

## **HATE SPEECH: A SILENT KILLER OF DEMOCRACY**

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### **Abstract**

*Pure democracy is characterized by existence of multi-political party system and system of election in a free and fair way. Election campaign by all the parties are also permitted to publish their future nature of policies through their Election Manifesto. Each party wants to win in the election and form government to implement their policies ultimately leading to development of society. Economic policies followed by the parties are also influenced by the political vision of the parties. But the power-crazy political parties often resort to unfair means to win the election battle where preponderance of hate speeches by the party leaders kills the ethos of democracy and manipulate peoples' mandate. The ground level partisans are wafted by the firing speeches of the leaders and fuel enmity amongst the supporters of the political parties leading ultimately to political violence. Neither the provisions of existing laws are involved nor is Model Conduct of Conduct (MCC) clear in the matter to define hating speeches. Election Management Authority (EMA) plays a silent role and hatred is ignited to destroy principles of pluralism in a democratic society. Democracy is strangled by right to speech. See-saw puzzle between EMA and Judiciary also creates flawed democracy in a country.*

*Keywords: Hate speeches, election violence, eclipsed democracy, Model Code of conduct, Parliamentary dictatorship.*

### **Introduction**

Democracy is basically characterized by the will of the people. Since Cleisthenes democracy in Athens in the 5th Century BCE, the concept of democracy moved from direct democracy to representative democracy of present day. In direct democracy people participated in governance of state affairs. Controversies regarding of origin of democracy either in Athens in 5<sup>th</sup> Century or Mesopotamia or earlier of even concept of 'Ganas' or 'sanghas' in Indian sub continent under Buddhism in 5<sup>th</sup> century BCE were presently not considered here. Rather a lot of democratic values like equality, right to life, liberty and happiness as well as freedom of expression and from fear have been recognized till then. However, the modern concept of democracy popularly called as western democracy, got momentum after the French Revolution in 1789 and political theory of 'General will' by Rousseau and theory of separation of powers by Montesquieu. Concept of voting though appeared around 508 BC, multi-party democracy gradually became stronger in late 19<sup>th</sup> century when two or more political parties contested for election. Contest for election automatically necessitated election meeting as well as election propaganda.

### **2. What is Hate Speech**

Hate speeches have not been defined consistently in any literature. Hence there is no specific yardstick to describe hate speech and it depends in the circumstances of the case, intention of the perpetrator, intensity and sensitivity of such speeches. Hate speeches of the political or election arena differs from the speeches used in the religious courtyards. Hate speeches have been defined in the Cambridge Dictionary as public speeches that sprawls venom and hatred

towards a person or group of persons or political, social and religious entities based on unfounded belief or enmity, race, religion sex or sexual orientation. U N Strategy and Plan of Action described hate speech as a kind of communication in speech writing or behaviors that attacks or uses pejorative or discriminatory language with reference to a person or group on the basis of who are they in other words based on theory religion , ethnicity, nationality , race, colour, descent gender or other identity factor.<sup>1</sup> Encyclopedia on American Constitution described hate speech as the speech that attacks a person or group on the basis of attributes such race, religion, ethnic origin, national origin, sex, disability, sexual orientation or gender identity.<sup>2</sup> The Bureau of Police Research and Development in their publication on cyber harassment cases defined hate speech as a language that denigrates, insults, threatens or gargets on individual based on their identity and other traits (such as sexual orientation or disability or religion etc. <sup>3</sup>

Survey of the definitions of the hate speeches show the following features of the terminology:

- i) public speeches conveying hatred or enmity wound a person or group of person;
- ii) hatred are spread amongst the masses against religious or political opponents for benefit of the perpetrators;
- iii) raises /encourages violence in the society and destroys social fabric;
- iv) many a time it is based on some unfounded beliefs and not from convictions;
- v) originates mostly from religious fundamentalism without time and space and may degenerates to ethnic riots;
- vi) political hate speeches are sporadic and rather seasonal and arises during election weather;
- vii) hate speeches ignite hatred and violence and spread in the society;
- viii) all the hate speeches originate from the political leaders or religious gurus for their partisans and deciples and such speeches sow hatred in the minds of the robotic followers who get involved in quarrelsome affairs;
- ix) purposes of such speeches are to gain popularity in proximate time span and create difference amongst people in the society for a longer time horizon.

It is observed from the definitions that hate speeches hover mostly around religion or ethnic origin and used by the fundamentalist religious or political leaders. Aspersions on the blacks in America or hatred on the jews are classic example of the phenomenon. In India continuous differences and sprawl of venom between the Hindus and the Muslims are example of these.

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<sup>1</sup> <https://www.un.org/en/hate-speech/understanding-hate-speech/what-is-hate>

<sup>2</sup> Nockleby J T, Hate Speech, Encyclopedia on American constitution 2000, Pp 1277-1279

<sup>3</sup> Bureau of Police Research and Development Promoting Good Practices & National Standards National Highway – 2008, Mahipalpur, New Delhi

Use of filthy words used against the political opponents to embarrass or insult the opponents may also be termed as hate speeches which are mostly used in the political arena. Saluting any chief minister of a state with derogatory word of “chorer rani” (queen of thieves) by the opponent political parties is an example of hate speech also.

### **3. Factors behind hate speeches**

Hate speeches arises from the following factors:

i) Psychological factors:

Causes	Expression
Dominance	The majority of the population usually feels greedy to control the minority and dictate terms of living. It is a kind of complex and majority does not accept pluralism rather Nazism.
Insecurity	A kind of insecurity feeling also pervades in the minds of the majority to lose their control over others
Lack of empathy	Often majority loses empathy and dehumanization occurs. Religious fundamentalism or political fanaticism instigates hate speeches and violence.
Social Aggression	Majority population often try to invade on all social fronts to ensure dominance through hate speeches which give rise to violence

Political Factors

Causes	Expression
Win in election	In a democratic country the majority resort to hate speeches to alienate the minority and win election with fabricated speeches, hate speeches leading to even violence
Mind spinning	Mind spinning of the electorate with fabricated data and using threat to deprive the minority from social benefits.

Physical Factors

Causes	Expression
Use of force	Forceful evacuation from place of residence, Ban on trade and profession, demolishing place of worships
Conspiracy	Branding the minorities with label of terrorists, Bangladeshi and Rohingya infiltrators, land jihad, vote jihad, thook jihad etc

Often hate speeches are confused with blonde jokes and election rhetoric especially during election period with intention of gain political advantage over the opponents.

### **4. Why Hate Speeches are used**

Hate speeches are used by different perpetrators like political masters, religious gurus and even by the common people. The speeches of the political leaders are generally short lived and specific purpose oriented whereas religious gurus carry venom of hatred against other religious belief permanently and that erupt frequently. Political hate speeches are

purpose oriented and time specific. For example during the period of election hatred are sprinkled by the political leaders to get an extra mileage in election propaganda and often to confuse and emotionally overpower the electorate. Such words are also used by the political leaders to gain advantage over political opponents and to blame the opponents to corner them. Purpose of using such words is to dominate in the ballot box and alienate a section of the electorate. Ill worded and often unfounded words are hurled towards the identified section of population of political or religious belief. In India hate speeches are mostly used against the muslim community and other minority group especially Christian by the majority like Hindus. Probably it is thought that the country is owned and possessed by the Hindus. Though Muslim religion is about 14.20% of total population of the country the Hindu fundamentalist suffer from a sense of lack of confidence by the perpetrators even after 1500 years of existence of the community in the sub continent. Main cause of hatred against the community appears to be a sense of dominance and sub ordination over the specified community by the major religious fundamentalist for which a series of unfounded causes are forwarded. These religious fundamentalists make access road to the political robots to hurl hatred over various minority sectors. The media which are called 'fourth estate' play an important role on this score. Branding of sensitive citizens as Urban Naxals or Maoists by some of the media is example of such initiative. These words have been coined by the political leaders especially by the right –wing blocks like Bharatiya Janata Party in their political speeches. Details of status of increasing hate speeches used during recent years have been discussed elsewhere in the article.<sup>4</sup> Whereas hate speeches by the religious leaders against other dominant sects are often deep seated and carried forward over ages. For example, hatred of the two religious followers like Hindu – Muslim matter are deep seated and ethnic issues mark a deep scar in the society which are often fuelled by the religious fundamentalists and surfaces very often to create regional imbalances in the country. Social media also acts an accelerator in spreading he venom in the society. The fourth pillar I; e, media often play a role of hired actor to vitiate the situation. Fake videos are spread in the air.

However, in this situation an aspect to be kept in mind the difference between i) election Jokes and ii) election hate speeches. In case of election jokes, basic intention of the perpetrators is to undermine the party as a whole or any leader personally arising out certain events. Examples of election Jokes started from 1951 itself in the form of rhymes and still continuing through wall writing which is an art itself. Examples of such limerick are as under:

- i) “Unnayan cholchhe, chalbe , Tai dekhe birodhira jwalchhe” (TMC) (*Development is going on and opposition are frustrated at this*)
- ii) “Mithye bolechhe Mamata, Jene gechhe Janata” (CPM)

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<sup>4</sup> Hate Speech Events in India, Report 2024, India Hate Lab, Centre for Study of OrganisedHate (CSOH), 2025, Washington D.C., USA, PP 1 - 114

- ( People understood that Mamata (CM, West Bengal) tells a lie).
- iii) Paray paray away tolo, Hawai Chati badle phelo (CPM)  
( Electorate please arise, change the Hawai chappal)
- iv) “Gali gali me shor hai, Rajib Gandhi Chor hai” (CPM)  
( Every where people are shouting Rajib Gandhi is a thief”)  
This was coined by the opposition after alleged Bofors deal.
- v) Milemise loote khay Modi ar Mamata, E katha jene gechhe ajker Janata”  
( Today's people have understood that Modi and Mamata loot hands in glove”)

These election limerick though contain some anger and pun, these cannot be termed as hate speeches as these are having no venom and intention were not to hurt any specific person without reasons and short lived

For example, use of words like “chorer rani” hurled to the Chief Minister of a state for abrupt corruptions in a state are purpose specific hate speech. However, it is short lived in political arena.

Whereas these political jokes are harmless and cannot be equated as hate speeches in true sense of the term and does not cast any impact on democratic system. But hate speeches in real sense of the term has a damaging impact on the democratic fabric of the Indian society.

### **5. Hate Speeches and Its Impact on Democracy**

After fall of Nazis and World War II Democracy became the most sought-after form of government which is formed by the people, for the people having different political parties in the country. Democracy ensures equal rights, freedom of speech to all its citizens irrespective of caste, sex and creed. Dr. B. R. Ambedkar also expressed in his “Writing and Speeches, Vol- 1, P 412 that democracy means fundamental changes in social, political and economic life of the people and acceptance of such changes without hatred and bloodshed.<sup>5</sup> Multi party democracy and election are interwoven and inextricably linked. In case of representative democracy citizens cast votes at a periodical interval to select their representatives in the legislature. The party winning the majority forms the government for a specific period of time through the elected representatives of the people for legislature. Some of the leaders of the ruling party work as executive through Prime Minister / Chief Minister in a state as executives. President at the Centre is elected through proportional representation and Governor in the State is appointed by the President as per advice of the Prime Minister. The legislature as well as the executives are reservoir of power and contest in the election. Each party through their election manifesto as well as election meetings present supremacy of the candidates over their opponents to influence the voters and bag votes. Free and fairness of election is sine qua non for success of democracy. In the famous case of Indira Gandhi Nehru Vs Raj Narain (1975) the judges expressed that rule of law is an essential part of democracy

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<sup>5</sup> Ambedkar Dr. B. R., Books & Speeches of Ambedkar, Vol 1, Ministry of External Affairs, Government of India , New Delhi, PP 412



and election is a sine qua non for democracy.<sup>6</sup> But one inherent problem that bugs democracy is dictatorship of the Parliament where the ruling party owns colossal majority. During election campaign the party leaders place their success stories to win the election. The partisans follow their leaders often blindly to influence the electorate through various means. The inspiring speeches delivered by the leaders often become aggressive and attacking even personality of the opponents in a derogatory manner. The speeches contain sugar-coated intimidation towards the opponents as a matter of practice. Hate speeches are the deliberative utterings of the leaders of any political parties directed towards their opponents that express hatred, mockery, intimidation as well as insulated capsules containing sex, race, religion to others and encourage violence and destroy mental peace. Such speeches are also used by the leaders especially at the time of election or during religious gatherings. Democracy is often eclipsed due to exuberance of legislature and the executives who manipulate freedom of the citizens through various means. Apart from various hard measures to destroy ethos of democracy, hate speeches are one of the disturbing factors. Democracy is impacted by hate speeches in the following manner:

- a) Social fabric: Hate speeches destroy the social fabric and create enmity amongst the citizens of different religious belief and economic status.
- b) Equality: Right to equality which is the mainspring of democracy is decayed due to high-handedness and hate speeches of the political leaders especially the leaders of the ruling party. Such speeches create a sense of insecurity and helplessness among the marginal population to whom hate speeches are targeted.
- c) Freedom of Speech: Hate speeches are aberrations to the freedom of speech. Long before John Stuart Mill in his monumental work 'On Liberty' (1859) propounded the general freedom through what is called Harm Principle as 'the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others'<sup>7</sup> Art 19 (1) (a) of the Constitution also guarantees right to freedom of speech and expression as fundamental rights which is guaranteed but not absolute and subject to restrictions under Art 19(2) of the Constitution for retaining sovereignty, integrity of the nation, security of the state, public order, decency as well as harmless relations with foreign countries. The Judiciary also ensures unwarranted abrogation of the right as declared in the case of Romesh Thappar Vs State of Madras (1950)<sup>8</sup>, Sakal Papers (P) Ltd Vs Union of India (1962)<sup>9</sup> as well as Shreya Singhal Vs Union of India (2015).<sup>10</sup> In the present case

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<sup>6</sup> 1975 Supp SCC 1

<sup>7</sup> Gaini Sigrí M., Freedom of Speech, Hate Speech and Democratic Formation, Ph D. Thesis, 2024 Roskilde University & University of the Faroe Islands, Denmark

<sup>8</sup> 1950 SC 124

<sup>9</sup> 1962 AIR 305

<sup>10</sup> AIR 2015 SC 1523

Sec 66A of The Information and Technology Act was struck down for freedom of speech of citizens.

- d) Hostility; Hate speeches create hostility among the perpetrator and the target and thus wreck integrity among the countrymen. In a country with different religions, languages as well as ethnic style it is difficult to maintain integrity amongst the citizens. Unity in diversity can not stay with dominating attitude of majority and the religious fundamentalists. Naturally, multiple world of thoughts and belongingness appear. It creates a sense of insecurity and breeds violence.
- e) Polarisation of Votes: Hate speeches are created for polarization of votes. The leaders prefer to corner a section of people to bag votes in their favour but in reality votes are polarized oppositely towards the perpetrators as the electorate cannot repose trust on the leaders and gather under specific religious umbrella creating different hemispheres within one world.

#### **6. Report on Hate Speeches in India<sup>11</sup>**

Use of hate speeches by the leaders are on increase. Data shows that during 2024 nos of hate speeches recorded were 1165 cases which was 74.40% higher than 2023. Out of 1147 cases speeches targetted towards Muslims were 98.5% i.e, 1050 and for Christian were 97. Most interestingly more hate speeches were used in BJP led states (about 79.9% and opposition led states recorded 20% of hate speeches. The states of Uttar Pradesh, (242) Maharashtra (210), Madhya Pradesh (98) registered collectively about 47% of hate speeches in the country. It is also observed that during election 2024 the number rose about 580% from 2023 and BJP was the frequent user. BJP politicians used about 452 such speeches during 2024 (more than 352% over 2023. Leader wise Jogi Adityanath was the top-ranking user such speeches (86 cases) registering about 7.4%, Prime Minister Modi uttered 67 such speeches (5.7%) and Home Minister (58), Himant Biswa Sarma (36) were also in the list. The leaders used such speeches breaking the Model Code of Conduct during the election period of 2024. The religious gurus were also in the list. Data shows Mahant Raju Das used 114 such speeches (9.80%). Ram Mandir and Babri Mandir issue also added fir to the flame. The report shows 49.9% of the speeches are based on alleged conspiracy theory like Love Jihad, Land Jihad, Population Jihad, Halal Jihad, Thook Jihad etc and the number increased by 38.30% over 2023.

Examples of such speeches were also devastating. In a meeting held on 21<sup>st</sup> April in Banswara, Rajasthan, one of the star rated leader of BJP told “when they (the opposition) were in power, they said that Muslims had the first right to the properties of the state. This means they would collect these properties and give them to the ones who have more kids.... do you want to give away your hard-earned money to the intruders? These urban

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<sup>11</sup> Hate Speech Events in India, Report 2024, CSOH, Washington DC, USA, , P -7

naxals will not even spare the mothers and sisters or their mangal sutra. They will go that far?<sup>12</sup> The star-studded leader also went on saying ““If congress comes to power they would forcibly ask all the women to wear burka. Congress party will allow Muslims to kill cows and implement sharia law in the country.”<sup>13</sup> Other leaders also hurled against the Christian and commented that the churches are destroying our culture and conversion is a challenge....”<sup>14</sup> On 12<sup>th</sup> December 2023 in a sashtra i puja ceremony in Dehradun one speaker stated that “killing a non Hindu will lead to salvation.”<sup>15</sup> Such array of thoughts arise from i) deep seated religious fundamentalism ii) ignorance regarding idea of religion iii) religious fanaticism iv) tendency for inherent dictatorship and love for Nazism v) Parliamentary dictatorship vi) Conquering opponents through power, hatred and violence. Path for attaining independence of the country through partition of the country added fuel to fire. Such feelings sow a sense of hatred and violence.

### **7. Role of Judiciary in Curbing Hate Speeches**

Art 20(2) of International Convention on Civil and Political Rights (ICCPR)<sup>16</sup> stated that any advocacy of national, racial or religious hatred to discrimination, hostility or violence shall be punishable by law. During the period of election Model Code of Conduct are active. The leaders of the ruling political parties went on such speeches disregarding election norms and playing tricks with Election Commission of India (ECI). ECI appear to be a dumb spectator in spite of having plenary powers under Art 324 of the Constitution. It appears to the people at large that such democratic agencies work as an extended arm of the executives and afraid of snatching political affiliation of the erring political parties. Their role is restricted to issue of some notices which the leaders put in the nearby waste paper basket. Role of Judiciary also appears to be none too happy. The apex court either shifts the responsibility on the ECI or defer the decision as out of context. In the ruling of *Pravasi Bhilai Sangathan V Union of India*<sup>17</sup> the Court assumed the importance of ill effects of hate speeches and recommended to the Law Commission for arriving at meaning of hate speeches and referring the matter to the Parliament instead of strengthening ECI. Anti Muslim remarks of Prime Minister Modi and Union Minister Anurag Thakur in May 2024 election campaign the apex court dismissed the plea of the plaintiff and referred that we are unable to take action under Art 32 of the Constitution.<sup>18</sup>

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<sup>12</sup> Ibid, Report P 37

<sup>13</sup> Ibid P 39

<sup>14</sup> Ibid, P 33

<sup>15</sup> Ibid P 24

<sup>16</sup> A Multilateral Treaty adopted by the U N in 1966

<sup>17</sup> Bawa Anmol kaur, 2025, Explainer\| What Every Voter should Know- The Law on Hate Speech by Electoral Candidate, Live Law May 25, 2025

<sup>18</sup> Anand Utkarsh, SC junks Petitions Seeking Against PM Modi over alleged Hate Speech” Hindusthan Times, May 14, 2024



Soft padding of the apex court and ECI in handling hate speeches also impacted democracy and failed to preserve ethos of democracy in the country.

## **8. Conclusion**

Success of democracy depends on a literate and conscious electorate as well as enlightened Parliamentarians. A robotic electorate pushes the majority government to despotism and kills democracy. Dictatorship of the Parliament with a colossal majority provides the executives to behave as a dictator especially when the party is backed by religious fundamentalist and dogmatic nationalism. Both are deadly factors for the growth of democracy. It is also true that unless the executives are free from darkness, the judiciary cannot prescribe a better pill for them to cure the ills. The judiciary is also not a battleground for the settlement of disputes in all cases from interpreting laws to striking down anti-democratic legislation. But the electorate still reposes trust on the judiciary as a last resort for a better democracy with emancipated legislators.

## **Bibliography**

- Bhargava Shailini, 2019 "Hate Speech and Limits of Free Speech in India" *Economic & Political Weekly*, 54(10), Pp 43-49
- Centre for Study of Organised Hate (CSOH), 2025, *Hate Speech Events in India, Report of 2024*, Washington D.C, USA, PP 1- 115
- Dr. Deepu P. "Hate Speech : Threat to Democracy, Research Gate, [https://www.researchgate.net/publication/374782423.Hate\\_Speech\\_Threats\\_to\\_democracy](https://www.researchgate.net/publication/374782423.Hate_Speech_Threats_to_democracy)
- Kamath A.P A.S, (2024) *The Interface Between Freedom of Speech and Hate Speech in Indian Democracy : A Comparative Study of Legal Approaches and Implication for Balancing Fundamental Rights*, IJCSPUB, ISSN 2250-1770, 14(2) April 2024
- Sahu Dr. Meena Ketan (et al) 2025, *Hate Speech and Its Impact on the Democracy of India : A Critical Study*, IJFMR, 7(3) 2025
- Sathe S.P. (et al), (ed) 2021 *Liberty, Equality and Justice – Struggles for a New Social Order*, EBC, Lucknow. An Essay by Setalvad Teesta, "Hate Speech and Indian Democracy, PP 107 -120