

## Dealing with Hate Crimes

### Why in news?

The first week of the second term of the present government has been marked by more hate crimes in Jharkhand, Tripura, Rajasthan, etc.

### What is the reaction to the crimes?

- **Domestically** - There have been a number of editorials, OpEds and talk shows calling for action.
- **Internationally** - India has begun to feature prominently on a growing list of countries marked by hate crime.

### What do the studies say?

- **Amnesty International India** - Documented 721 hate crime incidents between 2015 and 2018, with 218 incidents last year alone.
- The more common hate crimes were honour killings and then cow-related violence (more frequent over the past five years).
- **Hate Crime Watch** - Says crimes based on religious identity were in single digits until 2014.
- They surged from 9 in 2013 to 92 in 2018.
- **In both studies** - Uttar Pradesh topped the list for the third year, followed by Gujarat, Rajasthan, Tamil Nadu and Bihar.
- Show that they have steadily risen over the past five years.

### What do these facts mean?

- These are striking enough to concern any government.
- The Rajasthan administration is introducing a Bill prohibiting cow vigilantism i.e. dealing with only one hate crime.
- An omnibus act against all hate crimes is required across India and should be a priority of the 17th Lok Sabha.

### What are legislations in other countries?

- France has a draft Bill to prohibit hate speech.
- Germany amended Section 46 of its Criminal Procedure Code, dealing

with sentencing in violent crime (Sentence must be based on consideration of the motives and aims of the offender).

### **What is the current situation in India?**

- We have a number of sections in the IPC that can be used to punish or even prevent hate crime.
- But they are disparate and few policemen are aware of them.
- Those that are, fear to use them in areas whose political leaders mobilise through hate speech.

### **What is the Court directive?**

- **Tehseen S. Poonawalla v. Union of India, 2018** - The Supreme Court (SC) directed Central and State governments to make it widely known that lynching and mob violence would invite serious consequence under the law.
- Then the government had formed a panel to suggest measures to tackle mob violence.
- But, the panel's recommendations are not in the public domain.

### **What does the Human Rights Watch India's report say?**

- Only some States had complied with the SC's orders,
  - a. To designate a senior police officer in every district to prevent incidents of mob violence and
  - b. To ensure that the police take prompt action,
  - c. To set up fast-track courts in such cases and
  - d. To take action against policemen or officials who failed to comply.
- Those State governments that did comply did so only partially.
- In several instances, the police obstructed investigations.

### **What are the concerns?**

- Whether it is political hate speech or police bias on the ground, there is little doubt that national bar against hate crime has been lowered.
- The commentary of hate speech and videos of lynching in TV is critical, repeated iterations normalise the hateful.
- The print media too is failing in dealing with these issues.
- Criticism of blatantly communal government actions has grown increasingly muted.

### **What are the key steps needed?**

- The issue of dealing with incitement to violence through social media. But the focus is on hate in relation to terrorism.
- **Parliament** - Could enact an omnibus act against hate crime.
- **Home Minister** - Could set benchmarks for policemen and administrators to deal with hate crime.
- **Legislature and political parties** - Could suspend or dismiss members who are implicated in hate crimes or practise hate speech.
- **Electronic and print media** - Could stop showing or publishing hateful comments and threats.
- **Priests** - Could preach the values of tolerance and respect that are common to all religions.
- **Schools** - Could revitalise courses on the directive principles of our Constitution.

**Source: The Hindu**

