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UNMASKING THE ROOTS: UNDERSTANDING THE SOCIOECONOMIC FACTORS CONTRIBUTING TO MOB LYNCHING

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“A society with lynch culture needs a big zoo, not for the animals definitely, but for the very people themselves!”

- Mehmet Murat ildan

ABSTRACT

India has experienced an astonishing rise in mob lynching incidents in recent years, which has led to an in-depth examination of underlying factors driving this concerning trend. Mob violence is influenced by a complex web of socioeconomic factors that extend beyond its immediate cause. To expose these origins this article will examine how caste-based discrimination, religious discrimination, unemployment, economic inequality and other socioeconomic factors create an environment to promote mob lynching. One of the most contributing factors to the problem is the lack of educational opportunities that encourage the rapid spread of rumours and misinformation. The present study highlights the necessity of all-encompassing interventions that include, legal reforms, social empowerment and grassroots initiatives to eradicate the root cause of mob lynching.

Keywords- Mob Lynching, socioeconomic, Riots, Discrimination.

INTRODUCTION

Lynching refers to the act of killing or attacking an individual by extrajudicial means. This form of violence has emerged as one form of hate crime where they target a particular community or strangers under mere suspicion in the name of justice, the mob disregards all legal requirements and takes it upon themselves to punish the alleged accused. Oxford

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Dictionary defines lynching as “the illegal killing of somebody, usually by hanging, by a crowd of people and without a trial” The word lynch originated during the American Revolution were two people Charles Lynch and William Lynch were credited for coining the term *lynch law*.³ Mob lynching has a serious impact on society it not only takes the life of the victim but also creates tension in society among the communities which results in the breakdown of law and order. It is a form of vigilante justice in which individuals take on the roles of judge and jury in recent years numerous incidents of lynching have increased in India which have been related to religious differences, cow vigilantism, caste-based biases and rumours of kidnapping children. These incidents have taken place throughout the nation and have raised concerns over the rise in vigilantism and the inability of the law to prevent such acts. It had been said by Diogenes, “*The mob is the mother of tyrants*”⁴ Lynching has become a new normal in India there have been many instances of mob lynching that have terrorized the whole nation. Lynching is not a new crime there have been many incidents in India that speak about mob Lynching in India.

1. Anti-Sikh Riots 1984⁵- After the assassination of Prime Minister Indira Gandhi by her Sikh bodyguard riot broke out in Delhi which mainly targets Sikhs. There are several instances of mob violence which include killing and attacking on Sikhs.
2. Mumbai Riots 1992⁶- After the demolition of Babri Masjid in Ayodhya communal violence started in various parts of India including Mumbai there were lynchings, killings and attacks on different religious communities that led to several deaths.
3. Gujarat riots 2002⁷- Godhra train burning which led to inter-communal tension between Hindus and Muslims. Mobs were engaged in killing and looting people.
4. Bhiwandi Lynching 2006⁸- Two policemen were killed by a mob in Bhiwandi as they tried to stop stones pelting in the area policemen were killed and their bodies were discovered near the police station.

³ <https://www.britannica.com/topic/lynching>.

⁴ <https://www.azquotes.com/quote/79035/on>.

⁵ <https://thewire.in/communalism/1984-sikh-pogrom-riot-community-division>.

⁶ Teesta Setalvad Gory Winter: Bombay Riots of 1992-93, Feb 02, 2018 Frontline <https://cjp.org.in/gory-winter-bombay-riots-of-1992-93>.

⁷ 2002 Gujarat Riots, Apr 24, 2023 <https://timesofindia.indiatimes.com/miscellaneous/2002-gujarat-riots/articleshow/60732493.cms?from=mdr>.

⁸ 2006, Two Policemen lynched; Curfew in Bhiwandi Jul 6, 2006 <https://timesofindia.indiatimes.com/india/two-policemen-lynched-curfew-in-bhiwandi/articleshow/1710256.cms?from=mdr>.



5. Jhankar Saikia Mob Lynching 2013⁹- This incident happened in Assam in 2013 where the victim and his father took an auto the fare was Rs 20 but they were being charged more than the regular fare. Both of them were attacked by the mob according to eyewitnesses' police were near the area where the crime was taking place but they did not try to stop it which resulted in the death of one victim.
6. Dimapur Mob Lynching 2015¹⁰- The incident took place in Nagaland. Mob broke into prison where the man was detained as he was accused of rape where this man was beaten to death. According to the mob sexual violence was increasing day by day women were not safe so the mob decided to do justice without trial.
7. Dadri Lynching 2015¹¹- The most horrifying mob lynching case that took place at Dadri was when the mob attacked a man and his family because they were suspicious that they had slaughtered a cow. Later in the forensic report, it came that the red meat was lamb and not beef.
8. Alwar Lynching 2017¹²- The mob attacked and killed Phelu Khan who was a dairy farmer and purchased cows for his dairy but according to the mob he was taking the cows for slaughter so they killed Phelu Khan and six persons who were with Phelu Khan were also been attacked by cow vigilantes.
9. Junaid Lynching Case 2017¹³- The four young Muslim boys were returning from shopping when they were attacked by a mob on a train one of the boys was stabbed and thrown to the railway station when he was brought to the hospital, he was declared dead.
10. Palghar Mob Lynching 2020¹⁴- Two Hindu Sadhus and their driver were being attacked in Palghar as fake news was circulating on WhatsApp regarding thieves so villagers attacked these three people and they also attacked the police who were giving protection.

⁹ Nargis Choudhury, Mob Lynching as a New Offence Emerging in India: A Study with a Special Reference to Assam, 1, AIJACLA, 346, 346-355, (2021), <https://www.aequivic.in/post/aijacula-mob-lynching-as-a-new-offence-emerging-in-india-a-study-with-a-special-reference-to-assam>.

¹⁰ Sonia Faleiro, The Lynching of Sarifuddin Khan, <https://foreignpolicy.com/2015/03/20/the-lynching-of-syed-sarifuddin-khan/>.

¹¹ <https://www.aljazeera.com/features/2017/10/5/the-lynching-that-changed-india>.

¹² 2017 Alwar mob lynching: Victim Pehlu Khan, sons charged for smuggling cattle Jun 29, 2019 <https://www.indiatoday.in/india/story/alwar-mob-lynching-2017-rajasthan-police-chargesheet-against-pehlu-khan-1558417-2019-06-29>.

¹³ Sofi Ahsan Junaid Khan lynching: Fight started over seat, caste abuses, says Punjab and Haryana High Court Apr 17, 2018 <https://indianexpress.com/article/cities/delhi/junaid-khan-lynching-fight-started-over-seat-caste-abuses-says-punjab-and-haryana-high-court-5140058/>.

¹⁴ Zeeshan Shaikh Palghar lynching: A recap of what happened Apr 24, 2020 <https://indianexpress.com/article/explained/palghar-mob-lynching-mahant-kalpavruksha-giri-6370528/>.



SOCIO-ECONOMIC FACTORS RESULTING TO MOB LYNCHING IN INDIA¹⁵

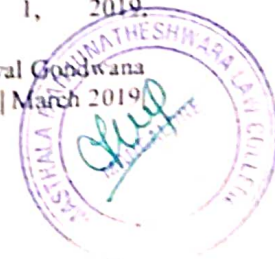
1. Communal Tensions- India is a secular country where many religious beliefs and practices are different from each other so sometimes these practices target particular individuals or communities. Religious conflicts and discrimination have often acted and triggered in rising communal tension in India. Historical conflict, social division and political factors mostly contribute to the rise in mob lynching.
2. Cow Vigilantism- In India, incidents of lynching involving cows are a major problem. Persons suspected of slaughtering or transporting cows are mostly targeted by the group who claim to be protecting cows often this vigilante group bypasses legal proceedings and takes laws into their own hands in the name of justice.¹⁶
3. Social Media and Fake News¹⁷- In the context of mob lynching, the widespread use of social media has become a double-edged sword, with fake news being spread in a short time resulting in mob lynching where society has an idea of "instant justice" which is harmful for particular religion and caste. Intentionally spreading misinformation and using offensive language encourage hatred and divide communities which leads to creating conditions for acts of mob lynching.
4. Political Factors-¹⁸ When conflicting narratives are deliberately circulated to manipulate the public for political propaganda often serves as an effective trigger in mob lynching incidents. There have been accusations in certain cases that mob lynching is influenced by political leaders who try to defend the attackers only for vote banks so that they can be safe by supporting particular communities in coming elections.
5. Lack of Awareness and Education- Misinformation, discrimination and misconception may arise due to a lack of knowledge and awareness. To avoid violence and encourage tolerance, education and awareness are essential.

¹⁵ Tanvi Yadav & Nagendra Ambedkar Mob Lynching in India: Sine Qua Non of Legal Intervention Sole helawbrigade.com/wp-content/uploads/2019/07/Tanvi-Yadav-Nagendra.pdf.

¹⁶ Dr Jasdeep Kaur, Mob Lynching Vis-a-Vis Rule of Law and Democracy: Recent Legislative and Judicial Trends in India, 4-5823 Vol. 6 (Special Issue 2, Nov.-Dec. 2021) International Journal of Mechanical Engineering.

¹⁷ Rema Rajeshwari, Mob Lynching and social media, Op-Ed June 1, 2019, <https://www.yalejournal.org/publications/mob-lynching-and-social-media>

¹⁸ Dr. Vikrantshah R. Atram, Lynching Crimes and Its Effects On India, Mar 2019, AGPE The Royal Godwana Research Journal of History, Science, Economic, Political and Social Science, Volume 01| Issue 01| March 2019 Page No. 61-67



6. Caste-based discrimination-¹⁹ In certain regions, discrimination based on caste is still common. Mob lynching is sometimes linked to caste disputes, in which people of unprivileged communities are being targeted by the mob.
7. Weak Law Enforcement- Vigilantism may be triggered by delayed justice. A few individuals might become dissatisfied with the legal system and decide to manage things independently which may lead to mob lynching.
8. Marginalization and Socioeconomic Factors- Lynching incidents in India are closely associated with socioeconomic factors, which sustain cycles of discrimination and violence. Frustration in economically deprived areas is being fueled by poverty. Caste and religious-based discrimination contribute to violence against each other communities. The issue becomes worse when there is limited access to education as rumours and suspicions encourage violence. The cycle of violence not only affects the victim but also affects the society and communities.²⁰
9. Mob Psychology- People have no fear when committing a crime in a group as there is less chance to identify the real culprits and less chance of being punished.
10. No data report to analyse the crime- Under the NCRB report no separate data for mob lynching is being published only the crimes that are defined under the Indian Penal Code and Special and Local laws are being published so mostly the incidents related to mob lynching are not published so we do not have proper case reports related to mob lynching in India.
11. Witch Hunting- Based on superstitious beliefs witch-hunting is one of the main problems in India which leads to mob lynching. Witch-hunting is the term that means that a woman is a witch when any ojha confirms it without proper validation and sometimes the woman is being abused and murdered. In 2015, an Adivasi woman was murdered by some mobs when a local priest branded the woman a witch and accused her of practising witchcraft she was dragged from her home where she was abused and killed by the mobs.
12. The absence of accountability and conviction- Mobs are faceless they feel free to act in any way. To stop such crimes strict action has to be taken by the state and judiciary that the accused involved in mob lynching should be punished.

¹⁹Bhaswat Prakash, Mob Lynching: A Criminal Injustice towards Humanity? April 24, 2021 https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3833464

²⁰ Shaziya Sagar Durrani, Mohammad Hussain, Understanding and Addressing Mob Lynching: Historical Perspectives, Legal Challenges, and Pathways for Reform in India, International Journal of Science and Research (IJSR) ISSN: 2319-7064 SJIF (2022): 7.9.



IMPACT ON SOCIETY²¹

1. Erosion of Trust- The act of mob lynching has a significant impact on the trust that exists within the communities, causing a cascade of mistrust and anxiety that eventually leads to the disintegration of social ties which leads to loss of faith in community harmony and cross-community understanding.
2. Community Tension- Unfortunately, incidents of mob lynching often reflect the characteristics of communal and religious origin, which often raise tensions and create long-lasting divisions within society. Triggers related to religion and communities are more dangerous and always lead to accusations which always serve as violence between the communities.
3. Fear and Insecurity- Mob lynching can create an atmosphere of fear and insecurity that can have a major impact on people and communities, which renders them to reluctant express themselves freely or participate in any activities.
4. Loss of Human Lives- When the mob decide to take matters into their own hands, they lynch someone, beating them brutally and often killing them.
5. Normalization of Violence- The principle of a just and stable society is seriously threatened by normalizing mob violence. The rule of law and the justice system are threatened in numerous ways taking the law when people in groups take the law into their own hands rather than depending on the justice system.
6. Social Discrimination- A mob lynching is a violent and unlawful act in which a group of people take the law into their hands. It can have a significant negative effect on society especially when it comes to dividing society. This phenomenon can exacerbate racial, religious or other identity-based divisions within society. The polarization that results can fuel further enmity and conflicts.
7. Legal Consequences- Mob lynching is illegal and those who engage in it risk legal prosecution. However, because of the fear and intimidation surrounding such incidents, the legal process may encounter difficulties such as finding the culprits and obtaining witnesses.
8. International Image and Reputation- Frequent incidences of mob lynching can harm a nation's reputation and image overseas. It could cause tension in diplomatic relations as well as give rise to worries about violations of human rights.

²¹Priyanka Dasgupta, Mob Lynching in India- causes, impacts and preventions, May 17th, 2022, <https://currentaffairs.adda247.com/mob-lynching-in-india>



RELATED ISSUES

1. The Universal Declaration of Human Rights, Article 21 of the Constitution and human dignity are all flagrantly violated when there is mob lynching.
2. Articles 14 and 15 of the Indian Constitution guarantee the right to equality and the prohibition of discrimination, both of which are violated by such incidents.
3. However, it was not mentioned earlier in the Indian Penal Code, It was simply referred to as murder but the new law The Bharatiya Nyaya Sanhita had a provision for mob lynching where the punishment provision for such crime is life imprisonment or death.

MEASURES FOR CONTROL OF MOB VIOLENCE/LYNCHING ²²

1. Strict enforcement of laws: The government should ensure that the perpetrators of mob lynching are arrested, prosecuted, and punished according to the law. This will send a strong message that such acts will not be tolerated.
2. Awareness campaigns: The government and civil society organizations should conduct awareness campaigns to educate people about the dangers of mob lynching and the importance of respecting the rule of law.
3. Police reforms: The police should be trained to handle such situations sensitively and effectively. They should also be held accountable if they fail to prevent or respond to incidents of mob lynching.
4. Political will: The government should show political will to address the root causes of mob lynching, such as communal tensions, hate speech, and intolerance.
5. Empowerment of marginalized communities: The government should take steps to empower marginalized communities and address the inequalities that contribute to their marginalization. This will reduce the likelihood of them being targeted in incidents of mob lynching.

PREVENTIVE MEASURES

In July 2017, the Supreme Court in the case of *Tahseen s. Poonawala v. UOI*²³ had laid down several preventive, remedial and punitive measures to deal with lynching and

²² Measures to Prevent Mob Violence and Lynching Incidents, Memo No. 678/Law Cell/Adm/CR-397/18 Dated the 18th Sept, 2018, <https://wbxpress.com/measures-prevent-mob-violence-lynching-incidents>

²³ Tahseen s. Poonawala v. UOI, AIR 2018 SUPREME COURT 3354(India).



mob violence. The Supreme Court in this case aptly referred to mob lynching as a 'horrendous act of mobocracy.'

1. Designated Fast Track Courts:

- States were ordered to establish fast-track courts in each district specifically for handling cases involving mob lynching.

2. Special Task Force:

- In addition, the court had suggested creating a special task force to gather intelligence on those disseminating hate speech, provocation remarks and false information that could incite mob lynching.

3. Victim Compensation Schemes:

- To provide victims with compensation and rehabilitation, instructions were also given to establish victim compensation schemes.
- In July 2019, one year later, the Supreme Court sent notices to the Center and multiple states requesting that they provide the measures they took to implement them as well as compliance reports.
- Only three states currently have laws prohibiting mob lynching; Rajasthan, West Bengal, and Manipur recent changes in the Indian Penal Code known as The Bharatiya Nyaya Sanhita contained a clause that made life in prison or the death penalty for mob lynching.
- The Prevention of Mob Violence and Mob Lynching Bill, 2021 was recently passed by the Jharkhand Assembly and in the year 2023 Winter Budget Center has also passed the law for Mob Lynching

THE LEGAL FRAMEWORK ON MOB LYNCHING IN INDIA²⁴

There is no codified law against Mob Lynching; however, some of the sections of the Code of Criminal Procedure and Indian Penal Code are adjusted for this matter.

1. Section 34 of the Indian Penal Code, 1860-The Section highlights the punishment for Acts done by several persons in furtherance of common intention. When a criminal act is done by several persons regarding a common intention, each of such persons is liable for that act in the same manner as if it were done by him alone.

²⁴ Prakhar Singh, Law Related to Mob Lynching in India, July 5, 2020, <https://probono-india.in/research-paper-detail.php?id=515>



2. Section 153A of the Indian Penal Code, 1860-All hate crimes can be penalized under Section 153A of the Indian Penal Code, relating to fostering enmity between people based on religion, race, language and so on.
3. Section 223 in the Code of Criminal Procedure, 1973-Sub-section (a) of Section 223 provides for persons accused of the same offence in the course of the same transaction to be charged and be subjected to trial together. Whereas, sub-section (b) also involves persons accused of abetment or attempt to commit such offence.

SUGGESTION

The purpose of addressing the root causes and having policies in force that support the prevention of mob lynching is to stop the horrible act and violation of human rights violation through education, justice and tolerance.

To prevent mob lynching following suggestions are as follows-

1. Raise awareness- Educate the public about the negative effects of mob violence and its illegality by organizing campaigns through multiple channels to promote the message of empathy, tolerance, and respect for the law.
2. Community engagement- Encourage open communication, participation and understanding all parties to establish strong ties. Urge influential people, religious leaders and community leaders to promote nonviolence, peace and harmony.
3. Media Responsibility- To prevent sensationalism and inflammatory content, promote media responsibility in the reporting. A culture of peace and justice should be fostered by media outlets, which should also support objective reporting and emphasize the negative effect of mob lynching.
4. Education awareness- Incorporate nonviolence, respect and tolerance as core values. Encourage students to develop their critical thinking, empathy and cultural awareness to build a more tolerant and peaceful society.
5. Protection of vulnerable communities- Since marginalized communities are frequently targets of mob violence, should receive more attention for their protection. There must be proper procedures to protect their rights, offer assistance and guarantee their safety.
6. Police accountability- Provide a system to guarantee police transparency and accountability. Hold law enforcement personnel responsible for any carelessness or involvement in incidents of mob violence.



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CONCLUSION

There are numerous distinct socioeconomic factors that contribute to the enduring problem of mob lynching. The intricacy of these influences has been highlighted through this analysis, which includes everything from historical grievances and cultural tension to educational gaps and economic disparities. It appears obvious that going beyond punitive measures is required to address such a complex challenge. Initiatives that prioritize community involvement, legal reforms for speedy justice, inclusive economic policies, and educational programs that encourage tolerance are crucial. Furthermore, public perception and the enactment of successful policies are strongly influenced by media engagement and government accountability. International collaborations can provide valuable insights and strategies, as mob lynching is not limited to any particular region. In order to achieve a society based on justice, equality and understanding, governments, civil society, the media and communities have to collaborate to demolish the socioeconomic underpinnings, that support mob violence.

