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MOB LYNCHING IN INDIA: AN OVERVIEW

AUTHORED BY - MANISH JAISWAL

“It may be true that the law cannot make a man love me, but it can stop him from lynching me, and I think that’s pretty important .”— Martin Luther King Jr.¹

ABSTRACT

The homicide at the streets by using an unruly mob can also appear to be a puzzle to many, professionals experience that this sudden escalation in number of mob lynching is connected to the absence of rule of regulation, way of life of impunity, whereby killers and wrongdoers are exempt from punishment, unsuitable criminal justice device, impatience in civic life, now not respecting dissenting voices and common extrajudicial killings. The lynching is in lifestyles from historic records but in modern India, a story is being set up through global media, pettifoggers, the instances of lynching is on rise in India after the Hindu extremist, The Mob lynching is derived from two words mob and lynching, mob manner a big and indignant crowd mainly one that could easily emerge as violent, and Lynching is a shape of violence in a group of mob, under the pretext of administering justice without trial.

INTRODUCTION

The Mob lynching is derived from words mob and lynching, mob way a big and indignant crowd in particular one that could without problems become violent, and Lynching is a shape of violence in a group of mob, underneath the pretext of administering justice without trial, executes a presumed culprit, frequently after inflicting torture and corporal mutilation the consistent with. The offender targets someone or more either in Hindu, Muslim, Shikh or Christian or every so often, it's been reported for the call of toddler lifter a person or ladies is being killed, and from time to time in Haryana and Bihar the woman and boy being killed through a collection of people for the name of illicit relation, the nation like Haryana there is subculture of Khap Panchayat and in State of Jharkhand especially in villages for the name of Dayan (Witches) mob kills innocent girl².

¹ <https://www.goodreads.com/quotes/tag/lynchings>

² <http://www.com/article/135- http://lawtimesjournal.in/women/dignity.html>, last visited on 02/01/2022; at 9:00 am.

DEFINITION OF MOB LYNCHING

The Oxford Dictionary defines, “*The illegal killing of someone, usually with the aid of hanging, by way of a crowd of people and without an ordeal is call lynching.*”

The homicide on the streets by using an unruly mob may additionally appear like a puzzle to many, experts feel that this surprising escalation in wide variety of mob lynching is connected to the absence of rule of law, subculture of impunity, wherein killers and wrongdoers are exempt from punishment, unsuitable crook justice machine, impatience in civic existence, now not respecting dissenting voices and common extrajudicial killings³. The lynching is in life from ancient history however in cutting-edge India, a narrative is being hooked up by global media, pettifoggers, the cases of lynching is on rise in India after the Hindu extremist, Narendra Modi led government came into electricity in India, I completely disagree and dismiss this narrative of western Media and a group of humans. On 31/03/2018, a low-caste Indian Dalit killed by way of Kshatriyas for proudly owning horse on 2d of August 209 a Muslim mob reportedly entered a temple in Ghasauli village, Meerut, and beat up a group of Dalit men who had placed up loudspeakers in the temple for playing devotional songs. In current mob lynching incident killing of two Sadhus in Palghar, Maharashtra has greatly surprised the whole world, on 16th of April 2020 a group of mobs attacked and killed Sadhus along with one commonplace resident. Not only Dalit and Muslims are the victim of Mob lynching in India, especially in rural areas, dominated network usually attempt to dominate on less populated network, Jharkhand, Bihar and Uttar Pradesh wherein least dominated community being focused through the excessive populated case.

Although the majority suppose most effective of striking and killing in public area is lynching which isn't always accurate, lynching method a good deal extra." Victims were additionally killed in a selection of different ways: shot repeatedly, burned alive, pressured to jump off a bridge, dragged in the back of cars, and the like. Sometimes they were tortured as nicely; frame elements were now and again removed and offered as souvenirs in stores.

ERA OF MOB LYNCHING

From my very own know-how to historic historical past on mob lynching, the Crusification of the Jesus changed into the first mob lynching, as Jesus turned into a guiltless sufferer of mob hysteria and Roman imperial violence. The crusification by means of Roman, many African-

³ Nair Sobhana K., “[NRC is anti-Indian citizen](#)”, The Hindu, 2019.

Americans had been harmless sufferers of white mobs, thirsting for blood within the call of God and in defense of segregation, white supremacy, and the purity of the Anglo-Saxon race. Both the pass and the lynching had been symbols of terror, gadgets of torture and execution, reserved commonly for slaves, criminals, and insurrectionists ;the bottom of the low in society⁴. Both Jesus and blacks have been publicly humiliated, subjected to the maximum indignity and cruelty. They have been stripped, so that it will be deprived of dignity, then paraded, mocked and whipped, pierced, derided and spat upon, and tortured for hours within the presence of jeering crowds for famous leisure. In both cases, the cause changed into to strike terror within the difficulty network. The many harmless African-Americans have been victims of mob assaults for blood in the call of God and in protection of segregation, racism in Europe and Africa too. India, Pakistan and Bangladesh, these 3 Asian international locations have an ideology of religious supremacy, earlier than 1947, India, Pakistan and Bangladesh became undivided, and in 12 months 1948 Pakistan became a separate kingdom and as Islamic Republic of Pakistan on the basis of Muslim population. However, India stay secular US.⁵

The tension between Hindu and Muslims commenced inside the 12 months 1921-22 from Bengal in latter communal feeling at Multan reached very critical heights, and even though the casualty list become relatively small, a wonderful deal of damage to assets become done and Such barbaric mutual violence shows an utter loss of harmony among Hindu and Muslims and struggle among two non secular community began in India ,which never ended until these days and whenever one gets chance to kill any other in any manner both thru lynching or communal mass killing they do.

MOB LINCHING IN INDIA

The Quint said considering the fact that 2015 to till 2019, cases of lynching became mentioned 113 in India, consistent with media file the brutal killing of Akhlaq Khan a fifty five years antique farm works has been killed with the aid of mob at Greater Noida of Uttar Pradesh however the Alwar courtroom has acquitted all the accused. In a recent communal conflict in National Capital of Delhi a young police guy Ratan Lal was lynched by institution of Citizenship Amendment Act (CAA) protesters⁶, when deceased became acting his obligations, who were they whether they

4 Pushpita Das,“ [Illegal Migration From Bangladesh: Deportation, Border Fences and Work Permits](#)”, Institute for Defense Studies and Analyses, 2016.

5 Udit Sen, “[Citizen Refugee: Forging the Indian Nation after Partition](#)”, Cambridge University Press, U.S., 2018.

⁶ Katiyar Prerna, “[In India, Ahmadis are Muslims: Mukhtar Abbas Naqvi](#)”, The Economic Times, 2020,p.91

had been Group of Extremists or Hindus no? Who had been they who were pelting stone and attacking on innocent doctors and policeman for the duration of the Lockdown whether or not they were part of the any extremist institution no, who had been they who've killed a Muslim in Ramgarh District of Jharkhand whether or not they have been affiliated with any extremist group no, all folks that are worried in killing an harmless individual aren't expert criminals however they may be being provoked by way of a group of political or extremist non secular influenced corporations. Mob violence has threatened now not just the Muslim community but also other minorities in India⁷. In 2016, seven contributors of a Dalit own family had been attacked by way of cow vigilantes in the kingdom of Gujarat, which led to mass protests through the Dalit network. Attacks on Christians continue to be under-stated, but incidents concerning church buildings and monks accused of changing Hindus to Christianity continued in state of Orissa and Jharkhand.

CAUSES OF LYNCHING

Mob lynching has become a serious problem in India, where it has claimed hundreds of lives in recent years. The victims of mob lynching are mostly from marginalized communities, such as religious minorities, Dalits, Adivasis and women.⁸ The following are a few well-known reasons why mob lynching incidents have happened in India:

Mob justice:

Owing to a lack of knowledge about legal provisions and the repercussions of breaking them, lax police enforcement, and a sluggish legal system, Indians attempt to act as judges and administer justice by creating their own laws and regulations.

Witch Hunting:

Based on superstitious beliefs, witch-hunting is a problem in Indi that leads to mob lynchings. "Witch-hunting" is the term used to describe the process of branding a woman as a witch, usually following an Ojha's confirmation, and the subsequent prosecution and execution of that woman, which frequently involves lynchings and widespread panic. In actuality, witch-hunting consists of abusing and murdering a woman who is thought to possess evil magical abilities.

⁷ Bagriya Ashok, "Supreme Court refuses stay on Citizenship Amendment Act, issues notice to Centre", *Hindustan Times*, 2019,p.81

⁸ <https://www.iasgyan.in/daily-current-affairs/mob-lynching-4>,visited on 20-10-2023.

Driven by religion and caste:

India has a long history of using religion and caste as justifications for violence. The current rise in mob lynching incidents is primarily the result of prejudice and intolerance toward different religions and castes on the basis of beliefs, customs, practices, law, etc.

Economic and politically motivated:

Mob lynching has always been heavily influenced by politics and the economy. The simplest method of obtaining land and property is through mob lynching, particularly in rural areas.

Lack of enacted legislation and statutes:

It's crucial to remember that India lacks a detailed and comprehensive parliamentary law prohibiting mob lynching. Victims' constitutional rights to justice and their human rights are protected. However, because it is a horrible crime and is growing more commonplace these days, it requires its own set of laws. This frequently lets the guilty get away with it.

Politics of the vote bank:

Such components of society are occasionally supported by political mobilization that employs violence as a political instrument. In order to put an end to such vote-bank politics, community awareness campaigns and actions against these politicians are now required.

Social media threat:

These incidents have been overstated due to the increased use of social media and its propagation of hate speech and rumors. To put an end to rumors and fake news, the state must take action against cybercriminals and maintain a vigilante community.

High Unemployment rates:

High unemployment leave millions of youth unengaged. By a variety of philosophies and agendas, these impressionable minds are frequently misled and brainwashed. For youth who are skilled in the economic development of the area, the state must take action to increase employment opportunities.

Absence of conviction and accountability:

The mob is faceless. Extreme measures are needed as a result of the mob's impunity. Thus, the

role of the state and community in preventing such crimes is growing. It is crucial that civil society take an active role in combating these crimes and aiding government and law enforcement in apprehending the perpetrator.

DIRECTIVES FOR REDUCING VIOLENCE

The court declared in the Poonawalla case that "we are going to issue certain directives covering the arena of preventive, remedial, and punitive measures with regard to numerous incidents of lynching and mob violence which need not be specifically stated."

Preventive Measures:

According to the court, in order to take action to stop lynchings and acts of mob violence, each district should have a Nodal Officer, a senior police officer who holds a rank equal to or higher than Superintendent of Police. The intelligence reports regarding the incidents, victims, and perpetrators who disseminate hate speech and fake news must be gathered by a special task force. Care needs to be taken in the areas where mob violence has occurred recently.

To determine the likelihood and trends of vigilantism and mob violence in the district and to take action to forbid incidents, regular meetings between Nodal officers, intelligence units, and police personnel are required. In addition, the Nodal Officer is responsible for working to eliminate any hostile environment directed towards any community or caste that is the target of such incidents. Meetings with nodal officers on a regular basis are necessary to provide the Secretary of the Home Department or the Director General of Police of the concerned States with information about lynching control protocols.

Remedial Measures:

The victim's family members' safety must be guaranteed, and the court mandated that a formal complaint be filed as soon as possible in the event of lynching or mob violence, even in the presence of preventive measures. It is imperative that the Nodal Officer conduct the investigation into cases of mob lynching. State governments are responsible for creating the victim compensation plan, which includes the provision for interim relief under section 357A of the Criminal Procedure Code, 1973. For lynching and mob violence cases, a fast track court must be established, and the accused must receive the maximum sentence possible as an example to instill fear of the law. The court and police must place the utmost priority on protecting the case's

witnesses. The victims' families must receive a daily report on the trial. Victims must be given the opportunity to select a legal aid advocate under the Legal Services Authorities Act of 1987.

Punitive Measures:

The District Administration or Police Officer who has neglected to follow the aforementioned instructions will be deemed to have committed an act of deliberate negligence, according to the ruling of the court, and will be subject to appropriate action beyond departmental measures as per the service rules.

NEW PROVISIONS OF MOB LYNCHING

On the issue of mob-lynching, the Bharatiya Nyaya Sanhita “adds murder or grievous hurt by five or more people on specified grounds, as an offence. These grounds include race, caste, sex, language, or personal belief. The punishment for such murder is life imprisonment or death”.⁹

CONCLUSION

The media has come to name these incidents "mob lynching", a term that misrepresents what is really taking place in India¹⁰. The spate of violent attacks is in no way spontaneous expressions of mob anger. They are the fabricated from systematic incitement to violence by way of institution of human beings. In India, the first prominently covered mob lynching case by the media in recent years become the 2015 murder of 52-12 months-antique Mohammad Akhlaq¹¹. An angry mob accusing Akhlaq of consuming beef dragged him out of his home in Bishara, a village close to the city of Dadri in the nation of Uttar Pradesh, and beat him to loss of life. The attack happened after the local Hindu temple announced on its public address machine that a cow had been slaughtered. The killing of Akhlaq attracted media interest and full-size condemnation from political parties.

⁹ <https://www.livemint.com/news/india/mob-lynching-accused-to-be-punished-with-death-penalty-under-new-law-amit-shah-new-criminal-laws-lok-sabha-parliament-11703081391105.html>

¹⁰ Ather Moin, “[CAB triggers protests in Hyderabad](#)”, Deccan Chronicle, 2019.

¹¹ <http://www.com/article/90https://www.aljazeera.com/news/holdstopping/stateless/challenge/>