



LYNCHING CRIMES AND ITS EFFECTS ON INDIA

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Abstract -

The Indian constitution has given to equality and right to live safely for all citizen of India. But spreading rumors through the social sites and media is main cause of local crowd beating badly and kills publicly to any suspects or accused without full information and police or judicial action, it turns the reliability of our constitution and justice system of nation.

It seems that, in the most of mob lynching incidents this types of serious crime instigated by the political support, governance, money and religion power of major religious & political leaders and local leadership, It causes police and administrative officers also involved to supporting leadership by their influence. Through these reasons, anti-social spatial mob killed brutally to beef exporter, cow slaughter and child lifters without understanding the actual reasons or it have rumored.

By the searching of main causes of these events, crowd appears that, Mob lynching is not crime. It just way to teach them lesson to

criminals or suspect, so that next time they don't worked similar. Also the crowd killed so died so badly as possible to the accused and the rest of crowd attendees' audience enjoyed that terrible event. Behind their attitude, they had known very well the police and justice system under their control because of full cooperation of political & religious Leaders. Such incidents in our country not only eliminating our supreme constitution and legal system but also the social harmony and Human rights.

Index Terms - Mob Lynching, Mobocracy, lynching, Indian Democracy

I. INTRODUCTION

Lynching is a new trend happens in our modern India mostly since 2013. We have observing having lot of cases related to mob lynching in various states in India. Lynching is a new form of cruelty on the basis of religion, caste, color, ideology are bracketed for elimination.

What is a mob lynching in simple words we can define it “as an unlawful act of murder by uncontrolled angry mob of people”. When vigilantes group state the law into their own hand and they punish a criminal or suspect who is challenging for majority's myth or thought.

Lynching is performing by majority is crowd which punish to one or few accused without judicial trial; they did not have any authority to justify the suspect. There have no proper reason to link someone only to teach the lesson and punish Till death or murdered by vigilant leaders.

Human beings are dehumanized and forget the ethics and moral values in the process of lynching mostly in India it happens by the spreading rumors. Law helped throughout in dustbin on front of frenzy crowd. Lynching has eroded the right to life and freedom of expression and thought. People are beaten up and nakedly paraded suspects, women are stripped and assaulted. In media and social platform have continuous to debate on the lynching issue but could not change situation little bit.

II. OBJECTIVES

The main objective of this research is to know the condition of Indian Law & Order and analysis the Lynching crime. By the studies tries to know that factors responsible for Mob Lynching in India. Measure the strengthens of Indian Law system and punishment for Lynching. To understanding the Ideology behind the vigilant crowd which act the Mob lynching. Understanding the reasons of mob lynching for finding the way to reduce these incidents.

Objective of the Research as follows:-

1. To understanding the provisions for the mob lynching in the Indian judicial system.
2. To know about the causes of governance and justice system those are the weak in front of the crowd.
3. To Understanding the ideology and mindset of the crowd behind the mobs lynching.
4. To understand the factors and tools those promote mobs lynching's incidents.

III. RESEARCH METHODOLOGY

This study has a descriptive nature about the analytical view and reasons of lynching incidents happens in Indian society with the impact in various factor in Indian society. This study based only on secondary research documentary. The source for this paper is secondary data read from various articles, websites, journals, government agencies reports, newspaper and other related published and unpublished documents etc.

IV. REASONS OF MOB LYNCHING

1. Use of social media to spread rumors.
2. Dedicated administrative arrangements for political parties.
3. Mischief of the community's leader.
4. Followers having Radical mindset.
5. Biased role of media.

1) Use of social media to spread rumors :

Rumors on social sites India is the biggest market of social sites more than 200 million user having in our country using Facebook Instagram, WhatsApp and Twitter with great passion. They forward more messages photos and videos than any other country in the world. WhatsApp group begin main platform of spreading rumours. whatsApp group having 256 participates and one touch sended the fake photos and videos related of violence any Mischief act in society.

2) Dedicated administrative arrangements for political parties:

The political party always related to the lower and the middle class. Government administrative staff and officers support their political affiliation, as well as political parties on beyond the government rule for their own financial benefit and corruption. Through this way political leaders and parties influence the government and administrative officers. In mob lynching cases, often political parties and their leaders pressurize the administration to save the criminals or to protect communal leaders.

It may create an environment that promotes mob lynching crime in the society by releasing mob lynching criminals. It is seems that, if government officers are investigating a crime or investigating a minister's corruption; Political leaders provoke their followers and lynch the officer or investigator. Public attacks on administrative officers in India have become commonplace today. The incidence of mob lynching in the society is increasing due to the administrative mechanisms that support political parties and their thinking.

3) Mischief of the community's leader:

Communal leaders have always influenced & dominated to the society. Many times these religious communal leaders cross their border line for personal selfishness and their own benefit. Community leaders have the power of their followers, so that they try to drive social politics and mischief acts in society by their mind.

It has been observed that any person or group have opposes any religion or religious practice or if they goes against to religious practices, then religious communal leader incites their followers against them. In order to teach them a lesson, Violent communal mob killed in a public place to the persons those are opposes to social misdeed. Community"s leader and their supporters are behind all this criminal acts.

In Indian society have existence of many religion. Many times religious protests against each other also serve as communal riots and violence by religion leaders. Inter cast marriages in Indian society are still considered against religiosity and communalism. In such a situation, the religious leader or community is punished the non-religious boy or girl and their families. They are declared to be religious offenders and killed in public and punished with disrespect by violent communal mob. These acts of violent religion leaders contribute to the promotion of these immoral and inhuman activities like mob lynching.

4) Followers having Radical mindset:

People involved mainly in the events of Mob Lynching are people associated with this political party, religious fundamentalist group or local leaders. These people take the shelter of

their leaders and do this work. Take advantage of the power of leaders to take law into their own hands. Often these make them victims, which are weak in political and economic power in numbers. Followers are blindfolded by their leaders. Who implement their ideas and believe that their leader will save them from legal and judicial proceedings with their religious, political or economic power.

5) Biased role of media.

Media is the medium of awareness and innovation in the society. The news and speeches shown by the media are influenced by the thoughts and actions of ordinary people. People do not know the logic and truth of the news. The news works for them as evidence that gives people the confidence to be real. Advertisements and viewers are important for any media, the more ads the viewer has, the more earning, the media is earning on the basis of these advertisements. And it is by the number of possible viewers.

The viewer sees the same there are curiosity and exciting incidents. Media is displaying false, prepared and provocative news, reports and government or political headlines for this, resulting in as born ochlocracy killings in society.

V. IDEOLOGY BEHIND THE MOB LYNCHING

The Indian democracy and the Constitution of this country give us the right to express our thoughts, not to impose their views on a weak class. Politicians have always been

actively influence the local citizens of the country. To get their political objectives, these people have been opposing any community religious and social institutions or practices. When a resistance is made to cross over their moral boundaries then a land is prepared for the events of mob lynching. In which ethnic, religious, political, economic differences and mental harassment are all these collectively contribute.

When a political or religious or other leader of any organization is used to provoke the feelings of followers, then it works to eliminate humanity inside them. The crowd only find a way through which it can reveal their anger and frenzy.

In the Mob lynching spatial group or obsessive crowd that are provoked by a persons, leaders, religious manner or media. In this crimes do not having any specific killer nor weapons. These frenzy mob caught accused, suspects or criminal and killed beating by the stones, burned openly, paraded nude or killed by hitting with sticks.

The crowd only express our anger. Behind that the objective is anybody can not opposed to majority or the thoughts of multitude. They want to teach or expressed opposing of them means Death.

In many instance it has been observed, crowd spread our photos, videos of horrible lynching events from their smartphone on the social sites and Whatsapp behind its people enjoys such terrible crime. These incidents primarily targeting the backward class population and those are minor in righteousness and political power. It is seems in nearby events,

Majority crowd lynched the Dalits, Muslims and Minority peoples.

Leaders of community those become by their followers provoked the crowd and obsessive group of peoples. They divided the society into two part for their influence. One those who accepts and followed every thoughts, ideas and action of politicians & another that is helpless and weaker in front of the number of politician's supporter. these helpless and poor class accepts the action, ideology and thoughts of majority community without any resistance due to their minor status.

It seems that, majority class use the mob lynching crime as weapon to putting political, religious, social, economic and numerical effect against on minority communities. It is not necessary to fixed preplanned crime in mob lynching incidents. Rumors and hate speeches are converted the anger of unruly crowd of people into the serious crime of lynching.

VI. THE INDIAN LAW AND LYNCHING

Lynching is a serious crime it may lead to death or injury of a person is it leads to death of one or more person. It will be an act of Murder but the Indian Penal Code not sufficient for punished the criminal mob.

Incidents of lynching generally trial under IPC Section 302 former IPC section 307 attempt to murder IPC section 324 for purpose being hurt or injured with having aim and IPC section 147 for rioting and so on. But did Indian law not suitable and sufficient for the crime of mob lynching all this IPC sections reported for a single or a few peoples but the incident having

lynching there have hundreds of people included find the particular person or suspect and uncountable crowd of violent people easily take

out from police and law. It was not sufficient to charge IPC Section 302 307 324 because there have not specific pre planned murder reason and no one have murder weapon.

The Indian legal system has a no definition and punishment regarding mob lynching. It's strongly need to prepare amendments in law for lynching crimes on the basis of acid attack crime Commandments 2013. Before 2013 acid attack crime registered under IPC section but it found inadequate to deal with mental and physical damage of victim and not cover the treatment cost of victim. After 2013 criminal law amendment introduced 326A and 326B with 5 to 10 year punishment.

The code of criminal procedure (CrPc) section 223(a), 1973 mention that a person or verb involved in the same offence in the similar act can be registered and trials together. How it is possible this may justify in the case of mob lynching.

A civil society group called National campaign against mob lynching founded by lawyer and social activist Sanjay Hegde, Prakash Ambedkar, youth leader Jignesh mevani (now MLA Gujarat) Tehseen poonawalla (Congress), Kanhaiya Kumar and Shehla Rashid (JNU PhD scholars) relieved a draught bill titled manav Suraksha Kanoon (MaSuKa). They Proposed a law against mob and lynching, calls for making it in non bailable offence, a time bound judicial enquiry and compensation to family of victim. It was introduced in the Rajya Sabha by KTS Tulsi in December last year the

protection from lynching bill 2017. But government has not taken any type of action of the MASUKA Bill.

VII. RECOMMENDATIONS

The study recommends the following:

1) The inflammatory speeches and actions of social, religious, political leaders should be included in criminal cases. Because their speech influences the community. There should be guidance on this type of speech and social work as well as public display through news and media.

2) There should be rigorous action on spreading rumors on social sites. Content, messages, photos, videos that create panic in society on social sites such as WhatsApp, Twitter Instagram, Facebook, etc., or if rumors are being spread through them to instigate any person, community or religion, then there is immediate legal action on them. They should be included in the crime and the provision of strict punishment should be kept.

3) To creating special act and law for fast action to all participates and criminals of Mob lynching events. Thus law having amendment of same punishment to all participates of related lynching crime. So that creates fear in anti-social factor & followers. In the lynching cases high level investigation with police and administration action due to check their reliability whether they do their work right way or not. All these incidents of mob lynching cases hearing having fast track courts system.

VIII. CONCLUSION

The incidents of similar type's mob lynching destroying slowly of our Indian judicial system and democracy. Indian democracy & our constitution give us equality and right of freedom to express our thought. The instances of mob lynching dividing our society into two, majority and minority class. where the majority population those collapsing the constitutional right and morality of the minority class by the power of population, religious and political majority.

Administrative and judicial system seems very weak before the incidents of mob lynching in our country. it becomes lean and failed to listen the complaint and voice of small masses.

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beating badly and kills publicly to any suspects or accused without full information and police or judicial action, it turns the reliability of our constitution and justice system of nation.

It seems that, in the most of mob lynching incidents this types of serious crime instigated by the political support, governance, money and religion power of major religious & political leaders and local leadership, It causes police and administrative officers also involved to supporting leadership by their influence. Through these reasons, anti-social spatial mob killed brutally to beef exporter, cow slaughter and child lifters without understanding the actual reasons or it have rumored.

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