



The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2024

Editor-in-Chief – Prof. (Dr.) Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

FREEDOM OF SPEECH: BALANCING THE RIGHT WITH SOCIETAL INTERESTS AND PROTECTING AGAINST HATE SPEECH

INTRODUCTION:

Certain Politicians, Influencers, and, Godmen manipulate their followers to the extent that they lose their ability to think rationally and if a person gets stuck in the trap, then he becomes nothing more than a dead man who can sleep and move. The true nature of an individual can be identified by listening to what thoughts he conveys to the people who idolize him. The message plays a superior role than the messenger. The good, the bad, the worse, or the enlightenment, in the end, what people will remember is how impactful the words are. To express the thoughts, arguably, is the ultimate freedom a person can have. But who will decide whether the thoughts that are taking the shape of words are worthy enough to be shared or not? The Indian Constitution ensures that every citizen of India has the right to express his/her thoughts, however, What it may not have documented is the restriction that needs to be put on the speaker while commenting on something that morally takes the shape of anything egregious. Interpretation in the correct way is necessary. Society, as it develops, becomes more liberal and freedom is celebrated like anything but a needful balance is required to maintain healthy interaction among the people so that nobody infringes on another's rights and dignity just because he has the right to speak.

RISE IN HATE SPEECHES:

A report published by NCRB indicates a rise of 45% in cases being seen related to hate speeches in the last 2 years¹. The indication shows how some people feel independent enough to spread hate against the communities they do not like. Some notable examples include a speech delivered by a Member of Parliament who calls for a “total boycott” of a certain community²; and a minister of a State who calls for the eradication of a Dharma³ that has a huge population around the world.

A society in which responsible representatives do not think before they speak just to polarize their voters, can not value societal interests of plurality. Indian history has witnessed riots that have disrupted peace, and seen inhuman behavior just for the sake of religion, which led to unrest throughout the nation and has also impacted the country’s reputation on a global platform.

Some gatherings are also organised in the name of peace talks but the speakers cross their limits and end up provoking the crowd to create grave harm to the opposite ideologist people.

Extremists throughout the religions need to come out of this dilemma that they are responsible for protecting their caste and religion, if a society intends to develop then inclusivity is required to attain growth and prosperity so a better future can be shaped. Citizens are expected to understand the value of a pluralistic and cooperative work culture that eradicates the toxicity of hate-mongers.

¹ Kalyan Das, 45% Rise in Hate-Speech cases over past 2 years: NCRB Report, The Times Of India, December 06 2023, <https://timesofindia.indiatimes.com/india/45-rise-in-hate-speech-cases-over-past-2-yrs-ncrb-report/articleshow/105766371.cms>

² HT Correspondent, BJP MP calls for boycott of Muslims at VHP meeting, Hindustan Times, October 09 2022, <https://www.hindustantimes.com/cities/delhi-news/bjp-mp-calls-for-boycott-of-muslims-at-vhp-meeting-101665339021697.html>

³ Ashish Tripathi, Plea in SC seeks FIR against Udayanidhi Stalin, A Raja for ‘Hate Speeches’ against Sanatan Dharma, Deccan Herald, September 07 2023, <https://www.deccanherald.com/india/plea-in-sc-seeks-fir-against-udhayanidhi-stalin-a-raja-for-hate-speeches-against-sanatan-dharma-2677353>

ROLE OF SOCIAL MEDIA IN PROMOTING HATE SPEECHES:

For the sake of likes and shares, social media account holders often forget the limits that they need to uphold. After the monetization of content in many leading social media platforms, making fun of and disregarding communities has become common to get more and more views which helps to earn more money than expected.

Also, some agencies pay users to post hateful comments about personalities or groups to fulfill their agenda, and this is certainly taking the motive of social media platforms in the wrong direction.

SUGGESTION:

The Supreme Court should intervene and instruct the Legislature to come up with strict laws that restrict the representatives from uttering hateful speeches and an unbiased common punishment for all.

CONCLUSION:

We say ‘aapke muh me ghee-shakkar’ when anyone speaks something sweet to our ears and hearts, but what do we say when somebody tries to manipulate us to have a negative perspective about others? Disappointment runs through our mind when we hear that someone has given a statement that has the potential to disrupt the harmony in society and a certain section of society might get affected and feel disrespected. India celebrates the idea of ‘Vasudhaiva Kutumbakam’, knowing that it is hard to practice in today’s times as the opportunist people always remain ready to lock horns in the name of their self-respect that has nothing to do with reality. In this blog, we saw how few individuals believe that they are responsible for maintaining their communities, and for that certain words are used that are distasteful. To grow as a nation, Indians need to open its arm for inclusivity and respect the personal space that every human deserves in society. And let us remain hopeful of some landmark steps that eradicate the platforms for hate speeches.