

HOW TO WRITE AN OP INDIA ARTICLE

STEP 1: RESEARCH



THOROUGHLY RESEARCH THE TOPIC OR INCIDENT YOU ARE WRITING ABOUT

STEP 2: FACT CHECKING



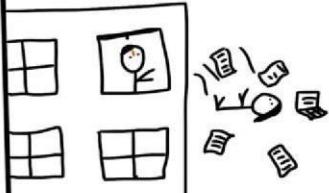
MAKE SURE YOU VERIFY THE AUTHENTICITY OF ALL THE FACTS

STEP 3: SOURCES



CITE ALL YOUR SOURCES FOR CREDIBILITY

STEP 4: THROW IT ALL OUT THE WINDOW



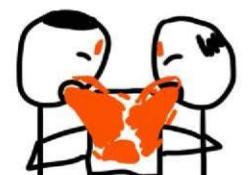
SWIFTLY EJECT THE PERSON AND THEIR WORK OUT THE NEAREST WINDOW

STEP 5: VOMIT SOME FAKE INFORMATION



THE MORE ISLAMOPHOBIC, THE BETTER

STEP 6: ADD A QUOTE FROM BJP



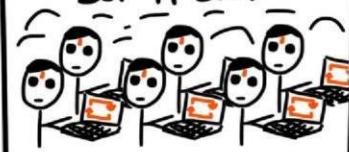
ОМННН ЧЕЕБААЧНННН

STEP 7: PUBLISH



SUCCESS!

STEP 8: FORWARD TO BJP IT CELL



YOUR WAD OF CASH IS ON ITS WAY FROM THE RSS HEADQUARTER

@sanitarypanels

An Atmosphere of Hate

Case Study: OpIndia

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Foundation The London Story are forever grateful for the hard work of our interns who painstakingly collected the data necessary for this analysis.

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An Atmosphere of Hate

Preliminary Report

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1. Introduction

The rise of hate speech in India needs to be contextualized in terms of fear, violence, time (history) and space (ghettoization of communities). Our initial findings and hunches have shown us that India is indeed at the verge of a genocide. We are constantly and actively monitoring, documenting, analyzing, and reporting the situation, and in this report, we present our preliminary investigations into the role of one particular media house in promoting a divisive polarized environment in India. The decision for investigating OpIndia in our current reporting is due to a growing number of their articles negatively reporting about Indian Muslims. We increasingly spotted OpIndia articles on social media (particularly Facebook) as means to rationalize the violence against anti-CAA protestors in Delhi. In this context, we are part of an ongoing twitter campaign which has led to several businesses blocking OpIndia from their advertiser base. The report analyzes a total of 2296 articles for their reporting on Muslims in India from 2014-2019. Our preliminary analysis shows:

- From 2014 to 2016, when the media house was still in its infancy, its political discussions were more banal and focused on geopolitical relations between India and Pakistan, questioned regressive practices such as Triple Talaq, and discussed Muslim-Hindu co-existence in India. Especially the latter mirrored the sentiment of the time after BJP came into power.
- From 2017 to 2018, OpIndia increasingly fed a narrative of ‘Hindus being in danger’, allegedly because of Islamic terrorism and Muslim ‘over-procreation’. We define this period as creating the concept of ‘Hinduphobia’.
- From 2019 onwards, there was a measurable shift in both the frequency of articles written on Indian Muslims and the terminology mobilized with these articles. We observed a period of acute polarization and othering of Indian Muslims. The period of late 2018 and early 2019 also coincided with several ultra-nationalist right-wing groups being formed on Facebook in the run-up to the general elections. These groups have regularly used content from OpIndia, Swaraj Mag and The Frustrated Indian to push for an anti-Muslim narrative while furthering a ‘Hindu Rashtra’ (Hindu nation) agenda.

¹ News Laundry (23 June 2020), “OpIndia: Hate Speech, vanishing advertisers, and an undisclosed BJP connection,” *News Laundry*, <https://www.news laundry.com/20/06/23/opindia-hate-speech-vanishing-advertisers-and-an-undisclosed-bjp-connection>

While we are still to analyze articles from the year 2020 through deep-learning process, our preliminary observation is that articles from 2020 tend to either (a) dox dissenters or (b) rationalize violence against them.

The focus of the present report is purely upon analyzing hate speech through the case of OpIndia in India. In a separate report, we talk about the alleged involvement of RSS (the BJP's ideological parent) in the creation of these media houses and their involvement with ultra-right-wing outfits.

2. Case Study: OpIndia

OpIndia is a news outlet which was started in 2014 by Rahul Raj as a blog to report critical right-of-centre news analyses. In 2016, the outlet was transferred to Kovai Media private Ltd., which also currently owns and operates centre-right online magazine Swaraj Mag. OpIndia was incorporated under Adhyaasi media in 2018. Especially in recent years, OpIndia has disseminated propaganda, fake news and hate speech against certain groups and communities on a daily basis: Through an examination of past OpIndia articles, it becomes evident that a growing list of content falls under the umbrella of fake news or propaganda (List A). Parts of this list were published earlier by NewsLaundry, an independent investigative media house in India, and confirmed by AltNews, a renowned fact-checking website in India. In our study, we analyze the nature of content published by OpIndia further. Elsewhere, it is argued that the establishment of right-wing news outlets such as OpIndia has served to discredit professional journalism.² The expression of anti-media sentiments by right-wing forces – as a constitutive element of populism – through partisan ideological platforms such as OpIndia has emerged as a significant feature of the Indian media landscape. These attacks on the mainstream media are generally articulated through a discursive repertoire aimed at undermining the claims to accuracy, neutrality, and ethics that underpin professional journalism's occupational identity and legitimacy. For example, the strategy of "highlighting mainstream media mistakes" is used by right-wing outlets such as OpIndia to engender skepticism and mistrust in the professional practices of mainstream news sources.³ OpIndia regularly engages in "interest-based" criticism that seeks to challenge the credibility of established news outlets.⁴ Similarly, by "naming and shaming journalists," as well as

² Prashanth Bhat and Kalyani Chadha (2020), Anti-media populism: Expressions of media distrust by right-wing media in India, *Journal of International and Intercultural Communication* 13(2), 166-182

³ Tine Ustad Figenschou and Karoline Andrea Ihlebæk (2019), Challenging journalistic authority. *Journalism Studies* 20(9), p. 1223

⁴ Fredrik Stiernstedt (2014), Introduktion till Mediekritiken. *Mediekritik* (pp. 7–21).

“publicizing critiques of journalism by prominent individuals,” right-wing outlets seek to challenge public perceptions of journalists as ethical and acting in the public interest, thereby affecting their ability to position themselves as actors who have the right to “create legitimate discursive knowledge for others”.⁵

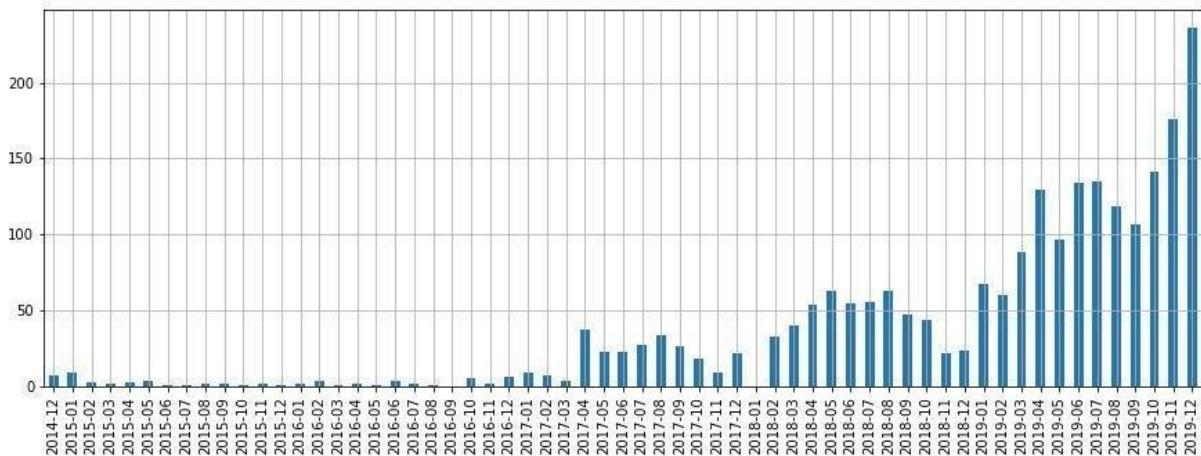
2.1 Methodology

We manually collected articles that featured the keyword ‘Muslim’. We analyzed these articles line by line using the natural language processing tool kit developed at Stanford University.⁶ We coded the lines as positive, negative or neutral depending on their sentiment. Within each sentiment, we then created a word cloud using Python’s word-cloud library.⁷ We included the 200 most frequently used words, and removed noise in terms of random consonants and non-action verbs.

We grouped and analyzed the articles into four time frames: 2014-2016 (‘incubation period’), 2017 (‘regrouping period’), 2018 (‘rise of othering period’) and 2019 (‘Hinduphobia period’).

2.2 Results and Explanation

There is an observable rise in the frequency of articles written on Muslims from 2014 to the end of 2019. While we have yet to analyze the data for 2020, our keyword search has shown that the number of articles covering Muslims rose exponentially from approximately 1800 articles by 2019, to more than 2000 articles within the first six months of 2020 alone:



⁵ Matt Carlson (2017), Journalistic authority: Legitimizing news in the digital era. *Columbia University Press*, p.182

⁶ Edward Loper and Steven Bird, NLTK: The Natural Language Toolkit, <https://arxiv.org/abs/cs/0205028>

⁷ https://github.com/amueller/word_cloud

The line-by-line sentiment analysis of OpIndia articles reveals a consistent rise in negative sentiment and in noise (neutral sentiment):

Year/Sentiment	Negative	Positive	Neutral
2014-2016	287	174	1995
2017	764	404	5792
2018	1176	752	10930
2019	4982	2630	39515

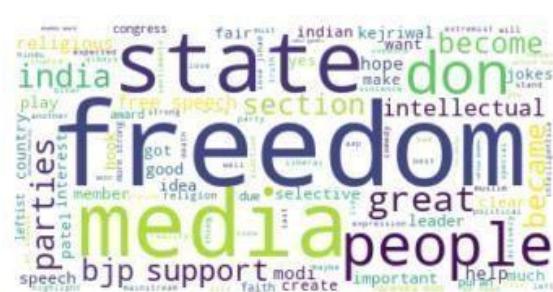
Incubation Period: 2014 -2016

The 2014-2016 period is an ‘incubation period’. OpIndia’s articles largely cover issues of state security and frame Islamic terrorism as a potential threat to India. Articles discussed, for instance, recent terrorist attacks in Mumbai and Bangladesh, and raised concerns regarding India’s geopolitical position. At the same time, they also challenged the professional media for their ‘elitist stance’, albeit in a somewhat banal manner. Keywords in this period included terms related to the BJP’s election campaign and the developmental narrative propagated by Narendra Modi.

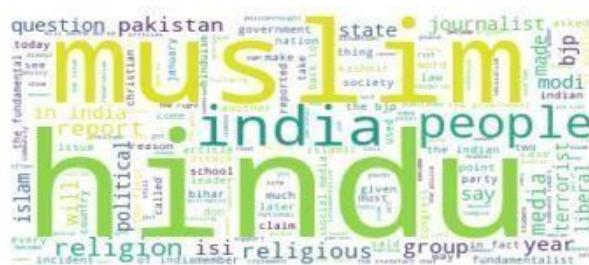
Negative



Positive



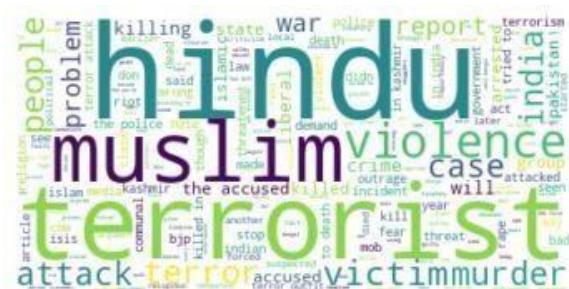
Among the content categorized as ‘neutral’, the two most prominent words are Hindu and Muslim, which stand out as an odd polarity. Intriguingly, OpIndia also covered ISI/ISIS, other religious fundamental groups, and terrorism in a neutral tone:



Hinduphobia period: 2017 and 2018

In 2017 and 2018, we observed an increasing polarity between coverage on Hindus and Muslims in OpIndia reporting. Notably, the narrative considerably shifted from banal geopolitical and critical right-wing reporting, towards questioning the ‘safety and well-being’ of Hindus. In both 2017 and 2018, OpIndia constructed a negative narrative, in which Hindus were framed as victims and Muslims as murderers, terrorists and otherwise problematic. Content with a positive sentiment showed a growing affinity to the ‘party’, which we interpret as ‘Bhartiya Janta Party’ (BJP). Importantly, in 2018 OpIndia was subject to a leadership change, as RSS affiliates assumed senior positions in the news outlets. As such, while 2017 and 2018 produced other newsworthy topics, and while much debate occurred in other news outlets on taxation policies such as the GST, the focus of OpIndia shifted to polarizing issues. Hindu and Muslim stand out as keywords in each sentiment category, indicating a sharp polarization.

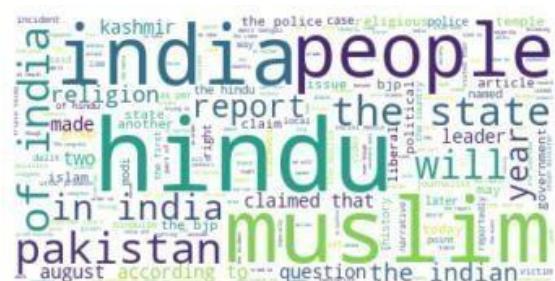
Negative (2017)



Positive (2017)



Neutral (2017)



Negative (2018)



Positive (2018)



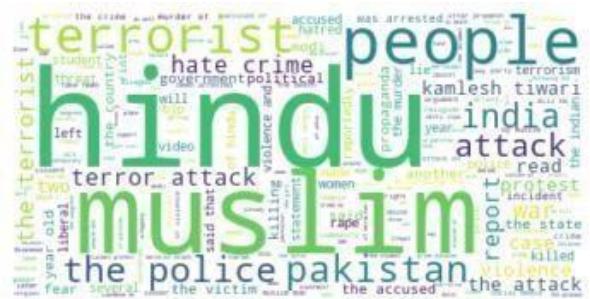
Neutral (2018)



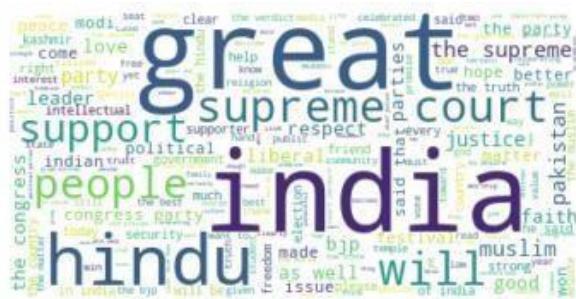
Exclusion Period: 2019

In 2019, OpIndia's website exhibited a growth in traction and monetization revenue from intermediary platforms like Google AdSense. Simultaneously, OpIndia showed a considerable surge in the amount of articles mentioning Muslims. While the preceding years produced only approximately 600 articles that referred to Muslims, the number of articles almost tripled to over 1800 articles in total by 2019. Along with an increase in frequency in general, misrepresentation, fake news, and outright propaganda by OpIndia also increased during this period, of which we appended a list in List A. The 2019 negative sentiment cloud shows a, yet again, increased polarization between Hindu and Muslims, and an increase in the invocation of 'hate crime' (religiously motivated), 'terrorism', and 'attack'. OpIndia actively promoted a narrative in which Muslims are responsible for attacks on Hindu and India, while also negatively talking about the role of law enforcement, portraying them as passive players in Muslim-led crimes. Additionally, OpIndia also asserted that Pakistan was formed as a Muslim state, wherefore it pitched the Indian Muslim community as 'outsiders' and suggested that their loyalties lie with Pakistan. At the same time, the 2019 word cloud showed a reduction in the use of the term 'Muslim' with a positive connotation, while 'India', 'great' and 'hindu' gained prominence – as such, the positive sentiment word cloud of 2019 can be summed up in three words that nearly form a slogan: 'India: Great Hindu' (Nation). Indeed, OpIndia actively produced content strengthening the narrative of 'historic greatness' of India as a Hindu Nation. Crucially, Kashmir and the unilateral abrogation of Article 370 of the Indian Constitution changing Kashmir's constitutional status were arguably the biggest event in the Indian political sphere in 2019; however, mentions of 'Kashmir' are not among OpIndia's most frequently used words in any sentiment category.

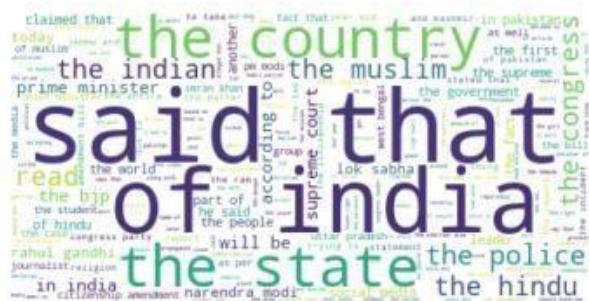
Negative (2019)



Positive (2019)



Interestingly, the neutral sentiment of 2019 word cloud carried a lot of noise, as shown in the image below. Apart from those noise words, the most common terms used in a neutral context were ‘prime minister’, ‘the Hindu’, ‘the Muslim’, ‘the congress party’.



From our analysis, it emerges that the narratives built by OpIndia over time became increasingly communal, Islamophobic and insidious in nature. OpIndia, just as several other news channels within India, identify themselves as non-partisan and centre-right aligned. While some of them like The Frustrated Indian and Swarajya Mag appear to have overlapping leadership and are affiliated with the RSS, the exact details require further investigation. Irrespective of network connection, affiliations, or alignments, OpIndia and similar propaganda websites clearly shows an upward trend in hate speech and polarization in India.

3. Laws Relating to Hate Speech in India

Discourse around fake news, propaganda and hate speech has become increasingly relevant in modern democracies. India as one of the largest democracies of the world has seen an exponential rise in hate speech, propaganda and fake news in recent years.¹¹ Recently the Indian Chief Justice in the Tablighi Jamat case has once again expressed serious concerns against hate speech and have asked coherent suggestions towards defining and countering propaganda and hate speech⁸ In the following section we identify and discuss the jurisprudence on Freedom of Speech, hate speech, fake news and propaganda in India.

Within the Indian legal sphere, there are laws which can be potentially utilized to confront hateful media activities, but are subject to several limitations. We assert that such limitations are not only based on the limited definition of the hate speech, but also on (a) power imbalances within the premise of hate speech which needs further acceptance in Indian context, (b) misappropriation of law that further jeopardizes the rights of minority communities and (c) impunity resting in the hand of those in power in regards to allegations of

⁸ In *Pravasi Bhalai Sangathan v, Union of India & Ors.*, [AIR 2014 SC 1591] Supreme Court of India observed that the issue of hate speech deserved deeper consideration by the Law Commission of India. Subsequently in 2017 the Law commission of India released its report on Hate speech in India, wherein the Law Commission did not clearly outline what should construct hate speech leaving the question open to academic discourse and deliberation (<http://lawcommissionofindia.nic.in/reports/Report267.pdf>).

hate speech.⁹ The section below gives a comprehensive overview of the primary laws and existing jurisprudence concerning hate speech in India. Notably, the *actus reus*, or criminalized act, concentrates on potential disturbances of the ‘public order’, instead of focusing on the protection of minorities or on principles against discrimination and dehumanization. This focus on ‘public order’ has been a key premise in Supreme Court rulings regarding published content. As the public order is based on the fulfillment of majority demands and expectations, this means that majority groups are less likely to be seen as disrupting public order. It must be noted here that a First Information Report (FIR) under section 295(a) of IPC was filed against the editors of OpIndia for inciting hate. However, this FIR was nullified by the lower judiciary on the grounds that the FIR may lead to mass protest from the supporters of OpIndia, reiterating the impunity of those whose ranks count many members and supporters.¹⁰

3.1 Freedom of Speech in India

Freedom of speech and expression are the hallmark of a democratic society, as they enable vibrant, multi-faceted public interest debates that give voice to different perspectives and viewpoints. The right of everyone to be heard, to speak and to participate in political, artistic, and social life are integral to the attainment and enjoyment of equality. When people are denied public participation, their issues, experiences, and concerns are rendered invisible, and they become more vulnerable to bigotry, prejudice, and marginalization. As the largest plural democracy in the world, India has enshrined freedom of speech and freedom of expression under Article 19(1)(a) of the Indian Constitution.¹¹ This guarantee includes the right to freedom of opinion and expression through *any* medium of communication,¹² and includes the right to seek information.

⁹ We speak of impunity in the wider context of violence in India in our March and June 2020 briefing, where we recorded details of hate speech, incitement to violence and propaganda that led to the Delhi Riots on March 23, 2020, where 50 persons (predominantly Muslim) lost their lives. The briefing further compiles and documents detailed testimonies of victims of violence, including minor Muslim boys who were kidnapped and abused by law enforcement agents under the pretext of pre-emptive arrests.

¹⁰ <https://www.freepressjournal.in/india/why-bihar-police-filed-an-fir-against-opindia-and-other-right-wingwebsite-against-minors-death>

¹¹ Importantly, only all *citizens* shall have the right to freedom of speech and expression.

¹² In Romesh Thappar v. State of Madras [AIR 1950 SC 124] Supreme Court declared freedom of press as a part of freedom of speech and expression. In Brij Bhushan v. State of Delhi [AIR 1950 SC 129], the validity of order imposing pre-censorship on English Weekly of Delhi was struck down by court. In Sakal Papers Ltd. v. Union of India,[AIR 1962 SC 305] and in Bennett Coleman and Co. v. Union of India,[AIR 1973 SC 106],the validity of the Newsprint Control Order, fixing the maximum number of pages, was struck down by the Supreme Court of India holding it to be violative of Article 19(1)(a). In Indian Express v. Union of India [(1985) 1 SCC 641]

3.2 Reasonable Restrictions

The Constitution of India under Article 19(2) sets grounds for reasonable restriction, and the Indian Parliament and the Supreme court of India has further interpreted the scope of such reasonable restrictions on the grounds of security of the state,¹⁷ individual privacy,¹⁸ friendly relations with foreign states,¹³ sovereignty and integrity of India,¹⁴ public order,¹⁵ decency and morality,¹⁶ defamation,¹⁷ and incitement to an offence.¹⁸ India is also party to the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, Article 4 of which promulgates that particularly member states must criminalize hate speech.

3.3 Banning speech acts under electoral laws

Section 8 of the Representation of The People Act, 1951 disqualifies a person from contesting in an election if they are convicted for indulging in acts amounting to illegitimate use of freedom of speech and expression. Sections 123(3A) and 125 of the same Act prohibit the promotion of enmity on grounds of religion, race, caste, community or language in connection with elections, and condemn it as a corrupt electoral practice. In *Abhiram Singh vs CD Commachen (dead) by lrs & ors.* [1996 SCC (1) 169], the Supreme Court held that the ascription of ‘corrupt electoral practices’ also applies to voters, therefore promulgating that the promotion of enmity on grounds of religion, race, caste, community or language is also prohibited for voters and campaigners, not just the candidate.

3.4 Speech Acts under Civil Jurisprudence

Section 7 of Protection of Civil Rights Act, 1955 penalizes incitement to and encouragement of untouchability through words, either spoken or written, or by signs or by visible representations or otherwise. Section 3(g) of the Religious Institutions (Prevention of Misuse) Act, 1988 prohibits religious institutions or their managers to allow the use of any premise for

¹³ This ground was added by the Constitution (First Amendment) Act of 1951 in light of the anti-immigrant sentiments and insidious remarks made against Pakistan which were seen as hampering friendly relationships in the region.

¹⁴ This ground was added subsequently by the Constitution (Sixteenth Amendment) Act, 1963. This is aimed to prohibit anyone from making the statements that challenge the integrity and sovereignty of India.

¹⁵ In *Om Prakash v. Emperor*, [AIR 1948 Nag, 199], the Supreme Court held that 'public order' connotes the sense of public peace, safety and tranquility. The court also held that deliberate utterances hurting the religious feelings of any class will validate reasonable restriction aimed at maintaining the public order. However, criticism of the government does not necessarily disturb public order.

¹⁶ Sections 292-294 of the Indian Penal Code provide instances of restrictions on the freedom of speech and expression on the grounds of decency and morality. They prohibit the sale or distribution or exhibition of obscene words: In *Ranjit Udeshi v. State of Maharashtra* [AIR 1965 SC 881], the Supreme Court upheld the conviction of a book seller who was prosecuted under Section 292, I.P.C. for selling and keeping the book *Lady Chatterley's Lover*.

¹⁷ Article 19(2) prevents any person from making any statement that defames the reputation of another. Defamation is a crime in India under Section 499 and 500 of the I.P.C.

¹⁸ This ground was also added by the Constitution (First Amendment) Act, 1951. The Constitution also prohibits a person from making any statement that incites people to commit an offense.

promoting or attempting to promote disharmony, feelings of enmity, hatred, ill-will between different religious, racial, language or regional groups or castes or communities.

Overall, hate speech, including acts of written speech directed towards creating communal disharmony, animosity and ill-will on grounds of gender, race, caste, class and religion, are widely prohibited under the Indian legal system. However, the standing of Supreme Court, has not been very consistent:

- In Ramesh vs Union of India [AIR 1988 SC 775], the Supreme Court held that the TV series aimed at building awareness of violence and the triumph of good over evil, and therefore does not violate s.5B of the Cinematography Act, 1952 nor S.153A of the IPC, despite the negative description of a religious group in the TV series.
- Similarly, in Baburao Patel vs State of Delhi (AIR 1980 SC 763), two articles in a monthly magazine – ‘A tale of two communalisms’ and ‘Lingering disgrace of history’ – were found not in violation of S. 153A of IPC. The writer, who was convicted in two separate cases by the High Court, was discharged by the Supreme Court.
- In State of Maharashtra & ors vs Sangharaj Damodar Rupawate & ors ((2010) 7 SCC 298), the Supreme Court used ‘ground occurrences of wide-spread protest’ to forfeit James W Laine’s book *Shivaji-Hindu King in Islamic India*. The Court argued that if any piece of work led to the creation of public disorder, even the fact that it contains historical truth does not constitute an acceptable defence.

3.5 Fake News and Propaganda

It is our opinion that several laws in India prohibit select forms of speech as an exception to freedom of speech. While those laws do not explicitly define hate speech, fake news or propaganda, Indian jurisprudence has the capacity to ban speech which may disrupt public order, promotes enmity amongst groups, is seditious, or is detrimental to India's foreign relationship. In State of UP vs Lalai Singh Yadav [AIR 1977 SC 202], the Supreme Court ordered forfeiture of every published copy of a Hindi-language book published by the state government. The Court argued the book promoted hate, enmity and ill-will against believers of the Hindu strand that follows Vaishnava Sampradaya. The Court found the publication in violation of S.153A(1)(a) and 295A of IPC, and held that India is a secular nation in which the government is deeply obligated to preserve and protect society against breaches caused by offensive publications intended to provoke or outrage groups into possible violent action. Section 298 IPC criminalizes speech and expression acts that are deliberate attempts to wound the religious feelings of any person.¹⁹ Section 505 IPC penalizes publication or circulation of any statement, rumor or report causing public mischief and enmity, hatred or ill-will between classes. The Criminal Procedure Code (CrPC), especially Sections 95, 107, and 144 empowers law enforcement agencies to take appropriate actions against any person propagating communal or group-based hate through speech or written act.

3.6 Intermediary and Tech responsibility

Since 1990, the Indian government has also attempted to combat the spread of communal hate and disharmony through fast media. Given the growth of cable TV, Sections 5 and 6 of the Cable Television Network Regulation Act were adopted to prohibit the transmission or re-transmission of a program through cable network if it contains hateful speech against a religious group, social group, or individual.²⁰ Similar restrictions were put in place for the advertising agencies as well through the of the Cable Television Network Rules, 1994. More recently, under the IT Act of India, while attempts were made to pin the responsibility of the

¹⁹ Uttering, words, etc., with deliberate intent to wound the religious feelings of any person.—Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places, any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

²⁰ Rule 6: No programme should be carried in the cable service which (a) Contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes; (b) Contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half-truths; (c) Is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote anti-national attitudes; (d) Criticizes, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country; (e) Contains visuals or words which reflect a slandering, ironical -and snobbish attitude in the portrayal of certain ethnic, linguistic and regional groups.

third part ad providers, the responsibility to provide hate-free content continues to rest with the people directly responsible for its creation. Through its section 66A, the Act tries to provide an encompassing definition of hate speech on the internet. However, in Shreya Singhal vs Union of India (AIR 2015 SC 1523) the Indian Supreme Court declared the law unconstitutional on grounds of being too vague, allowing abuse of power. While in the present case, OpIndia is the direct publisher of the content and thus can come under the purview of other criminal and civil laws pertaining to hate speech and fake news, it is worth noting that the IT Act of India in some ways absolves intermediaries such as Google AdSense, even though they are responsible for the monetization and hence success of OpIndia. However, as we highlight in the section below, several advertisers have come forward to distance themselves from OpIndia due to their brand commitment against hate speech.

4. Collective Action

In response to the lack of checks and balances presented above, collective diasporic groups like Stichting the London Story, India Solidarity Network, AntiCAA-D, Stop Funding Hate, Solidarity Belgium, Indian Alliance Paris, EuLiberal Indians, Hate speech Beda and several other friends and allies launched dedicated Twitter campaigns. In these campaigns, we politely asked advertisers to pull out of OpIndia due to their brand commitment and negative Islamophobic reporting on OpIndia. As of the time of publishing of this report, 32 companies had readjusted their advertisement in regards to OpIndia (List B).

5. Recommendations

While the right to free speech is the bedrock of modern society, this right, as has been opined by many legal scholars and philosophers, is not absolute. Words have consequences, and the repercussions and negative externalities of some speech acts may far outweigh the value of the liberty of an individual to express themselves freely. Hate speech often hides behind the guise of free speech while effectively promoting violence against and the dehumanization of groups of people.

Drawing from the existing jurisprudence on free speech and India's national and international obligations, and reaffirming the fundamental importance of freedom of expression and opinion, tolerance, and respect for the equal dignity of all human beings for a democratic and pluralistic society [Article 19 (1) (a), Constitution of India], we invite relevant parties to define hate speech as:

Abusive or threatening speech, writing behavior, or behavior that attacks or uses pejorative or discriminatory language that expresses prejudice against a particular group or persons, on the basis of race, religion, caste, nationality and sexual orientation.

For the present general policy recommendations, we further define hate speech as the *advocacy, promotion or incitement, in any form, of the denigration, hatred or vilification of a person or group of persons, as well as any harassment, insult, negative stereotyping, stigmatization or threat in respect of such a person or group of persons and the justification of all the preceding types of expression, on the ground of race, color, descent, national or ethnic origin, age, disability, language, religion or belief, gender identity or sexual orientation and other personal characteristics or status.*

We further invite relevant actors to:

- Take strict action against media houses like OpIndia on grounds of religious discrimination, othering and dehumanization.
- Accept that freedom of expression and opinion are not an unqualified right and that it must not be exercised in a manner inconsistent with the rights of others.
- Recognize that hate speech may take the form of the public denial, trivialization, justification or condonation of crimes of genocide, crimes against humanity or war crimes which have been found by courts to have occurred, and of the glorification of persons convicted for having committed such crimes.
- Recognize that states as well as big businesses increasingly have international obligations against the rise of racism, racial discrimination, casteism, gender-based

discrimination, sexism, homophobia, transphobia, xenophobia, islamophobia, and intolerance, as well as genocide, crimes against humanity or war crimes and the public denial, trivialization, justification or condonation of such crimes.

- Recognize that forms of expression that offend, shock or disturb will not on that account alone amount to hate speech and that action against the use of hate speech should serve to protect individuals and groups of persons rather than particular beliefs, ideologies or religions.
- Recognize that the use of hate speech can reflect or promote the unjustified assumption that the user is in some way superior to a person or a group of persons that is or are targeted by it.
- Recognize that the use of hate speech may be intended to incite, or reasonably expected to have the effect of inciting others to commit, acts of violence, intimidation, hostility or discrimination against those who are targeted by it and that this is an especially serious form of such speech.
- Adopt self-regulatory and voluntary codes of conduct as an effective means of preventing and condemning the use of hate speech.
- Stop supporting organizations or collective groups that continue to facilitate the use of hate speech.
- Conduct prompt and effective investigations into complaints about hate speech.

Annexures

List A: Random Sample of Problematic OpIndia Articles

Date	OpIndia piece	Type
03/03/17	Rohingya Muslims in India – from refugees to a security threat	Hate against Refugees
08/05/17	How fake news about 'RSS-linked org promising fair babies' was invented by media	False News
27/05/17	The apologia for terrorism – an industry of unending distress	Propaganda
08/07/17	Cow vs Kaaba – the missing spine of 'liberals' when it comes to Islam	Propaganda
28/02/18	Bollywood actor and serial abuser was invited as chief guest for an event by Mumbai Police?	False news
01/03/18	Renuka Chowdhary laughs in between Rahul Gandhi meeting, will Congress supporters defend her now?	False news
13/08/18	As 'Liberals' blame Arnab Goswami, eye witness claims Umar Khalid wasn't even present at alleged firing site	False news
31/08/18	Ex-President Pranab Mukherjee to inaugurate villages he had adopted in 2016 under Smartgram in Haryana	False news
14/10/18	Gurugram double shooting being perceived as a result of fanatic evangelism by a neoconvert	Misreporting
25/11/18	'Kasam Khuda ki khaate hai, mandir wahin banayenge', Muslim women pledge support for Ram Mandir	Misreporting
17/12/18	Rajasthan Police ends up declaring a true incident as 'fake news' on Twitter	False news
13/03/19	Pakistan shifted bodies, enough evidence that Indian airstrikes were successful: US based activist from Gilgit	False news
28/05/19	Gurugram 'hate crime': CCTV shows no skullcap thrown, police says no complaint about 'Jai Shriram' being forced	Misreporting
05/06/19	Aligarh: 3-year-old girl brutally murdered by Zahid over loan of Rs 10,000	Misreporting
06/06/19	Bihar: Muslims enter tribal land to offer namaz on Eid, tribals attack them fearing land grabbing attempt	Misreporting
29/06/19	Fatwa issued against Nusrat Jahan for wearing Sindoor and Mangalsutra, Deoband cleric says "A Muslim can only marry a Muslim"	False news
03/07/19	Minor Hindu boy who had gone missing from Hauz Qazi returns, says Muslim youths assaulted him after they got to know he was Hindu	Misreporting
13/08/19	Fabricated reports on Kashmir: Govt asks BBC and Al-Jazeera to produce raw footage of their reports	False news
31/08/19	Kerala: Pakistani flag waved at student union election campaign, police book 25 persons in Kozhikode	False news
29/09/19	Pakistan PM Imran Khan's wife Bushra Bibi's images don't appear in mirror, has two 'jinns' whom she feeds cooked meat: Reports	False news
28/10/19	Odisha: Man hacked to death over bursting of crackers on Diwali	Misreporting
29/10/19	Russian President Vladimir Putin may attend Jallikattu, the bull-taming festival, in Madurai next year	False news
11/12/19	Sibal attacks Ambedkar as the person who agreed to two-nation theory, gives clean chit to Congress	Misreporting
12/01/20	Watch: India Today journalist and JNUSU VP talking in a hushed, off the record conversation. Does this point to collusion?	False news
14/01/20	संक्षेप में उत्तर पर पतंगबाजी है दराबाद में बैन, पुराने सनों किया सुरक्षा कारण था का हवाला	False news
16/01/20	Viral video claims Shaheen Bagh protestors are paid Rs 500-700 to 'protest' in shifts, BJP alleges Congress support	False news
27/01/20	Nexus between Congress and Islamists in stoking anti-CAA riots? PFI spent over 120 crores, transferred huge sums to Kapil Sibal and Indira Jaising: Read details	False news
11/02/20	Shaheen Bagh protest site seen empty as AAP all set to return in Delhi	False news

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25/02/ 20	Mosque attacked during Delhi riots and Hanuman flag foisted? Rana Ayyub reports video, The Wire changed its report: Here is everything that happened	Misreporting
27/02/ 20	Delhi anti-Hindu riots ground report: Islamist mob in Delhi's Chand Bagh forcibly occupied a Shiv Mandir, hurled stones at Hindus from the roof	False news
04/03/ 20	Watch: "Supreme Court did not save secularism in Ayodhya, so now time has come to hit the streets" Harsh Mander inciting mob violence	Misreporting
06/03/ 20	Article deleted without clarification	Misreporting
20/03/ 20	Islam does not approve: Four Muslims who returned from Dubai threaten health officials in Karnataka, refuse to undergo Coronavirus test	False news
11/04/ 20	Facebook page called 'Aligarh Muslim University' promotes Rahul Gandhi, AMU distances itself from the page	False news
29/04/ 20	5,450 tonnes of free rice to 2,985 mosques, 47 temples have to pay rupees 10 crores: Tamil Nadu government order	Misreporting
06/05/ 20	Joseph Pulitzer – the story of the founder of the Pulitzer Prizes, and the Father of Yellow Journalism	Plagiarism
10/05/ 20	Hindu family leaves Gopalganj district in Bihar due to fear after their minor son was killed	False news
12/05/ 20	अब वांदलों द्वारा कैसे साधु पर कूरा रहता... इसलिए तालांबों पर मन्दिर कैसे संत तमाम के खण्डों के बूरी तरह पीटा	False news
14/05/ 20	Since Halal is legal, non-Muslims have the right to advertise that they don't hire Muslims: Here is why	Promoting discrimination
31/05/ 20	George Floyd killing: Rioter chants 'La Ilaha Illalaha' while 'protesting' in America	Communal angle to BLM
31/05/ 20	Rioters Desecrate St Patricks Cathedral	BLM
01/06/ 20	'Looting' for justice: See how US 'protestors' are busy looting stores amidst violent 'resistance' after the George Floyd killing	BLM
01/06/ 20	Communists in America burn down homeless man's only possessions. Watch video	Propoganda
02/06/ 20	Communists draw false equivalence	Communal angle to BLM
03/06/ 20	Devotees of the same faith	Propoganda
03/06/ 20	ISIS supporters rejoice at violent riots in America, claiming them to be 'divine payback for the treatment of Muslims'	Propoganda
03/06/ 20	Jamia students want to 'blow up' proctor's office, carry out Minneapolis style 'protests' over slapping of UAPA on Delhi rioters	Propoganda against Islam
03/06/ 20	Here's how liberals in USA were celebrating, justifying and inciting riots after George Floyd's death	Propoganda
04/06/ 20	GoAir fires trainee officer Asif Khan after screenshots of his Hinduphobic comment went viral on social media	False News
05/06/ 20	Tested positive for Coronavirus, report reveals fentanyl intoxication, recent meth use, cardiopulmonary arrest listed as cause of death	Propoganda
11/06/ 20	Historian Ram Guha gets history wrong while drawing up comparison between Gujarat and Bengal	Misreporting
16/06/ 20	43 Chinese soldiers killed in the stand-off at Ladakh, 20 Indian soldiers attained martyrdom, govt sources indicate	False News

List B: List of Advertisers pulling out of OpIndia

S.n o.	Companies	Tweets	Source Tag	Archive Link
1	Zalando	https://twitter.com/Zalando_Press/status/1267798896232841217?s=20	https://twitter.com/NLiberalindians/status/1266307905445408773?s=20	http://archive.is/caBEv
2	Tylko Furniture	https://twitter.com/tylko_furniture/status/1267412311779803137?s=20	https://twitter.com/moranicly/status/1266483824575291393?s=20	http://archive.is/HLa3F

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3	Hans Anders	https://twitter.com/hansanders/status/126674971763408901?s=20	https://twitter.com/SolidarityBelg/status/1266342240353427456?s=20	http://archive.is/OslZO
4	GumGum	https://twitter.com/MeesamHyder/status/1267053907097739265?s=20	email	http://archive.is/tJBzz
5	MUBI India	https://twitter.com/mubiindia/status/1266320788489199617?s=20	https://twitter.com/quantumsapien/status/1266301826170621952?s=20	http://archive.is/4Qc6y
6	Said Business School	https://twitter.com/OxfordSBS/status/1266365133099429893?s=20	https://twitter.com/StopFundingHate/status/1266300167910592513?s=20	http://archive.is/wyRxi

7	Rubicon	https://twitter.com/nandoodles/status/1266060703535947776?s=20	email	http://archive.is/d3UV4
8	LiveWorx	https://twitter.com/LiveWorx/status/126571751075610632?s=20	https://twitter.com/MeesamHyder/status/1265762963085905921?s=20	http://archive.is/sPqmv
9	La Trobe University	https://twitter.com/latrobe/status/1268353778610135041?s=20	https://twitter.com/StopFundingHate/status/1268300493542940672?s=20	http://archive.is/sXT98
10	World Remit	https://twitter.com/WorldRemit/status/1268566974600282112?s=20	https://twitter.com/AnticaaD/status/1265897806117699585?s=20	http://archive.is/zdSei
11	IPSoft	https://twitter.com/IPsoft/status/1268550399134400517?s=20	https://twitter.com/SolidarityBelg/status/1268472912274690051?s=20	http://archive.is/A0tbk
12	Auckland University	https://twitter.com/AUTuni/status/1268715722919665665?s=20	https://twitter.com/StopFundingHate/status/1268675815652253697?s=20	http://archive.is/qg7Z2
13	Aqua Security	https://twitter.com/AquaSecTeam/status/126881267120111617?s=20	https://twitter.com/AnalyticsKumar/status/1268571543363354624?s=20	http://archive.is/im2Mt
14	Berlin Packaging	https://twitter.com/BerlinPackaging/status/1268887869621444608?s=20	https://twitter.com/mirdotcom/status/1268607702193889288?s=20	http://archive.is/nAIPW
15	Arturia	https://twitter.com/ArturiaOfficial/status/1268939645204738049?s=20	https://twitter.com/JagdishPranav/status/1266664861666246656?s=20	http://archive.is/040sF
16	Octopus Energy	https://twitter.com/octopus_energy/status/1269671942757507072?s=20	https://twitter.com/StopFundingHate/status/1269667731634339842?s=20	http://archive.is/qpBNF
17	SEMrush	https://twitter.com/semrush/status/1269602729162420225?s=20	https://twitter.com/SolidarityBelg/status/1269584907845668866?s=20	http://archive.is/UdAfN
18	Square Space	https://twitter.com/SquarespaceHelp/status/1268996269042622465?s=19	https://twitter.com/StopFundingHate/status/1268680986801442825?s=19	http://archive.is/74Uta
19	Car Max	https://twitter.com/CarMax/status/1270008660312416256?s=20	src tweet deleted - acc - @vr_sundar	http://archive.is/gqcyl
20	Sonic	https://twitter.com/sonic/status/12689491842589702?s=20	https://twitter.com/vr_sundar/status/1268743858772271104?s=20	http://archive.is/tYNHJ
21	taboola	https://twitter.com/StopFundingHate/status/1267011332521549825?s=20	SFH Tweet	http://archive.is/YFbTP

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22	Unacademy	tweet deleted after backlash	https://web.archive.org/web/200605070052/https://twitter.com/unacademy/status/1268799417999667201	https://web.archive.org/web/200605070859/https://twitter.com/unacademy/status/1268799417999667201
23	Team Viewer	https://twitter.com/TeamViewer_help/status/1270509950989676545?s=20	https://twitter.com/AijazAl00771995/status/1270125433661657088?s=20	http://archive.is/xvKhA
24	PMP® Exam Tips	https://twitter.com/mirdotcom/status/1270876284466475010?s=20	email	http://archive.is/l2s9X
25	Air Purifiers America	https://twitter.com/mirdotcom/status/1270840431392235520?s=20	email	http://archive.is/m48aE
26	Digital Ocean	https://twitter.com/digitalocean/status/1272933295651721218?s=20	https://twitter.com/NLiberalindians/status/1272821571275698176?s=20	http://archive.is/i66IW
27	Monster Finland	https://twitter.com/Monster_Finland/status/1272791744732692481?s=20	https://twitter.com/NoCAA_Finland/status/1272641657280835585?s=20	http://archive.is/Z8ie2
28	Verkkokauppa.com	https://twitter.com/Verkkokauppacom/status/1272752901165854726?s=20	https://twitter.com/NoCAA_Finland/status/1272548947874271241?s=20	http://archive.is/Vmb3y
29	wrike	https://twitter.com/wrike/status/1273379590291873792?s=19	https://twitter.com/syedfraz/status/1273327330447036417?s=20	http://archive.is/OYslj
30	IXL Learning	https://twitter.com/IXLLearning/status/127337511902838784?s=19		
31	VW Middle East	https://twitter.com/VWMiddleEast/status/1274976213736579072?s=19	https://twitter.com/syedfraz/status/1273734430646034434?s=19	
32	PeerJ Life and Environmental Journal	https://twitter.com/thePeerJ/status/1275361762804674567?s=19	https://twitter.com/CarbonSkeletons/status/1275338143038758912?s=19	http://archive.is/uHW8u