Hate speech

Why in news?

\n\n

The Law Commission of India has drafted a new law, the Criminal Law (Amendment) Bill, 2017, inserting new sections to fortify democracy against hate speeches.

\n\n

What does the Law Commission Report say?

\n\n

- Hate speech is an incitement to hatred against a particular group of persons marginalised by their religious belief, sexual orientation, gender, and so on.
- The Commission, in its **267th report** on hate speech, said such utterances have the potential to provoke individuals and society to commit acts of terrorism, genocide, and ethnic cleansing.
- The Commission has proposed **Section 153C,** which penalises incitement to hatred, where a guilty person with two years' imprisonment, or Rs. 5,000 in fine, or both.
- Section 505A, which for the first time makes "causing fear, alarm, or provocation of violence in certain cases" a specific criminal offence.
- Section 505A provides a punishment of one year imprisonment, or Rs. 5,000 in fine, or both.
- Offensive speech has real and devastating effects on people's lives and risks their health and safety. It is harmful and divisive for communities and hampers social progress.
- The commission also warned that if left unchecked, hate speech can severely affect right to life of every individual.
- It said even a speech that does not incite violence has the potential of

marginalising a section of society, thus contradicting popular legal and judicial concepts about the ambit of hate speech.
\n
- Incitement to violence cannot be the sole test for determining whether a speech amounts to hate speech or not.
\n
- Even speech that does not incite violence has the potential of marginalising a certain section of the society or individual.
\n
- It also pointed out that in the age of technology; the anonymity of the Internet allows a miscreant to easily spread false and offensive ideas.
\n
- These ideas need not always incite violence but they might perpetuate the discriminatory attitudes prevalent in the society. Thus, incitement to discrimination is also a significant factor that contributes to the identification of hate speech.
\n

\n\n

\n\n

Source: The Hindu

\n

