

Why India doesn't need an anti-lynching law

Last week, the Supreme Court said lynching is a crime no matter what the motive is, but reserved its verdict on pleas seeking directions to formulate guidelines to curb such violence. According to a report in Hindustan Times, 22 people have been lynched to death since May as rumours of kidnapping of children spread on social media. The latest episode was reported from Dhule in Maharashtra on July 1 when five men were lynched to death.

While it is difficult to say whether the number of lynching cases have gone up in India, the broadcast of such crimes on social media must worry us because it will normalise such heinous crimes. Mob lynchings also raise another disturbing question: are people losing faith in the judicial/democratic system of governance? And because a mob dispenses what it thinks is justice by itself, it often chooses its victim and the mode of justice. The targets are often the most vulnerable of society.

The frequency of the cases has led to a demand for an anti-lynching law. But there are enough provisions in the Indian Penal Code — for example, Sections 302 (murder), 304 (culpable homicide not amounting to murder) and 307 (attempt to murder), 34 (Acts done by several persons in furtherance of common intention) — to tackle such incidents. These need to be implemented strongly and effectively. In September 2017, the Supreme Court had asked states to take strong measures, including appointing nodal officers at district level, to curb such instances of violence in the name of cow protection, but nothing much has happened to date.

States should be far more vigilant and proactive in flagging rumours using social media and other platforms. Some states are doing it, others need to emulate these examples. For example, Telangana police officer, Rema Rajeshwari (Superintendent of Police, Jogulamba Gadwal district), has trained a team of 500 police officers to tackle the fake news menace. These officers go to villages to spread awareness about social issues. Police personnel have also been added to local WhatsApp groups in villages to spot rumours that could lead to violence.

Unsurprisingly, no rumour-related killing has taken place in Ms Rajeshwari's jurisdiction. The West Bengal police took to Twitter to dispel a rumour that Mamata Banerjee government had sanctioned a five-day holiday on account of Eid, nixing attempts to incite communal tension. The more proactive the administration is in this regard, the stronger a deterrent it will be.

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