

MOB LYNCHING

December 18, 2018

Manifest Pedagogy

Mob lynching as an issue involves social aspects, dimensions related to law and order. It needs to be studied at 4 levels :

1. Social aspects
2. Law and Order and Internal security issues
3. Mob justice violating Constitutional aspects of Rule of Law
4. Technological aspects i.e. problem of lack of regulation of internet and its impact on the society

In news

Incidence of mob lynching in Bulandshahr, Uttar Pradesh

Placing it in the syllabus

1. Communalism & Secularism
2. Indian Polity – Fundamental Rights (violation of Rule of Law)
3. Internal security

Static dimensions

1. Issue of Rule of Law and violation of it
2. Concept of mob Justice Vs. State mandated justice
3. Social bias, prejudices and their various expressions
4. Issue of Fake News

Current dimensions

1. Fake news and digital technology
2. Social prejudices and digital technology

3. Mob lynching – causes

4. Measures

Content

What is lynching?

Lynching is a **premeditated extrajudicial killing by a group**. It is most often used to characterize informal public executions by a mob in order to punish an alleged transgressor, or to intimidate a group.

Bulandarshahr case

There have been many incidences of Mob Lynching for issues with respect to cow, children kidnappers , etc and not only common people but also the police personnel became victims of it, this case is a suitable example for it.

In this case the investigating officer (Subodh Kumar Singh) was killed by the mob, because of allegations against him for biased investigation in the Akhlaq lynching case and body parts of cows were found near to his police station (As mentioned in the news papers.)

There are several social and technological causes for such incidences, let's look at them.

Causes of mob lynching

Prejudices in Indian society are age old and deep rooted. These prejudices are based on various identities like race, gender, caste, class, religion, etc. They are strong ideological forces when they manifest and play out in the society which hinder consolidation of India. These prejudices have been fueled further and have got national attention through technological advances like social media. On social media everyone is an author in himself/herself. In such an unregulated environment, prejudice battle is played out. A

misogynist or a bigot or a racist can now easily collaborate with another individual of similar thoughts residing anywhere in any part of the country or any part of the world. Ideas which were earlier considered unacceptable and taboo get support from different individuals on the digital platform and becomes an accepted idea. Social media or technological advances help in the process of 'confirmation bias' – it is the confirmation of a prejudice or a bias. In this case, it is occurring by meeting individuals with similar thoughts. The strategic silence of the State and the ineffective law and order machinery has further given legitimacy to mob lynching.

Social causes

1. Prejudices/ bias based on various identities like caste, class, religion, etc. (for example : Majority vs minority)
2. Differences in the beliefs among the people / intolerance towards each other
3. Rise of cow vigilante
4. Illiteracy that makes people not to think but act on a rumor (attacking on beggars thinking that they had come for kidnapping their children).
5. Unemployment
6. Failure of the State to provide security and dignified life(example : street beggars/ migrants)
7. Lack of digital literacy among common people

Technological cause

1. No data regulation law
2. Spread of rumors by social media
3. No proper laws on fake news
4. Failure in the capacity of the state to handle

Political cause

1. Political mobilization of fringe groups
2. Politicization of lynching and strategic silence

It is rightly said in this context "the silence of the lawmen is more harmful than the violence of layman"

Social problems among people exist in India since independence (country divided based on religions), but social media plays a vital role in connecting like minded people (religious) effortlessly, and political support (direct or indirect) to such infringe groups spreads violence even faster and which leads to fear and disharmony among common people.

What should be done?

Is there a need for separate mob lynching law?

Presently there is no law with regard to mob lynching, so a law is the need of the hour because it is difficult to find out who is a real accused in an informal group

The Supreme Court condemned mob lynching incidents across the country and urged Parliament to **enact a law** to deal with the crime that threatens Rule of Law and the country's social fabric.

Supreme Court guidelines in enacting a law on mob lynching

Following are a slew of **directions, including preventive, remedial and punitive steps, the top court gave to deal with the crime till the law is framed**

1. The state governments shall designate a Senior police officer in each district for taking measures to prevent incidents of mob violence and lynching.
2. The state governments shall identify districts, sub-divisions and villages where instances of lynching and mob violence have been reported in the recent past.
3. The nodal officers shall bring to the notice of the DGP on any inter-district co-ordination issues for devising a strategy to tackle lynching and mob violence related issues.

4. It shall be the duty of every police officer to cause a mob to disperse, which, in his opinion, has a tendency to cause violence in the disguise of vigilantism or otherwise
5. Central and the state governments should broadcast on radio and television, official websites and other media platforms that lynching and mob violence shall invite serious consequence.
6. Register FIR under relevant provisions of law against persons who disseminate irresponsible and explosive messages, videos and other material on various social media platforms.
7. Ensure that there is no further harassment of the family members of the victims.
8. State governments shall prepare a lynching/mob violence victim compensation scheme.
9. Cases of lynching and mob violence shall be specifically tried by designated court/fast track courts earmarked for that purpose in each district. The trial shall preferably be concluded within six months.
10. To set a stern example in cases of mob violence and lynching, the trial court must ordinarily award maximum sentence upon conviction of the accused person.
11. If it is found that a police officer or an officer of the district administration has failed to fulfill his duty, it will be considered as an act of deliberate negligence.

Test yourself : Mould your thoughts

Mob lynching is symptomatic of deep rooted social malice that has been given new ways of expression through technological advance. Critically analyze.