Hate Speech vs Free Speech

What is the issue?

The Delhi Police arrested Mohammed Zubair, the co-founder of fact-checking website AltNews, on charges of allegedly hurting religious sentiments referring to a tweet from 2018.

What is the case of Zubair's arrest?

- Mohammad Zubair is the co-founder of fact-checking website AltNews that was established in 2017 to combat fake news.
- It was after Zubair highlighted comments made by suspended BJP spokesperson Nupur Sharma on the Prophet that the central government had found itself in a diplomatic row.
- Earlier this month, an FIR was lodged in Uttar Pradesh against Zubair for allegedly hurting religious sentiments on Twitter.
- In 2020, Delhi Police had booked Zubair in a POCSO case referring to a tweet shared by Zubair on the basis of a complaint filed by National Commission for Protection of Child Rights (NCPCR).
- At present, it was alleged that Zubair had tweeted a questionable image with a purpose to deliberately insult the god of a particular religion for which he was arrested.
- According to media reports, Zubair has been charged under the Indian Penal Code
    - Section 153 (Wantonly giving provocation with intent to cause riot—if rioting be committed—if not committed)
    - Section 295A (Outraging religious feelings of any class)

What message does Zubair's arrest send?

- **Revenge-** The arrest unleashes a politics of revenge in the wake of the international humiliation that the government faced in the Nupur Sharma case.
- **Free speech**- The arrest aims to curb the free speech conferred under Article 19 of the Indian Constituition.
- **Selective targeting**- The government is selective in who it targets using Section 153 of the IPC.
- **Fear of majoritarianism**- The selectivity underscores the point that the majority can act with impunity and privilege.
- **Arbitrariness**- This arrest has to be seen as part of the larger pattern of arbitrariness and repression.
- **Democratic barbarism**- It is a politics that sees protest, dissent, and freedom of expression all through the prism of potential enemies of the state.

What is the response for Zubair's arrest?

- Condemnation has poured in from journalists, opposition politicians, journalists' organisations both global and national, over Zubair's arrest.
- Most highlighted the role played by Zubair and Alt News in tackling disinformation in the last

few years.
- In response to the arrest of *Alt News* co-founder Mohammed Zubai, a spokesperson for UN chief Antonio Guterres said that journalists should not be jailed for what they write, tweet and say.

References

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