

2. **Religion-based qualification** for citizenship runs counter to the principle of secularism which is a basic feature of the constitution.
3. CAA-based citizenship can put strains on consensus reached through the **1985 Assam Accord** and fuel **insurgency in Assam**.
4. The act does not cover refugees like Tamils from Sri Lanka or Rohingyas from Myanmar.
5. Even after the passage of law in 2019, as on March 2022, the **intended beneficiaries cannot avail citizenship** as the rules under the act were yet to be notified.

Reflecting India's civilizational character in protecting the persecuted, CAA 2019 is right in its intent, but is limited in scope. A **comprehensive refugee policy** is the ideal way forward. (439 words)

Q.6) Democracy thrives on disagreements; critical and dissenting voices make a society vibrant. In your opinion, do limitations on hate speech infringe right to freedom of speech and expression? Discuss how hate speech impacts the society and ways to restrain it.

Approach: Introduce the answer with explaining hate speech. In the body of the answer discuss why hate speech is not the part of freedom of speech and expression. In the next part of the body, discuss the impacts of hate speech on the society. In the last part of the body, discuss ways to restrain the hate speech. Conclude the answer by giving a suitable way forward.

Hate speech is the **expression of hatred** by means of words- spoken or written. Such expressions are **abusive or threatening** and often **prejudice** against a particular group, especially on the basis of caste, race, religion, sexual orientation, ethnicity, disability, or national origin. E.g., hate speech against the people of North-East in Bangalore.

Freedom of speech and expression under **Article 19 (1)** is a fundamental right. However, it is not absolute and the constitution prescribes **reasonable restrictions**. In my opinion, limitations on hate speech **do not infringe** the right to freedom of **speech and expression** because:

1. Hatred against a group is a direct **threat to integrity** and by extension sovereignty of the country. E.g., **hate speeches before independence** were one of the major factors for **communal violence** during partition.
2. Hate mongers can cause **disruption to social harmony** and the ensuing violence can create serious security challenges for the state.
3. Hate speech against a particular community **might harm foreign relations**. E.g., speech against Muslim community can **ruin relations with the Islamic countries**.
4. Violence as an aftereffect of hate speech has detrimental **spill-over effect on the public order**.
5. Hate speech is often **derogatory** in nature and **dehumanizes** others. Thus, it can **cause defamation** of individuals, groups or that of the entire community.
6. Hate speech is often a root cause of **socially sanctioned atrocities**. E.g., **lynching**.

Though hate speech is **not defined in any statute**, various provisions in multiple laws such as- **Representation of People's Act** (Sections 8, 123(3A), 125), IPC, **Cinematography Act, CrPC**, etc., exclude it from the purview of freedom of speech and expression.

Hate speech **impacts** society in a **profound** way as:

1. It curbs the values of **unity, fraternity** and **dignity** of the individual and goes against **Article 21** as well as the **ideals of preamble**.
2. It can lead to **polarization** of Society on sensitive issues giving way to menace like **communalism**.
3. It **incites violence** and creates unfavorable situations for security and law and order. For example: recent hate speeches in Haridwar were blamed by experts for having caused a disruption of law and order in the district.
4. It can create **political instability**, leading to disruption in the governance of the country.
5. **Psychological effect:**
 - a. Hate speeches have the potential of provoking **riots, genocides, ethnic cleansing** etc.
 - b. For others, it creates an environment of **fear and insecurity**.