

USCIRF Submission – *Combatting Online Hate Speech and Disinformation Targeting Religious Communities*

Written Submission

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The socio-political context of hate speech in India

1. In India and the diaspora, widespread social prejudice against certain groups such as Muslims, Christians and Dalits – embodied by a view of these communities as underserving of citizenship, sub-human, lower than animals, enemies of Hinduism, dangers to the Indian nation, dirty, polluted by meat-eating, promiscuous and treacherous/prone to terrorism – drives both socioeconomic and socio-spatial discrimination and the spread of malicious, orchestrated misinformation, disinformation and hateful material on WhatsApp, Facebook and other social media platforms. In India, these “rumours” frequently acts as triggers and focal points of equally co-ordinated mob violence that is later characterised by members of the ruling party and by BJP and RSS-sympathetic media outlets as inter-communal rioting or spontaneous and proportionate responses to “hurt Hindu religious sentiments”.
2. The fact that socio-spatial discrimination and exclusion ensure “ghettoes” and “ghettoization of urban and rural space” makes it easier for members of upper and middle caste Hindu mobs to gather and target residential areas with concentrations of Dalit, Muslim and/or Christian homes. The troubling exclusion and discrimination against members of these communities in employment ensures that boys and men from these communities may have to travel long distances or migrate from their homes to find work, to carry out their jobs (such as transportation of goods and/or animals) or to engage in day labour far from home: such patterns leave them even more vulnerable to attack and violence when isolated and travelling; while girls and women from these communities are also routinely subjected to ever more vicious forms of public shaming, rape, gang-rape and sexual assault and/or murder, often by members of Hindu upper and middle castes.
3. Since 2015, there have been more than a hundred and twenty instances of lynching documented in India. Many of these incidents victimise individuals from discriminated groups (Dalits, Muslims, Christians, Adivasis) based on allegations of cow slaughter, cow trafficking and cattle theft. In a recent horrific incident, a Muslim man who had a sacred number tattooed on his arm had his wrist and hand severed by a group of Hindu men as he was travelling in search of work.

4. There have been further instances of extreme mob violence and lynching resulting in death, injury and trauma against individuals accused of attempted child-snatching or organ harvesting. Although the victims have been targeted for different reasons from “cow protection”, these incidents have in common *mobs of Hindu vigilantes* who use peer-to-peer messaging applications such as WhatsApp and Facebook Messenger to spread lies about the intended victims, and use discriminatory misinformation against particular communities, language groups or ethnic groups to mobilise, defend, and in some cases to document and circulate images of the mob violence as an embodiment of civic action to protect the locale or the nation. It is this pride in mob murder, and lack of attempt to hide their actions, that in particular characterises the recent spate of lynchings and social media posts about lynchings in India.
5. In March 2020, within days of the emergence of news about Covid-19 in India, existing networks of disinformation led to entrenched rumours that Muslims were ‘intentionally’ infecting Hindus through a range of behaviours. As a result, several spaces – residential settlements and hospitals for instance – illegally and unconstitutionally denied entry and service to some Muslims, resulting in further unnecessary deaths. In a parallel move, and implicitly supporting the BJP MLAs and supporters who were pushing the initial disinformation, the government of India banned 2,550 individuals from entering India for a period of ten years – all of them foreign Tablighi Jamaat followers.
6. International human rights organisations which have been reporting on and documenting the violence and oppression of Christians, Dalits and Muslims in India have increasingly come under threat and faced harassment from the Indian government. Respected international human rights organisation Amnesty International has recently had to halt their operations in India as their bank accounts have been frozen in what is seen as an aggressive move by the Indian government against human rights defenders.
7. Civic activists such as Harsh Mander and Umar Khalid, and journalists as well as private citizens who have documented and spoken out against the killings and rapes of Muslims, Christians and Dalits as well as the occasional killings of caste Hindus by mobs have been physically harassed, subjected to mob violence, and targeted both on and offline by supporters of the BJP. These events are so widespread that they are now being reported by International media and human rights groups (<https://www.hrw.org/news/2020/09/16/india-arrests-activists-politically-motivated>). Individuals and organisations attempting to bring justice for the victims and survivors of Hindutva violence have found themselves slapped with legal proceedings, their homes searched and some taken into custody on trumped up charges. There is a legitimate and growing atmosphere of fear amongst those who protest for democracy and against religion or caste-linked misogyny and/or inhuman actions towards minorities in India.

The mainstream media and social media context of anti-Muslim, anti-Christian and anti-Dalit hate posts and violence

8. Hate speech, misinformation and disinformation that circulates on social media in India are closely linked to hate speech, misinformation and disinformation that circulate via mainstream media outlets supported by the ruling party and the government and in some states by state governments or relatives of politicians in state or central government. Even though posts are tailored towards citizens of particular Indian states and language groups – for instance framed as being against “illegal migrants from Bangladesh” in Assam, or against “urban Naxals and terrorists” in Delhi, Mumbai or Karnataka – there is a continuum between the formats, types of hate speech and content of posts on mainstream and social media in multiple vernacular languages, Hindi and English.
9. Everyday forms of hate speech and incitement are “normalised” and “domesticated” when mainstream media such as Republic TV and Sudarshan News, social media platforms and cross platform apps such as ShareChat, TikTok, Twitter, Facebook, Instagram and WhatsApp allow the perpetrators of these discourses to remain online and in public view, thus contradicting their own stated policies as has been the case in India (and Sri Lanka) in the last five years. We use the word “allow” advisedly, since the platforms have multiple reports from secular and non-aligned readers and stakeholders reporting the hate speech but for corporate-profit and political reasons decide not to remove the content when it is clearly linked to the ruling BJP and their supporters.
10. Analysis of over a thousand forwarded WhatsApp messages in 2019 found patterns in the data suggesting that hateful WhatsApp messages work in tandem with ideas, tropes, messages and stereotypes which circulate more widely in the public domain, in family and community conversations and in the mainstream news media. A variant of a particular stereotype, narrative or trope containing misinformation or disinformation, or that is entirely propaganda, will often appear at the same time on social media and in mainstream news media and even in film (*transmediality*). Therefore, even when users call on some incipient media literacy to ‘go to more than one source when in doubt’, they may find verification of the false information in the mainstream media.

The political ties of those who spread hateful misinformation in India

11. The same perpetrators of hateful speech against Muslims, Christians and Dalits and other minority groups, often with either overt or concealed ties to the Indian RSS/BJP (e.g. Kapil Mishra,) repeatedly flout the regulations on incitement and get away with it because of the support extended to them by the ruling party and by mobs on social media and in the streets. This sends a strong message to other perpetrators and vigilantes that any Islamophobic, anti-Christian or Dalit-phobic content will not only be tolerated but will be protected and rewarded as a form of loyalty to the BJP and RSS cause of Hindutva. It increases the likelihood of discrimination, murder and communal violence.

12. A case in point is the Delhi pogroms of February 2020 and the WhatsApp groups organising mass murder for that. (See multiple articles in national and international media: <https://www.theguardian.com/world/2020/mar/01/india-delhi-after-hindu-mob-riot-religious-hatred-nationalists>). Media researchers and journalists with whom we are in touch for our work on social media hate tracked the spread of and connection between hateful political speeches, hateful postings online and violence across multiple Facebook accounts and WhatsApp groups run by members, supporters and paid trolls of the Hindu Far Right, many with links to the BJP or openly in the BJP.
13. *The Indian Express* reported in June (<https://indianexpress.com/article/cities/delhi/northeast-delhi-riots-whatsapp-group-6488320/>) on one of these WhatsApp groups Kattar Hindut Ekta (roughly translated as Orthodox Hindus United). This was a group, typical of the organised Hindu Far Right groups that we have seen, “where members bragged about ‘killing Muslims’ and ‘dumping their bodies in the sewer’, and offered manpower and guns when necessary; [the group] was used to mobilise and coordinate between rioters.’ The investigation also revealed “how armed men stopped passers-by, asked them their name, address, ID proof and told them to chant ‘Jai Shri Ram’.”

Attempts to combat misinformation and to instil media literacy are failing

14. Both reliable and unreliable fact-checkers have sprung up across the Indian social and mainstream media space. Some are offshoots of the already dangerously polarising and misleading Hindutva outlets such as Republic TV. Others have the more genuine aim of ridding the Indian public sphere of misinformation and apply their fact checking to misinformation originating across the political spectrum.
15. Nonpartisan fact checkers such as Factly, Boomlive and Alt News are overwhelmed by the sheer volume of irresponsible and violent misinformation as well as hate speech and libellous content being produced and circulated in multiple languages. There is little evidence that sources which are routinely shown by these fact checkers to circulate anti-Muslim or anti-Christian or politically motivated anti-Congress hate speech and misinformation are sanctioned by the police or judicial system, and even less evidence that their audiences in India and the Indian diaspora’s of the USA and UK lose faith in them or migrate to other sources.
16. There have been media literacy campaigns both by NGOs and by Facebook and WhatsApp which work on the premise that more digital skills will reduce the circulation of misinformation. This is a misplaced view and has failed to tackle the systematic dissemination of anti-Muslim and caste-based misinformation by political actors and Hindutva-identified citizens with highly technical digital literacy skills.
17. The public’s media literacy can be seen to be ideologically-driven and skills-based rather than critical and human-right’s based. Even where digital and media literacy skills exist, a highly partisan and ethnocentric approach to information sees the re-

circulation and forwarding of hateful content that has proven to be detrimental to community harmony and that has been shown to be false and hateful.

18. Most mechanisms for reporting incitement and hate speech on social media are currently technical and discourage further action on the part of disappointed users who try to report hate speech and incitement against Muslims, Dalits or Christians but fail to get an active response. To prevent this, mechanisms need to be two-fold: technical channels for reporting leading to action to block abusers; but also followed up by a clear human policy on repeat offenders and quick responses to those who report.
19. Many supposedly 'mild' hate posts containing misinformation about particular communities and their leaders currently also go under the radar, are subject to "plausible deniability", and are never taken down because the guidelines are too broad and shallow, the guidelines and algorithms don't respond to the local contexts of hate, and/ or moderators and Facebook officials have their own communal biases.
20. The waters around hate speech in India are further muddied by hundreds of thousands of false reports of "hate-speech" by paid and unpaid "troll army" supporters of the BJP *against* journalists, civil and human rights activists and commentators of integrity who are calling attention to their actions. Such *false reports* which coincide with the unequivocally anti-Muslim ideological biases of many law enforcement and justice system officials, also often attract much swifter and worse sanctions from Facebook than hateful posts. This is clear evidence of bias, which we were told of during our interviews for the WhatsApp Vigilantes project in 2018-19 and which has since been publicly revealed via the Wall Street Journal's expose on Hindutva links between the BJP and Facebook (<https://www.wsj.com/articles/facebook-executive-supported-indias-modi-disparaged-opposition-in-internal-messages-11598809348>)
21. Members of the Indian government and ruling party tacitly and openly support these hateful posts and posters, or the posters themselves are members of the ruling dispensation. There is evidence that the circulation of disinformation and misinformation smearing pro-democracy protestors taking issue with the CAA and NRC for instance, is celebrated on many WhatsApp groups and Facebook profiles as evidence of commitment to the Indian nation and the Hindutva cause. This makes a mockery of those who ask international corporations to "do the right thing" since it becomes apparent that any action to counter Islamophobic, anti-Dalit and anti-Christian content will bring these corporations into disfavour with the Indian government.

Possible solutions to anti-minority hate-speech

1. International bodies with the power to intervene politically and to censure those in power need to acknowledge and inform themselves about the links between governments, ruling parties, hateful disinformation, hate speech and anti-minority violence in South Asia.

2. There need to be meaningful social and economic incentives from international law enforcement and international governance bodies to governments which take action against anti-Muslim, anti-Christian and anti-Dalit hate speech in India (and Sri Lanka, and against anti-atheist, anti-Ahmadi, anti-Hindu and anti-Christian content in Pakistan) – rather than ignoring it as is currently the case. There need to be equally powerful sanctions against those governments, such as the Indian government, and those media organisations which tacitly and openly sanction anti-Muslim, anti-Dalit and anti-Christian disinformation, misinformation and hate speech.
3. There need to be powerful business incentives from international law enforcement and governments to platforms which take stern action against anti-Muslim, anti-Christian and anti-Dalit hate speech in India – rather than ignoring it or rewarding it, as is currently the case. This needs to be localised to incentivise against the use of hate speech in the local hate speech contexts of Sri Lanka, Bangladesh, Nepal and Pakistan.
4. Twitter, Alphabet and Facebook as corporations which together own Twitter, Facebook, Instagram, WhatsApp, You Tube and Google urgently need to join with local and international human rights organisations and local state government in India and the diaspora to ensure that all Indian and India-related Google, You Tube, WhatsApp, Instagram and Facebook employees undergo rigorous human-rights informed training on what constitutes anti-Muslim, anti-Christian and anti-Dalit inflammatory postings whether in visual or verbal format. This needs to be localised for the local hate speech contexts in Sri Lanka, Bangladesh, Nepal and Pakistan. Where possible such training needs to be extended to other social media employees on platforms such as ShareChat, Telegram and TikTok.
5. The EU and US constituted “The Global Alliance Against Child Sexual Abuse Online” to tackle a pressing and terrible problem against children. This has led to some significant gains in apprehending offenders and reducing child porn and child trafficking. Any concerned individuals in India should consider constituting a similar body on anti-Muslim, anti-Dalit and anti-Christian postings and the circulation of inflammatory hate speech and content in online social media and mainstream media environments.
6. Instagram, WhatsApp, Facebook, and Twitter moderator staff need to be employed to cross-check hateful content posted by users on other platforms (You Tube, Facebook, Instagram) who use the same phone number as those sending out lots of WhatsApp messages – these numbers need to be banned from WhatsApp (of course it’s very easy for paid trolls to get new cheap sims).

Useful further reading

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