

# RELIGIOUS HATE SPEECH vs PEACEFUL CO-EXISTENCE: A Socio-Legal Analysis

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**Abstract:** Hate speech is viewed in the context of institutionalised prejudice and a community's eventual marginalisation – be it politically, socially, economically, religiously, culturally, racially, sexually, etc. The best method to combat religious hate speech in a democratic setting like India is to preserve, embrace, and practise 'constitutional values'. It is pointless to promote new laws that prohibit or restrict freedom of expression in order to avert attacks on religion. The Hon'ble Supreme Court of India has extensively commented on religion, secularism, and hate speech. The Sustainable Development Goal (SDG) 16 addresses hate speech by urging the development of peaceful and inclusive communities, universal access to justice, and effective, responsible, and inclusive institutions at all levels. The United Nations' efforts to make the SDGs a reality also contribute to fighting the issue of hate speech as part of accomplishing these interrelated goals that assist in establishing a peaceful and resilient society. This paper elucidates the heated arguments involved in the hate speech that is antithetical to secularism, inclusive societies, and sustainable development.

**Keywords:** Free Speech, Hate Speech, Indian Secularism, Inclusive Society, Supreme Court.

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## 1. Introduction

Hate speech and violence threaten a country's development, progress, well-being, and even existence. The term 'hate speech' is frequently pitted against 'free speech,' a human right that even protects language that "offends, shocks, or disturbs," a phrase used in the case of *Handyside v. The United Kingdom* (ECHR 5). States have broad discretion in determining whether a certain affirmation is justified and whether it should be punished when it comes to gratuitously hurtful utterances. As a result, a state may emphasise freedom of speech by permitting verbal attacks on religious beliefs; this would allow for attacks on people's reputations, creating an unbearable climate incompatible with democracy and pluralism. Alternatively, a state may emphasise religious freedom and criminalise criticism of the dominant religious doctrines, restricting the free flow of ideas and curtailing freedom of expression.

India is considered a pluralistic society: a secular nation with a pluralistic cultural mosaic. In recent times, several fringe groups and fanatics have propagated hatred in the name of religious rivalry and insecurity. Resultantly, religion is either the source or the object of hostile sentiments. As religious hate speech and fanatics have given room for the erosion of secular values, religious hate speech and secularism are antithetical. Hate speech is against constitutional values and inclusive societies; it is immoral and, thereby, against sustainable peace.

The objective of this research paper, through a socio-legal analysis, is to identify the ramifications of religious hate speech on the social fabric of India. This paper explores how targeted religious violence is disturbing peace and tranquillity. It also discusses cherishing religious and secular values to promote peace and development in society, eventually leading to achieving SDGs. Various court verdicts and interpretations of judicial pronouncements regarding hate speech and secularism are also analysed at length and depth.

From studies and media reports, one fact is evident that religious hate speech is escalating. Upholding constitutional values can act as a counterforce. The methods and messages

enshrined in the SDGs are dealt with in this paper to bring peace, harmony and tranquillity to the whole world, leading us to sustainable development.

The importance of this research paper in contemporary times is to understand the widening divide that hate speech has created in Indian society. It also analyses the SDG goals with respect to how to bring about an inclusive society.

## **2. Protecting Free Speech and Combating Hate Speech**

The concept of liberty has been primarily swayed by the standard of individual autonomy. The liberal model of free speech views speech as an inherent aspect of the autonomous individual; hence any restriction on the exercise of this freedom is forever subject to the court's scrutiny. The objective of free speech in a democracy is to promote a plurality of opinions. The significance of letting expression, howsoever unpopular, has been emphasised by J. S. Mill in the following words in his work *'On Liberty'*: "If all mankind minus one, were of one opinion, and only one person was of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind" (4).

The importance of allowing diversity of opinion has guided the principles of free speech. Thus, even a speech that is "vehement, caustic, and sometimes unpleasantly sharp" (*New York Times v. Sullivan*, 1964) is protected from State intervention.

On the other hand, hate speech is an expression which is liable to cause distress or offend other individuals on the basis of their association with a particular group or incite hostility towards them. Hate Speech is basically species of hate crimes that are the criminal manifestation of prejudice (Hurd and Moore 1128). Broadly speaking, 'hate speech' is derogatory towards someone else (Bhatia 139).

Hate speech, while not universally accepted in definition, can be understood as the "promotion, endorsement and encouragement of a vilification of others based on innate

differences” (Weinman 14). Hate speeches are generally used for pseudo-domination or sometimes an attempt to overshadow the other’s religion and culture (Shukla 17). The definitions of ‘hate speech’ typically depend on any society’s cultural and moral ethos; when societies are well-defined, for example, through geography, it was relatively easier to reach a consensus on such a definition.

In May 2019, the United Nations rolled out a document titled “Strategy and Plan of Action on Hate Speech” which defined hate speech as follows: “Hate speech is understood as any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factors.”

Hate speech as a cause of discrimination towards a group has existed throughout the ages and is still most pertinent in this modern world, where social media and broadcasting reach millions with the click of a button without fear of reprisal or the need for intensive research. Undoubtedly, hate is moving into the mainstream – in liberal democracies and authoritarian systems alike. Social media and the internet as forms of disseminating malicious intent and hatred between groups are rife. Hate speech may be a symptom of hatred amongst a few, but it has the power to stir and plant the seeds of the same hatred in many (Galpin 1).

In reality, religious insults are now considered a crime in most nations across the world, and incitement to hatred is considered an offence in penal codes. Promoting new laws that ban or restrict freedom of expression in order to prevent attacks on religion is useless. Therefore, we must remember that criminal law should only be used as a last option and only in the most serious of instances.

### **3. Constitutional Contours**

In a plural democracy, there is always a conflict between different narratives and interpretations of what constitutes

public interest. Democracy thrives on disagreements, provided they do not cross the boundaries of civil discourse. Critical and dissenting voices are important for a vibrant society. However, care must be taken to prevent public discourse from becoming a tool to promote speech inimical to public order. The mode of exercise, the context and the extent of abuse of freedom are important in determining the contours of permissible restrictions (Sivakumar 11).

The Constitution of India acknowledges that liberty cannot be absolute or uncontrolled and makes provisions in clauses (2) to (6) of Article 19 authorising the State to restrict the exercise of the freedom guaranteed under that Article within limits specified in those clauses (Basu 2122). Thus, clause (2) of Article 19, as subsequently amended by the Constitution (First Amendment) Act, 1951 and the Constitution (Sixteenth Amendment) Act, 1963, enabled the legislature to impose reasonable restrictions on the exercise of the right to freedom of speech and expression in the interests of (i) the security of the State and sovereignty and integrity of India, (ii) friendly relations with foreign States, (iii) public order, (iv) decency or morality, or in relation to contempt of court, defamation or incitement to an offence (Law Commission of India Report No. 267, 4).

Any speech that disturbs public order is considered inimical but not necessarily against any individual perception of social order or secular views. This stand was acknowledged by the Hon'ble Supreme Court in the case of *State of Karnataka vs. Dr. Praveen Bhai Thogadia*, wherein it was held as follows: Secularism is not to be confused with the communal or religious concept of an individual or a group of persons. It means that the State should have no religion of its own. Persons belonging to different religions live throughout the length and breadth of the country. Each person, whatever his religion, must get an assurance from the State that one has the protection of the law freely to profess, practice and propagate one's religion and freedom of conscience. Otherwise, the rule of law will become replaced by the individual perception of one's own

presumption of good social order (State of Karnataka v. Dr. Praveen Bhai Thogadia, 2004).

The term 'secular' has advisedly not been defined presumably because it is a very elastic term not capable of precise definition and perhaps best left undefined. According to eminent Jurist H. M. Seervai, the word 'secular' is not precise and would itself require to be defined (Basu 3508). Thereafter, in the case of *Bommai S.R. v. Union of India*, the Hon'ble Supreme Court of India held that the Constitution of India prohibits the establishment of a theocratic state and secularism under the Indian Constitution does not mean an anti-God or atheist society. It only means the equal status of all religions, without any preference in favour of or discrimination against any one of them (*Boommai S. R. v. Union of India*, 1994).

The Constitutional values of secularism are considered to be a basic structure of the Indian Constitution. Anything said or done disturbing peace, public order, social harmony or secular co-existence would amount to a violation of the rights of citizens guaranteed under the Indian Constitution. That is the reason why provocative hate speech against any social group based on religion, race, caste, disability etc. is antithetical to democratic and constitutional values.

#### **4. Supreme Court on Hate Speech**

The standard applied for restricting Article 19 (1) (a) is the highest when imposed in the interest of the security of the State. Also, a reasonable restriction under Article 19 (2) implies that the relation between restriction and public order has to be proximate and direct as opposed to a remote or fanciful connection (*O.K. Ghosh v. E.X. Joseph*, 1963).

The Hon'ble Supreme Court's ruling in *Ramji Lal Modi v. State of UP*, clarified the provision of Section 295A of the Indian Penal Code (IPC) relating to speech that is punishable for hurting the religious sentiments of a particular class or community. It held as follows: "Section 295A only punishes the aggravated form of insult to religion when it is inflicted with the intentional and malicious aim of outraging the religious

emotions of that class" (Ramji Lal Modi v. State of U. P., 1957). This aggravated form of insult has a calculated tendency to disrupt public order, and the section that punishes such behaviour falls well within the scope of Article 19's clause (2) of the Indian Constitution, which protects laws that impose reasonable restrictions on the exercise of the right to freedom of speech and expression guaranteed by Article 19 (1) (a).

What constitutes hate speech in the judicial eyes? The Hon'ble Supreme Court has laid down a test for determining that. The Hon'ble Supreme Court in the case of *Supdt. Central Prison v. Dr. Ram Manohar Lohia* held as follows:

There does indeed have to be a compromise between the interest of freedom of expression and social interests. But we cannot simply balance the two interests as if they are of equal weight. Our commitment to freedom of expression demands that it cannot be suppressed unless the situations created by allowing freedom are pressing and the community interest is endangered. The anticipated danger should not be remote, conjectural or farfetched. It should have a proximate and direct nexus with the expression. The expression of thought should be intrinsically dangerous to the public interest. In other words, the expression should be inseparably locked up with the action contemplated like the equivalent of a 'spark in a powder keg'.

A Public Interest Litigation (PIL) was filed in the Supreme Court of India seeking to ban hate speeches. In the said case of *Pravasi Bhalai Sangathan v. Union of India & Ors.* the Hon'ble Supreme Court observed that the issue of hate speech deserved deeper consideration by the Law Commission of India as the term 'hate speech' has not been defined in any Indian law (*Pravasi Bhalai Sangathan v. Union of India & Ors.* 2014). It held that the legislature had already provided a sufficient and effective remedy for the prosecution of the author, who indulged in hate speech. The statutory provisions and particularly the penal law provide a sufficient remedy to curb the menace of hate speech. It further opined in this context that National Human Rights Commission (NHRC) would be well

within its power if it decides to initiate suo-moto proceedings against the alleged authors of hate speech.

Thus, any person who is aggrieved by such speech must first resort to the remedy provided under the particular statute. The root of the problem is not the absence of laws but rather a lack of effective execution. Effective regulation of hate speeches at all levels is required as the authors of such speeches can be booked under the existing penal law, and all law enforcement agencies must confirm that the existing law is not rendered a dead letter. Thus, the court thought that it should not entertain a petition calling for issuing certain directions which are incapable of enforcement or execution.

In the year 2017, the Hon'ble Supreme Court in a landmark case of *Abhiram Singh v. C.D. Commachen* held that an appeal in the name of religion, race, caste, community, or language is impermissible under the Representation of the People Act, 1951 and would constitute a corrupt practice sufficient to annul the election in which such an appeal was made regardless of whether the appeal was in the name of the candidate's religion or the religion of the election agent or that of the opponent or that of the voters.

Further, the Hon'ble Supreme Court heard and pronounced the judgment on the controversial case of Amish Devgan, a journalist who indulged in hate speech. It was held that Devgan had deliberately and intentionally insulted a *Pir* or a pious saint belonging to the Muslim community and thereby offended and incited religious hatred towards Muslims. The Court stressed in the judgment the need to ensure freedom of speech but also to protect the dignity of the group and national unity by banning communication that jeopardises such values. The Court provided an in-depth analysis of the nature of hate speech offences around the world and of the Indian legislative and constitutional framework around the right to freedom of expression and its permissible limitations. It was noticed by the court that "it remains difficult in law to draw the utmost bounds of freedom of speech and expression beyond which the right would fall foul" and underscored that there are

considerations of "democratic values and public law" which makes it difficult to determine when it is both reasonable and proportional to criminalise speech (*Amish Devgan v. Union of India*, 2021).

### **5. Judicial Observations on Secularism**

Although the Parliament, through the 42<sup>nd</sup> amendment enacted in 1976, added the word 'secular' to the Indian Constitution, the Hon'ble Supreme Court of India has interpreted the notion of secularism in the Indian Constitution in a variety of ways from time to time. It held that Articles 25 and 26 enshrine the idea of religious tolerance, which has been a hallmark of Indian culture since the dawn of time. The times and durations when this feature was missing were only momentary blips on the radar. Furthermore, they help to emphasise the Indian democracy's secular nature, which the founding fathers deemed to be the Constitution's core foundation.

In the landmark case of *Kesavananda Bharati v. State of Kerala*, the Supreme Court reaffirmed that secularism is an integral component of the Constitution's basic framework. In the framework of the Constitution, secularism is defined as "a live-and-let-live attitude that evolves into a live-and-help-live attitude" (*St. Xaviers College Society v. State of Gujarat*, 1974). The ruling went on to lay out a modern Indian understanding of secularism, perhaps implying a conflict between the judicially manufactured idea of secularism and the concept reflected in the language of the Constitution. The former makes it the basic structure of the Indian Constitution, and the latter ensures that the State should have no religion of its own or does not give shelter to any particular religion.

Later, the Hon'ble Supreme Court outlined secularism in terms of philosophy and utilitarianism in *Ziyauddin Burhanuddin Bukhari v. Brijmohan Ram Das Mehra*. The Court defined the State's role as neutral or impartial in providing benefits to citizens of all castes and creeds and put the duty on the State to guarantee that limitations are not imposed based on persons practising or professing any specific religion via its

laws. In the *Indira Sawhney case* (Indira Sawhney Etc. v. Union of India and Ors., 1993), several Supreme Court judges appear to have accepted a similar argument that secularism envisions a society that is coherent, unified, and casteless.

In the 1990s, the popularly known 'Hindutva Judgments,' added to the confusion. The opinion of Verma, J. strangely equated Hinduism and Hindutva with Indianisation, saying, "The words 'Hinduism' or 'Hindutva' are not necessarily to be understood and construed narrowly, confined only to strict Hindu religious practises, unrelated to the culture and ethos of the people of India, depicting the way of life of the Indian people." (Dr. Ramesh Yeshwant Praboo v. Shri Prabhakar Kashinath Kunte & Ors, 1995) Later, in *Mohd. Aslam v. Union of India*, the Court, via Verma, N. P. Singh, and Venkataswami, J. J. attempted to explain that there was no conflict between the *S. R. Bommai case* and the *Hindutva Judgments* because they were on distinct planes. In the former, it held that secularism means equal treatment of all religions in the context of blatant misuse of Emergency provisions, and in the latter, it held that mere use of the word 'Hindutva' or 'Hinduism' or any other religion in an election speech does not amount to hate speech. In this light, it is worth noting that the Court's own position on secularism is not unanimous (*Mohd. Aslam v. Union of India*, 1996). This may be seen in the various positions the Judges take in various circumstances. Ramaswamy J. urged that the case be submitted to a larger Bench for consideration in *Abhiram Singh v. C. D. Commachen*, although he avoided using an alternative definition of secularism (*Abhiram Singh v. C. D. Commachen*, 1996).

In reality, in *Valsamma Paul (Mrs) v. Cochin University*, Ramaswamy, J. appears to have returned to the previous soft attitude on secularism, associating it with religion. The Hon'ble Supreme Court held as follows:

It is stated that pluralism is the keynote of Indian culture and religious tolerance is the bedrock of Indian secularism. It is based on the belief that all religions are equally good and efficacious pathways to perfection or God-realisation. It stands for a complex interpretive process in which there is a

transcendence of religion, and yet there is a unification of multiple religions. It is a bridge between religions in a multi-religious society to cross over the barriers of their diversity. Secularism is the basic feature of the Constitution as a guiding principle of State policy and action. Secularism in the positive sense is the cornerstone of an egalitarian and forward-looking society that our Constitution endeavours to establish. It is the only possible basis of a uniform and durable national identity in a multi-religious and socially disintegrated society. It is a fruitful means for conflict-resolution and harmonious and peaceful living. It provides a sense of security to the followers of all religions and ensures full civil liberties, constitutional rights and equal opportunities.

Again, in the case of *A. S. Narayana Deekshitulu v. State of A.P.* Ramaswamy, J. declared,

The term 'Dharma' or 'Hindu Dharma' refers to upholding, supporting, and nourishing that which upholds, nourishes, or supports the stability of society, social order, and the general well-being and progress of mankind; whatever contributes to the achievement of these goals is Dharma, Hindu Dharma, and ultimately '*Sarva Dharma Sambhava*'" Further, it went on to hold that "Dharma is that which approves oneself or springs from appropriate consideration for one's own happiness as well as the welfare of other creatures, devoid of fear, want, sickness, cherishing positive sensations and a sense of brotherhood, togetherness, and friendship for Bharat's integration.

In short, the Hon'ble Supreme Court has kept to its basic attitude of 'secularism' as a spirit of toleration amongst people of different religions through '*Sarva Dharma Sambhava*' with slight modifications. Lately, the majority in the *Ram Janmabhoomi Case* seems to best represent the Supreme Court's school of thinking: 'Secularism' is toleration based on tradition. Erudite and legendary V. R. Krishna Iyer, J. summarises secularism: "Authentic secularism, in its semantic glory, is not godlessness but the fraternity of faiths in friendly co-existence

with agnostic, atheistic, rationalistic convictions and humanist creed" (103).

The role of secularism in uniting societies assumes relevance in contemporary times, especially when the United Nations has made it an endeavour to create inclusive societies through the SDGs that are the blueprint for achieving a better and more sustainable future for all.

## **6. The Idea of Inclusive Societies and SDGs**

The SDGs address the global challenges we face, including poverty, inequality, climate change, environmental degradation, peace and justice. The 17 SDGs developed by the UN seek to alter communities by enhancing lives and expanding wealth throughout a healthy globe. The SDGs listed in the UN agenda prescribe the gap that needs to be achieved within 2030 for a peaceful society. The Global Agenda is an urgent call for all developed and developing nations to work together in a global partnership. The notion of sustainable development stresses the economic, ecological, and social aspects of progress. SDG Goal No. 17 divides inclusive development into three aspects which are social inclusivity, ecological inclusivity, and relational inclusivity, each with five principles.

According to the World Summit for Social Development held in Copenhagen in 1995, the term 'inclusive society' has been defined as a "society for all in which every individual, each with rights and responsibilities has an active role to play" (United Nations, 1995, para 66). Respect for all human rights and fundamental freedoms, cultural and religious diversity, social fairness and the unique needs of vulnerable and disadvantaged groups, democratic involvement, and the rule of law are all essential components of an inclusive society. It is fostered by social policies that aim to minimise inequality and build societies that are flexible and accepting of all individuals.

Further, inclusion is the recognition that everyone has inherent dignity and contributes something valuable. Social inclusion is a multifaceted process aiming at decreasing

economic, social, and cultural barriers between people who are included and excluded; and making these barriers more permeable. Social integration, also known as social inclusion, refers to a society that allows for variety while also encouraging participation. People's voices, as well as their needs and concerns, must be heard in order to achieve social integration and inclusion. Not just some but all members of society from all backgrounds must have a voice and a stake in the community they share. This society's inclusion fosters and preserves stability, as well as a willingness to welcome change when it is required.

Members of an inclusive society actively participate in the process. The individual's participation in the process through which society is controlled, ordered, and represented is most important in developing an inclusive society. Mere receiving handouts does not make someone included, even if the handouts are provided by public agencies and with public funds. No one gets included by being viewed as a number or a statistic by software. Inclusion is about becoming more than a speck of dust, about having a forename and surname; about having one's own distinctive features, skills, and abilities; about being able to receive and give stimulus; about imitating and being imitated; about participating in the process of changing one's own and collective life.

Hate speech appears to have gained traction as it is in friction with peace and justice. Hate speech and violence based on hatred cause friction and societal fissures. Instances of hate speech are antithetical to an inclusive society, and minimising hatred against minority communities and social groups can bring peace and harmony. When someone is victimised in the name of hate speech, there shall be mechanisms for seeking relief. It is the duty of the State to provide free access to justice. An inclusive society can be forged only when there are redressal forums for its citizens. The SDGs and inclusive growth cannot be achieved without access to justice.

## **7. Access to Justice**

Legal aid programmes can assist in closing the justice gap by bringing the legal system closer to people as it serves its purpose. Such programmes benefit the marginalised. When we ask people what 'justice' means to them, they do not merely refer to the visible aspects of the legal system, such as courts, prosecutors, or police. This relates to Goal No.16 of SDGs, where it achieves to reduce all forms of violence, including hate crimes. It aims to bring effective, accountable and transparent institutions at all levels.

Around the world, an estimated four billion people live without legal protection, primarily because they are impoverished or disadvantaged within their society. Employers may easily deceive them, and they can be evicted from their land, preyed upon by the strong, and frightened by violence. Local corruption is allowed to harm economies due to a lack of legal accountability, diverting resources away from where they are most needed. Lengthy delays hamper individual economic activity in the processing of judicial matters.

Hate speech is a major threat to our democracy, human rights protection, and the rule of law. It encompasses a wide range of utterances that disseminate, provoke, encourage, or excuse hatred, violence, or prejudice against an individual or group of individuals for a number of causes. However, the hate speech victims are hesitant to seek justice as it is delayed. Poor individuals are crammed into overcrowded jails, waiting months or even years for their initial trial, forced to give up jobs and unable to support their families. Women are disproportionately harmed by legal exclusion because they are frequently subjected to many types of discrimination, assault, and sexual harassment. Violence can sometimes take on more subtle forms: Institutional violence, such as unaccountable legal and judicial institutions, as well as deprivation of people's basic rights and fundamental freedoms, is also a type of injustice. To enable the basic protection of human rights, from property protection to legal identity and freedom from violence, these legal difficulties must be addressed. Resultantly, even the most

disadvantaged people may attain justice, satisfy their basic needs, hold authorities accountable, safeguard their interests, and engage in economic activity in an inclusive way through legal empowerment.

The anti-discrimination, hate crime and hate speech laws need to be amended and applied more effectively. Procedures and techniques for collecting disaggregated data on hate crimes shall be improved. A situation of the fence eating its own crop shall be avoided at any cost. Women and men from disadvantaged populations, the general public, and NGOs need to be sensitised and made aware of the means to access justice and judicial reparation methods.

Legal identity allows people to enjoy the protection of the legal system and to enforce their rights or demand redress for violations by accessing state institutions such as courts and law enforcement agencies. Consequently, legal identity can be construed narrowly to refer to the official, government-issued identity documents that prove one's status as a person who can exercise rights and demand protection under the law. The harms produced by racist, sexist, and anti-gay hate speech are actual and serious but are not acknowledged or considered sufficiently important by Indian law and society. Giving a legal identity by the government to a minority – be it based on religion, gender, region, race, caste, creed, tribe or disability – is the need of the hour to achieve SDG No.16.

## **8. Social, Economic, and Political Inclusion**

SDG No.10.2 thrives to achieve people build relationships with marginalised groups, individuals and communities for promoting various types of inclusions and achieve them by empowering all. It is about empowering and encouraging social, economic, and political inclusion for everyone, regardless of age, gender, handicap, colour, ethnicity, origin, religion, or economic or other position. Inclusion is seen as a fundamental human right. The goal of inclusion is to include everyone, regardless of colour, gender, handicap, medical condition, or other needs. It is all about equal access and

opportunity, as well as eliminating prejudice, intolerance and removal of barriers. It has an impact on every facet of public life. Due to hate speech victimisation of minorities, several individuals and social groups continue to face restrictions in practically every country that prohibit them from fully participating in social, economic, and political life. Their rights are being ignored, and they are unable to participate fully in an inclusive and supportive atmosphere, which must change.

In terms of political participation, women have historically been underrepresented in government and political posts. Women hold less than a fifth of political positions worldwide. The need to boost their representation is critical, especially in light of global social, political, and economic concerns. Furthermore, it is estimated that 15% of the world's population has a handicap, with the frequency being greater among women, with one in every five women aged 18 and older having one. People with disabilities have long been seen as societal outcasts and misfits, with little help or assistance. As a result, it is evident that all nations and governments must work together on a global basis to address this issue and promote social, economic, and political inclusion for all people, regardless of colour, nationality, language, religion, or any other aspect.

## **9. Enforcing Non-Discriminatory Laws and Policies**

Many parties within the UN have gradually emphasised how the rule of law and human rights are essential for establishing and maintaining peace, as well as implementing the vision currently enshrined in SDG No.16.3, which clearly envisions implementing non-discriminatory laws and policies for sustainable development essential for the communities.

Hate speech does not include disrespectful or profane comments directed at a group of individuals, nor does it include venomous criticism made towards the government. It is a discourse that has the potential to impair a community's social, economic, and political marginalisation. Hate speech must be understood in terms of systematic prejudice and a

community's ultimate political marginalisation. It is part of a larger pattern of prejudice.

The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 defines "speech" (insult, intimidation, and humiliation) aimed at a member of the scheduled castes or tribes as an "atrocious" because it feeds into histories of marginalisation. It is an outrage not because it is intended to offend but because it normalises their historical standing as appropriate targets of insults. Article 17 of the Constitution of India has abolished untouchability. The enactment of the Protection of Civil Rights Act 1955 is a major step in enforcing non-discriminatory laws in India.

## **10. Conclusion**

Xenophobia, racism, and intolerance are all on the rise worldwide. Minorities are being persecuted on the one hand and wrongly prosecuted on the other. Digital technology facilitates and amplifies hateful and harmful viewpoints, which frequently target minorities and the most vulnerable. On the Internet, extremists share their opinions without even considering the danger of such posts. Some political leaders in liberal democracies and authoritarian regimes are normalising and eroding the social fabric by introducing these organisations' hate-fuelled beliefs and rhetoric into the mainstream.

Hate speech is an attack on tolerance, inclusiveness, secularism, and the fundamental foundation of our human rights values and standards. More generally, it erodes social cohesiveness and shared values and can build the groundwork for hate speech, putting the goal of peace, stability, sustainable development, and the realisation of human rights for all on the back burner.

To assist victims of hate speech, proper contact channels within government entities must be established. Hate speech must be prosecuted in the public eye, with competent investigations and structural, financial, and legal assistance for victims. Furthermore, advocating for a stronger digital bravery

culture that actively combats hate speech and expresses sympathy for victims is a welcome move. Organisations working for the removal of hate speech content from social media are a matter to be applauded. This frequently entails hours of reviewing explicit and violent stuff. Content removers require sufficient protection and assistance and a worldwide dialogue on how to avoid leaving them behind in the digital age.

Access to justice is one major concepts without which SDG's cannot be achieved. Often rights are being ignored, and the same is hard for an inclusive and supportive atmosphere, which must change. However, it is now on notice, and the community at large will continue to battle it. People everywhere cherish their shared humanity and desire to assist one another in a crisis, as we see the same time and again. It also helps us to achieve our goals across the board, from avoiding hate speech and promoting peace to empowering all by creating a resilient society.

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