



Curbing on-air bigotry

GS I: Communalism & Secularism

Bottom line: The distinction between free speech and hate speech should be at the heart of regulation

Highlights:

1. The Supreme Court's powers to the Union government appear to be an attempt to elicit a commitment to a course of action that will curb inflammatory journalism on broadcast media.
2. However, the Court's warning that if the government fails to explain its mechanism to deal with the problem, it would create one on its own may take the debate down a slippery slope.
3. The Court is keen to know what action has been taken under the Cable Television Networks (Regulation) Act against offending broadcasters.
4. One hopes that the Centre's position arises from a commitment to media freedom, and is not based on partisan leniency towards channels that peddled a certain narrative that suited its interests.
5. The Court appears unconvinced that the present mechanism of self-regulation, the National Broadcasting Standards Authority, is effective. It would be in order if the self-regulation mechanism deals with departures from normative journalism.
6. The case of Sudarshan News, which began a series that propagated hate against Muslims, is a flagrant example. The government has merely administered a 'caution' to the channel and asked it to moderate the content of future episodes and avoid breaching the Programme Code.
7. In September, while ordering the suspension of further episodes, the Court distinguished between free speech and 'hate speech'.

Background:

1. Law Commission report 267 has the recommendations to deal with Hate speech.
2. The Supreme Court had asked the Law Commission for recommendations to arm the Election Commission with laws to combat hate speech **irrespective of whenever they are made.**



3. The Law Commission recommended inserting two new provisions in the IPC, including speech that instill “fear or alarm” in the listeners, probably goading them to violence.
4. The Criminal Law (Amendment) Bill, 2017 suggested by the Commission proposes to add Section 153C (prohibiting incitement to hatred) and Section 505A (causing fear, alarm, or provocation of violence in certain cases) in the IPC and make the necessary changes in the Criminal Procedure Code.
5. The Commission defines hate speech as an “incitement to hatred primarily against a group of persons defined in terms of race, ethnicity, gender, sexual orientation, religious belief and the like”. Thus, “hate speech is any word written or spoken, signs, visible representations within the hearing or sight of a person with the intention to cause fear or alarm, or incitement to violence.

Is India facing a two-front threat?

GSIII: Security Challenges and their Management in Border Areas

Bottom line: While the India-China stand-off continues in eastern Ladakh, the Line of Control (LoC) is yet again on the boil. The prospect of a two-front war needs closer attention than ever. Diplomacy and military thinking will have to evolve more rapidly than we assumed.

Chinese Aggression

Earlier, the military and political establishment felt that we could stave off any military action from China through political and diplomatic action. That, if the conflict was imminent, it was most likely to happen with Pakistan. And because of our conventional superiority, we could handle that front quite easily. That notion has now been disabused by Chinese actions in eastern Ladakh. The threat from China has become more real than it was in the past.

A Structural Problem

This is a structural problem: two major nations with whom you don't have good relations straddling you on two sides of the border. There has always been an assumption that we may manage the Line of Actual Control (LAC- CHINA) better than the LoC (PAK) because of certain factors. We have now come to a phase where disengagement is not possible because of what the Chinese are doing. This is also because India has become more assertive and vocal in terms



of what it believes to be its own role in the region, how it defines its parameters, the debate on Article 370, Aksai Chin, etc. So, for the first time, we are seeing China reacting to something that India is doing. That back and forth means that both the LoC and the LAC will be equally volatile.

While deliberations continue on a possible proposal for disengagement and de-escalation to end the stand-off, the close proximity of deployments leaves a possibility for escalation.

Siachen collusivity

Army Chief General M.M. Naravane had termed Siachen as the closest point of 'collusivity' between China and Pakistan. And Chinese troops continue to block Indian Army patrols in the Depsang Plains. Depsang is strategically important to us not just because it gives access to Siachen, but because it's an area where we have the DS-DBO road which is a vital link to the northern areas of Ladakh and to the DBO airfield.

CPEC connection

We always knew that China and Pakistan were getting closer, but with CPEC, a new dimension has been added to that relationship. In Indian foreign policy and policymaking circles, we do see Pakistan as part of a larger China problem.

Global Connections: a restraint on China

The Chinese have been very sensitive about the Quad and Indo-Pacific. They were insistent that Indo-Pacific as a narrative should not really catch up. Now they have lost that battle, because the Indo-Pacific is widely accepted as a framework through which you look at the region and at the maritime dynamic. And Chinese behaviour itself is a major driver of the challenge.

LAC greater militarization in future:

Even if the current crisis is resolved peacefully, we are going to see greater militarization along the LAC. The old protocols and agreements that guided the conduct of soldiers on both sides have all broken down. So, greater distrust is going to now be the new normal for the next few years, at least until such time, if at all, we can put in place new protocols, new agreements, get a degree of trust again between the two militaries. Not only in Ladakh, but we will also see it all along the LAC in Sikkim and even Arunachal Pradesh.

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The Chinese moment

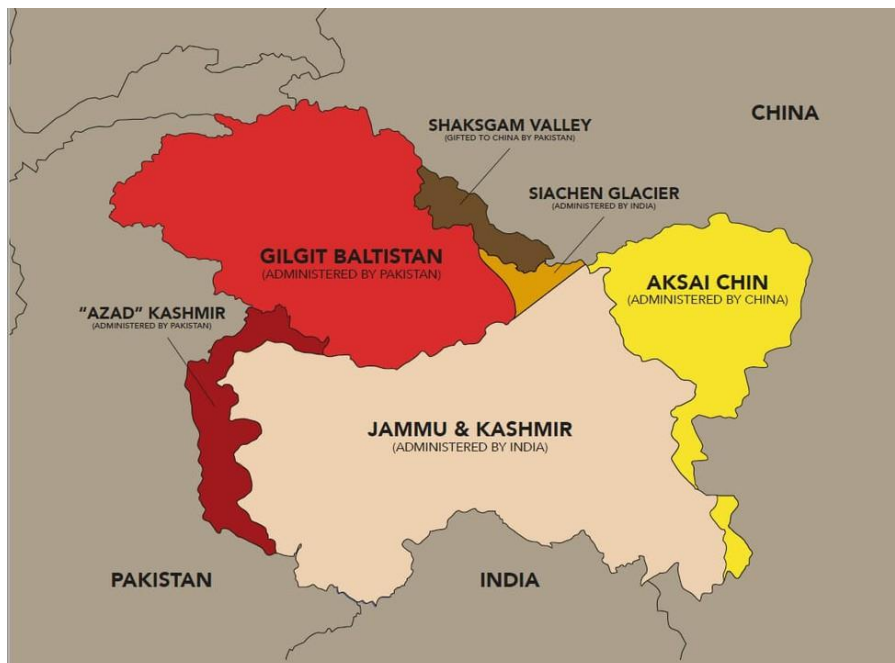
At the larger level, we were conscious that at some stage China will emerge as the greater military threat, as far as India is concerned. And that moment seems to have sort of come now. We also must be conscious of the fact that the power differential between India and China is only set to grow in the future.

The doctrinal and strategic response to Two front war

Even our strategic and doctrinal thinking of how we are going to handle a two-front threat if it comes requires very extensive debate between the political leadership and military leadership. The size of the defence budget is decreasing, which is also a challenge.

Prelims:

1. Geography of disputed territories India-China, India-Pak



Prelims 2020

Q. Siachen Glacier is situated to the

- a. East of Aksai Chin
- b. East of Leh
- c. North of Gilgit
- d. North of Nubra Valley