

A STUDY ON COLLECTIVE VIOLENCE WITH RESPECT TO RISING TREND OF MOB LYNCHING

Santosh S, Assistant Professor,

*Department of Management, Center for Management Studies, JAIN (Deemed-to-be
University), Bangalore, India*

Email Id- santosh_s@cms.ac.in

Abstract

This research paper attempts to deduce the motives as to why mob justice flourishes due to poor law enforcement, and how such thriving will establish a state of ochlocracy, and thus replace government with anarchy. It also aims to determine the responsibility of the State in monitoring certain practices. Henceforth, a deep study on collective violence in relation to the rising trend of mob lynching is very pertinent.

Keywords: *Crime, Lynching, Mob, Violence, Law and Order, Rules and Guidelines, Societal Issues.*

I. INTRODUCTION

"Discipline delights the sensation of joy experienced by people at the prospect that criminal has been dealt with." - V.D. Mahajan. The Executive, is one of the four columns on which majority rule government stands itself. On the off chance that the Legislature has the onus of making laws for individuals, the chief has the duty of actualizing such laws which have been framed by the administrative body. At the same time, Executive can likewise give arrangements that guarantee the legitimate adhering to of the rules that everyone must follow [1]. A more explicit fragment in the Executive that manages the completing of law, is the group of law requirement. Traditionally law implementation on an at first sight level has just implied the power that dispatches discipline, yet from a more profound perspective this body likewise contains the legal executive, jail framework, recovery bodies, and so forth. The presence of a decent law authorizing body in any State, is the meaning of how solid that society is. It would be ideal if you mind, the word utilized is 'acceptable', as in it fuses ascribes of solidarity, productivity, and legitimacy [2].

In any case, in occasions when the law implementing groups of the State become feeble, and the dispatching of equity gets injured, individuals endure. This fortitude suffered by individuals before long turns them versatile to their own hopelessness, and flashes a wrath in them. Assume control over they become an autonomous legitimate body, that conveys 'equity' without anyone else, to itself, absolutely by the use of crude, and beast power. We summarize such a gathering by single word: crowd. This examination paper will investigate how the shambolic state of any law authorizing body can make a condition of ochlocracy, a period where equity is apportioned by crowds, and rule of law goes amiss. This paper will build up the connections between helpless law authorization and chaos and will examine about how ochlocracy brings forth turmoil, and examines the obligation of the State in this respects [3].

II. OCHLOCRACY AND ANARCHY

Anarchy, has simply been laid down as a condition where lack of organization leads to a situation of no control in a society. Of course an anarchist would strongly refute this definition as being too superficial, but the aforementioned definition does form the essence of the spirit of anarchy because lack of organization in a democratic society means lack of the governmental order that maintains law enforcement and discipline. Ochlocracy, when steps in a society, it is always followed by anarchy [4]. The former paves way for the latter. Ancient Greek philosophers held it quite often that democracy, aristocracy and monarchy are good forms of governance, whereas tyranny, oligarchy, and ochlocracy are the undesirable forms [5].

III. DISCUSSION

The criterion of differentiating between good and bad was the impact it had on people in those days. Tyranny is absolute abuse of freedom; oligarchy is when power is vested in few strong people, who make the calls; ochlocracy is the rule established by the mob. Over eons, the world has witnessed three ages of punishment. In primitive times, when the rule of the jungle existed uncontrolled vengeance prevailed, and it was quite common that the society then abided by the philosophy of life for any wrong [6]. During these ages, the concept of a State was virtually unknown, and retributivism existed in its raw form. Quite often as it would happen, vengeance for a wrong was sought from the entire family of the sufferer, and this made such retributivism rogue. This age was followed by the age that saw the rise of political states, where private vengeance prevailed, but it was regulated by the runners of the State. So the raw and the rogue facets of retributivism were curbed because the same was practiced in an orderly manner, by the procedure established by the State. And the last age was one where political States were established [7]. Here retributivism became almost negligible, and was heavily criticized.

Liabilities were assessed first, and then punishments and penalties were imposed. So to sum up this entire passage, ochlocracy and raw retributivist punishment existed during times when a democratic society was unknown. As age after age passed, civilizations progressed and forms

of punishment started becoming lesser course. The reason why this topic finds a mentioning here is because, the moment people participate in an act of punishing a person by themselves, and simultaneously the government fails to check that act by people, entire society is welcoming anarchy [8]. The reader here is reminded of the earlier discussion that was in the regards of the vigilantism by residents of a residential area in suburbs of Mumbai, (mentioned earlier in Part II). It is known that there was a fear in the minds of the locals, negligible support from the police, and desperate need for protection. So, the ramifications of that act of self-policing was seen just a couple of days later, when a boy smoking his cigarette on a pavement was brutally beaten up a group of “good-Samaritans”. Locals, who indulged in using criminal force on him, reckoned him as an anti-social, and possible threat to their society [9].

Quite sadly, the boy never received his share of justice, and had to face the wrath of the mob, unnecessarily. Another instance that could be assessed and discussed is the Dimapur lynching case. This one was a strong display of ochlocracy. The power of the mob that seeks vengeance. Victim here was a man accused of rape, who at the time of his lynching was housed in Dimapur Central Jail, awaiting trial [10]. In succinct wordings, the situation escalated as follows: a strong mob whose strength ran into thousands attacked the jail, forcefully brought the victim out, disrobed him, pelted him with stones, tied his body to a rope and attached the rope to a motorcycle, dragged him around the town. Eventually, the victim succumbed to his injuries, well past the time that was taken by the authorities to intervene [11].

As reflected upon before, any general public that isn't satisfied with its condition (one that can be redressed by legitimate use of law) looks for different proportions of doing likewise, on the off chance that it isn't accommodated by the dependable position [12]. Shortcomings by cops, and postponement in redemption of ideal equity or moderate legal cycle, are two reasons out of numerous that relate to helpless law implementation, which thus prompts a circumstance of ochlocracy. Police power in India come straightforwardly heavily influenced by the public authority; they are either constrained by the state government, or by the Central government. The legal executive then again, is totally autonomous from administrative control, nor is liable to the lawmaking bodies (excepting one condition, for example the way toward reprimanding an adjudicator). The previously mentioned reasons have been articulated further beneath:

1. Dearth of police authorities in power. Allow us to start this with one offensive actuality: Indian police powers are frightfully undermanned. There is a genuine deficiency of cops, and this is essentially a significant impediment in arrangement of legal power that ensures the general public. Truth be told, Maharashtra Police concurs that this reality can't be excused as a legend. In one of their publications, they plainly express that in India there are around 125 cops for each 100,000 individuals, rather than the fitting number of 230 officials to each 100,000 individuals, as endorsed by the United Nations. It is a given that an undermanned association will toll inadequately when playing out its obligations.

2. At the point when obligations are left forthcoming by the police power, individuals endure. Simply this year in the period of April, a Mumbai based neighborhood newspaper revealed a story on how ladies of a specific zone in rural areas of the city had by and large chose to perform vigilantism to secure their kids (particularly girls) from the hazard of the lowlives whose populace had unexpectedly spiraled in the locality. It isn't that these ladies didn't move toward the police headquarters and looked for redressal, yet the last referred to staff deficiency and washed their uninvolved. After seven days, a similar newspaper revealed how individuals living in another piece of the city took point of reference from the occurrence referenced above, and undermined vigilantism if sufficient police insurance was not conveyed to them.

They likewise made it clear that "absence of faculty" as a guard, will not be acknowledged. The measure of dependence individuals put on cops is high, and it isn't nonsensical since there is a basic confidence that they will ensure people of the State, just like their obligation. In the light of this, let us break down the rural Mumbai episode that has been talked about above: individuals of that specific region were experiencing sure enemy of social components. An appropriate game-plan included going to the cops, and looking for their intercession. Individuals attempted the sensible game-plan, as they were relied upon to, however things didn't work out likewise in light of the fact that the police power was not considerably solid. Henceforth, they were pushed in a condition where to give assurance to themselves, they were left with no other alternative except for to take matters in their own hands. Though apparently harmless, this activity ended up being hindering, and that will be talked about later in Part III. A circumstance of individuals losing confidence in power, and partaking in ochlocracy is an inescapable danger, particularly when the confidence is lost due a lack of authorities. Today, in certain African countries like Kenya, and Uganda, individuals have such decreasing confidence in the police specialists there that it is viewed as sensible to depend on lynching by the horde, instead of looking for help from the police!⁵ (b) Delayed equity, and moderate legal cycle [1].

The other reason on which ochlocracy mounts itself emerges from the second arm of law authorization, the legal executive. Obviously including equity that is retired, this explanation places individuals in a state where they believe that taking an interest in question goal resembles beating a dead pony; a postponed system with no assurance of a great result. The way that our legal framework is moderate distantly needs any proof. In the expressions of from Supreme Court Judge, Justice B.N. Agarwal: "Deferral in removal of cases, makes bafflement among the defendants, yet in addition subverts the ability of the framework to confer equity in a productive and successful way.

IV. CONCLUSION

It is the authority, the justice, the penalty that curbs crime. It is the nature of a strong law enforcement department that promotes stability. It is the enforcement of the law that forms society. Democracy is what confirms stability. When rules are followed incorrectly, a culture will never thrive. Regulation, which gives order to a society, represents its place in the universe. And when law enforcements lose their attention, chaos in the community ends up waiting just outside the gates.

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