence. There are several suggestions for dealing with mob lynching

1. Awareness Initiative - It's crucial to educate individuals that their actions, rather than meting out justice, jeopardize the future of their children and set a negative precedent for upcoming generations. Everyone should recognize that no one stands above the law and that legal transgressions carry severe consequences. A structured awareness drive, encompassing advertisements, sessions in educational institutions, and collaborations with administrative bodies and NGOs, is essential.

2. To establish fast track courts -One of the reasons the current judicial system has failed, thus it is essential that it functions correctly and provides justice as quickly as possible in order to restore public confidence. A Fast-track court should hear the cases relating to these instances, and no lenient approach should be applied in this regard. People who participate in this should face strict punishment.

3. Ensuring Accountability of Nodal Officers and Police Officer - Given the significance of intelligence and policing in these situations, every

district should implement a robust intelligence system that monitors any mobilization for unlawful activities. Based on these intelligence insights, regions should be categorized as high risk, moderate risk, or low risk for mob incidents. In high-risk zones, police vigilance should be heightened, and security measures like CCTV installations might be considered. Adopting such strategies can potentially deter these events. Police should have the mandate to act within legal bounds to preempt and probe such occurrences.

4. Compensation scheme for victims-Relief camps with all basic amenities should be provided to the affected people as soon as possible. Legal and medical assistance should be provided to victims sponsored by the government. Victims should be compensated immediately, and all efforts should be made to restore the victim's family situation.

5. To stop the fake news and hate news-Counteracting misinformation and curbing divisive content is essential for maintaining societal harmony. It's crucial to promote media literacy, employ fact-checkers, and encourage platforms to implement stringent content moderation policies. By fostering a well-informed public, we can reduce the spread and impact of false and harmful narratives.

6. To declare National Offence-There is need of substantial code for mob lynching but we can't ignore the political motives behind these cases and govt. should take necessary measures for spreading awareness for these crime people must aware about the law means what to do and what not to do.

End notes:

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⁵Maheshwaran Jaypaul, *Mob Lynching: Inception and Failure in Its Legal Redressal*, Gujrat Research Society Vol. 21 No. 13 (2019): Vol 21 Issue 13 (2019)

⁶Dr. Satyanarayan Panday, Pawan Kumar Pandey, "Emerging trends of Mob Lynching: Does social media have a role in managing law & issues" Think Thank Journal, vol. 22, (2019) pg. no. 8404- 8415

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