

PAKISTAN STATE’S STRATEGY TO CURB & COUNTER HATE SPEECH: AN APPRAISAL, ANALYSIS AND WAY FORWARD

Capt. Muhammad Zafar Iqbal (R) (Pakistan Administrative Service)

Introduction

“Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.” – Martin Luther King, Jr. So, Words have power, be careful how we use them”¹.

Over the past few decades, clergy has played an important but at places quasi-negative role in influencing the behavior pattern of a large group of people. Their influences have at places induced extremism into certain segments of the society. In addition, a self-styled bigoted religious outburst has polluted the minds of the half-educated people. Their emotional oration and sentimental style of delivery tends to affect the minds of many. Whereas, their sermons may be having an emblem of logics but their hate filled vocabulary adequately supported by bigoted religious thoughts tends to pollute the minds of simple people who trust their stature within the religious norms.

Hate speech is not just an action, it’s a cultural phenomenon deeply rooted in social prejudices that flourishes through individuals and groups, who share their expressions without logically reflecting on them. In Pakistan, hate speech has become a means of leveling personal disputes by insinuating misconceptions mostly through sermons, literature, publications, and electronic, print and social media.

Hate speakers push societies and states towards devastation. The last century is stained with several marks of genocides – Holocaust, for instance – a process hastened by hate speeches. The menace of global terrorism is often attributed to hate speech and radicalization, among other factors. According to several studies on post 9/11 terrorism, hate speech mostly produces hate crime, which is often precursor to terrorism.

There is a reason why it is so, especially in the context of Pakistan. Terrorism is graduated upon the hate crimes of right-wing forces, indicating a build-up of anti-minority sentiments. It is thus absolutely urgent for a country like Pakistan to

constrict the flow of terrorist ideologies. This can be achieved by breaking the fountainhead – the hate speech/extremist material. The fifth point of NAP rightly calls for countering hate speech and extremism material.

Statement of the Problem

The right of freedom of speech is enshrined in article 19 of “The Constitution of Pakistan 1973” and reaffirmed in various decisions of the superior courts. But unfortunately, misconstruing this freedom, a wide spread phenomenon of hate speech in almost all strata of the society has emerged as an acute menace. Surprisingly, various laws like PPC, Maintenance of Public Order 1960, Anti-Terrorism Act 1997, The Protection of Pakistan Act 2014 and Pakistan Electronic Media Regulatory Authority Ordinance 2002 are in place to curb this tendency, yet no visible amelioration is in sight. This state of affairs has given rise to multitude of social, political, religious and economic problems for all walks of life in Pakistan. The purpose of this study is to find out as to whether the existing legal and institutional framework is sufficient to curb the increasing tendency of hate speech and to what extent do the enforcement authorities have been successful in implementing these laws for the greater good of society and the state.

Scope of the Study

The scope of this study is to examine the need for a comprehensive narrative on curbing hate speech. The growing trend of hate speech along with its different dimensions is leading to increasing phenomenon of extremism in our society; it has brought forth the need for a joint coordinated response by all legislative and law enforcement agencies. We will also carry out analysis of the issues and will identify the fault lines which are impediment in curbing the menace of hate speech. As the provincial progress of the hate speech crimes is compiled by NACTA at federal level, therefore, this analysis will be carried out at two levels, at federal level (provincial achievements) in general and Punjab in particular. The province of Punjab has been selected for the case study as it has demonstrated much better performance as far as the enforcement of laws regarding hate speech is concerned. This two-fold analysis will help in understanding the state's strategy in a better way and finding fault lines in the implementation mechanism. In the backdrop of the critical analysis, the paper shall put forth recommendations for the rectification of

the core issues afflicting the resolve of putting up a collective effort in fighting hate speech and extremism in Pakistan.

Literature Review

In order to understand the dynamics of hate speech and extremism, and efforts aimed at addressing this malaise, literature that was used in this study comprised of books, academic journals and research papers. A Publication by “Association of Women for Awareness and Motivation centre for Social Justice” on the topic “Analysis of Laws and Policy Dealing with Hate Speech; Combating Hate Speech beyond Administrative Measure” has incisively highlighted fault lines in existing state strategy stating that “the incomplete devolution of power and an institutional overlap to provinces poses a danger in performance. Marvi Sarmad criticizes on legal provisions in her book “Hate Speech & Restricted Speech: Striking a Balance” stating that “From the human rights perspective, it is not always advisable to have watertight provisions of law in the name of hate speech, which the state may invoke to limit citizens’ right to free expression”. There is a dire need to implement recommendations suggested in a Book: “Reconstruction of the national narrative & counter violent extremism model for Pakistan” are totally agreed. It states “Efforts are required for restructuring a non-discriminatory religious thought. Proper public education and guidance are required on sensitive religious issues, so that terrorists justifying their activities by invoking wrong interpretations lose appeal among people”,

Research Methodology

The research is based upon information collected mainly through primary and secondary sources. Various research methods including, descriptive, logical and analytical have been used. The Government publications and data, research work by experts, interviews with experts and newspapers and magazine articles and reports published by multilateral agencies have been consulted in the preparation of the paper. It has helped in understanding the issue of hate speech and the revitalization and creation of strategy in Pakistan so as to aggressively and effectively combat this menace.

Organization of the Paper

The Individual Research Paper titled “Pakistan State’s Strategy to Curb & Counter Hate Speech: An Appraisal, Analysis and way Forward”, comprises of three

*PAKISTAN STATE'S STRATEGY TO CURB & COUNTER HATE SPEECH: AN
APPRAISAL, ANALYSIS AND WAY FORWARD*

sections. The first section deals with Hate Speech as a phenomenon, dimensions of this phenomenon, factors responsible and its impacts on society. The second section deals with the study of existing legal framework, and agencies working against hate speech in Pakistan. The third section deals with critical analysis of state's strategy to curb hate speech. Finally, the study draws certain conclusion and puts forth a number of recommendations followed by bibliography.

Section 1

Understanding Hate Speech and its Impact

Definition of Hate Speech

According to "Raphael Cohen-Almagor" Hate speech is defined as "a bias, motivated, hostile, abusive, threatening, malicious speech or writing aimed at a group and a person because of some other actual or perceived innate characteristics"². Hate speech is more or less defined as any speech that attacks a person or group on the basis of attributes such as gender, ethnic, origin, religion, race, disability, sexual orientation etc³.

Any form of communication that denigrates or belittles a person or a group based upon characteristics such as race, ethnicity, disability, class, religion, gender identity and income etc. falls in the category of hate speech⁴. It can further be widened to include not only speech but conduct, gesture, writing and other display of communication that may trigger violence or is detrimental to the freedom, interest, life and property of an individual, group or society as a whole. The International Covenant on Civil and Political Rights defines hate speech as "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence"⁵.

Different dimensions of Hate Speech

There are multifaceted dimensions of hate speech and it is presented in many forms. Its exhibition may be in the form of words, gestures, passing comments, wall chalking, banners, billboards etc. Similarly, Hate Speech covers a wider scope, ranging from a nation to religion, culture, ideology, state and narrowing down from an organization to political party, leader, community, sect, gender and person.

Causes of Hate Speech and its Genesis

Nothing is born without genesis; in the same way simmering hate speech trends in our society has multifold causes. Pakistan was demanded and established in the name of ideology “Two-Nation Theory”. The Pakistan movement was all about the fear and hatred of Hindus in the hearts of Muslims, leading towards creation of Pakistan as a separate state. This might be the root cause of intolerance for other religious minorities in Pakistan society, giving birth to unending hatred and hyper-religiosity in our nation. Rigid religious minds have hatred for all religions and exhibit their hate in the form of speech, wall chalking, fatwas, forced conversion of religions, and mental & physical torture. Misinterpretation of Islamic teachings and distance from Islamic injunctions inculcate hate in Muslims for Non-Muslims. Thus, hatred doesn’t confine to Non-Muslims only but also within different sects of Muslims. The major sects having hatred for one another are Shia, Sunni, Barelvi, Deobandi, Qadiani, Ismaili etc. Sunni considers Shia Infidel and vice versa⁶. For instance, Shiites are considered worse than Jews and Mongols, which gives a clear insight of the religious intolerance⁷.

The other major cause of hate in our society is ethnicity. The sense of superiority over any other segments of society based on cast, color, creed or language, injects ethnicity resulting into fragmentation of society into many groups. These groups assume themselves more respectable than others and developing hatred for rest of ethnic based strata.

The deep-rooted hatred seed has turned into a poisonous tree due to deterioration and absence of precious social values in our society. The pearls of tolerance, forbearance, sense of co-existence, mutual harmony and compatibility have gone disappeared from the string of strong society of Pakistan. The waning of these social values has resulted into phenomenon of hatred in our society. This is evident from numerous examples of cyber bullying and in real life too. People have no respect for the opposite opinion, killing others merely on the difference of opinion only.

Freedom of Speech versus Hate Speech

The Constitution of Pakistan guarantees freedom of speech; however, it is not an absolute or unlimited right but has been subjected to reasonable restrictions imposed by law. It provides a number of speeches as exceptions to the freedom in

*PAKISTAN STATE'S STRATEGY TO CURB & COUNTER HATE SPEECH: AN
APPRAISAL, ANALYSIS AND WAY FORWARD*

the ensuing words:

“Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defense of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, commission of or incitement to an offence”⁸.

Freedom of speech v hate speech has always been a controversial discourse all over the world. No legislature, court or a society has come up with a sustainable common standard. A number of scholars agree that “freedom of speech and protection from the harm of hate speech are two core values that are frequently in opposition”⁹.

There are two schools of thought; Absolutists and Restrictionists, both advanced a number of arguments for or against freedom of speech¹⁰. The proponents of absolute free speech argue that the society is a best judge to assess its value. A ruthless scrutiny will perish irrational ideas. Moreover, hate speech is a mean to find the end of truth; truth is hard to emerge in absence of such speech with no other alternative. Secondly, it assures peaceful expression of difference and hostilities, which is foundation of modern democracies. Moreover, its protection eliminates chances of resort to violence. Thirdly, disregarding the consequences, it is contended that restrictions are opposed to free speech as it is not only an end to achieve truth but it is an itself virtue of a liberal society as a rule¹¹. Lastly, the absolutists articulate that it provides an opportunity of a peaceful exchange of ideas; it is not a right only but a duty in a democratic society. It also provides an opportunity to know about other fellow humans. The answer is not its banning, but vigilance and more speech in face of hate speech¹².

Contrary to the absolutists, the scholars who favor restrictions on free speech or ban on it forward an argument that democracies are vulnerable to danger of hate speech like emergence of Nazi Germany which was an outcome of “too much freedom”¹³. The second ground cited in favor of ban relates to the dignity of the minority groups. The restrictions provide confidence to the members of a minority group who are historically suppressed. The perception of equality enables them to

live their lives in calm, grow their businesses and raise their families in peace¹⁴.

Extremism and Hate Speech

Hate and extremism are directly related to each other. The outcome of hate speech is Extremism. Hateful mind induces many extreme actions which are always in form of battery and assault. In recent era, it is seen that newspapers are filled with such examples of extremism based on hate crime. This hate-based extremism phenomenon has engulfed almost every segment of society. Current history of Pakistan is brimful of soul-stirring incidents of extremism. The hateful behavior of one segment of society for others has been displaying in an uglier and inhuman way by taking law in their hands; may it be hatred against any sect, minority, social practice or government policies. This extreme behavioral pattern speaks volume about hate in populace of our society. Recently, extremism in Pakistan is bolder and fiercer than ever, its tentacles spread from Waziristan to Parachinar to Swat to Buner and even Islamabad and Karachi are not safe anymore. It has already left a deep impact on the civil society as well as democratic, social and economic development of the country.

Role of Madaris

The term Madrasa is used to refer to a range of schools, starting from primary schools to Islamic universities. Policy discussions on Madrassa reforms are however, most often focused on Islamic schools at primary and secondary level. Madrassahs in Pakistan are identified with their doctrinal orientation whether Deobandi, Barelvi, Ahl-e- Hadith or Shia, and even on political ideology, establishing their own federation (Wafaq), and sometimes associating with the mainstream religious political parties. Wafaq, representing the affiliated madrassas, prescribes the curriculum, conducts examinations and issues diplomas.

The curriculum of madaris in Pakistan is broadly divided into two categories, the 'transmitted sciences' (*uloom-e-naqlia*) and the 'rational sciences' (*uloom-e-aqlia*). The former includes Qur'anic sciences, *Hadith* sciences, jurisprudence (*fiqh*), while the later include logic, philosophy, ethics, Arabic literature, grammar, rhetoric, astronomy, mathematics, etc. The expertise in 'rational sciences' is also deemed necessary to gain proficiency in disciplines like rhetoric and disputation which are normally taught at madaris. As a matter of fact, 'rationalism' or 'ancient sciences' (Greek logic and philosophy) is used as a tool to counter the arguments

of Rationalists. The religious text taught in madaris is medieval and has produced highly dogmatised and indoctrinated graduates, who tend to form a world view that sees society through the lens of sectarian faith. The 'other' is then a non-believer, even if he professes the same religion but belongs to different sect¹⁵. Madaris need to be prepared to give an independent opinion over issues and problems in areas of modern life in the light of Qur'an and *Hadith*, the two basic sources of jurisprudence. This is what is termed as *ijtihad*. Nayar has aptly described madrasa education as 'frozen in time'¹⁶.

In addition, the influence of moallams or teachers in these Madaris, in promoting or strengthening the feelings of discrimination, deprivation, rejection and hatred amongst the students is an unfortunate but undeniable truth. Since moallams or religious teachers often belong to the lower echelons of the society and brought up in less conducive or favorable environment, they carry with them revulsion and contempt of the past. Madaris are mostly funded by foreign states like Saudi Arabia and Iran, therefore, these states influence madaris to advance teachings of their respective sectarian belief. These radical and antagonistic teachings inculcate hatred for other sects, thus, madaris become hatchery of hatred.

Politics and Hate Speech

Political agendas cannot be ignored while talking about the causes of hate speech. Hate speech and politics are strongly intertwined. Hate speech is very common in political parties particularly in general election campaigns. One political leader is seen bullying and alleging other political leader for own political agendas. It has become a trend and routine matter to see politicians from different parties abusing and yelling on each other in TV talk shows.

Hate speech during election period is more harmful, due to an enabling situation, when enmity ordinarily touches its height. Religion, race, caste and color issues are artificially raised to score better at a poll. A Code of Conduct at each election is issued in consultation with political parties and their candidates which help a lot to control and contain it. However, confusion about the definition of a candidate makes it impossible to apply the provisions of hate speech.

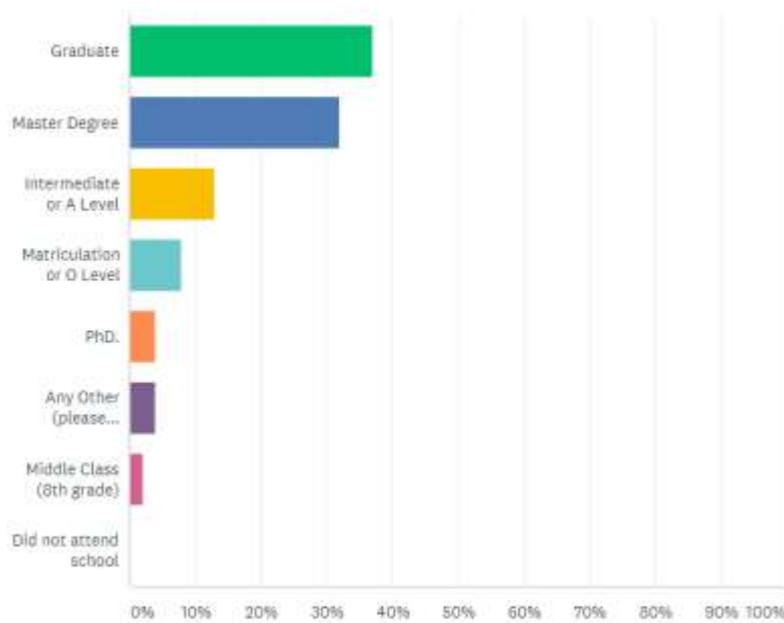
Hate Speech and Social Media

Social media has enormous place in our life today. It is a cheap, convenient and

readily available platform which can easily be used to display hate speech. This same potential of social media provides medium, where people can express their ideas and give their opinion freely. However, the most negative aspect of this discourse is hitting an individual, group or society by their hate filled offensive words, which is now a grave concern in many of the countries including Pakistan¹⁷. Social media has turned into the greatest frenzy of contemporary world which impacts the life and thoughts of the people in a phenomenal way. The statistics reflect that Facebook is the most commonly used medium, there are approximately 2.37 Billion Monthly Active Users of Facebook globally¹⁸. Internet usage follows the same trend in Pakistan as out of 45 Million internet users, Facebook usage stands at 88%, twitter 4.4% and You Tube at 2.1%¹⁹. This large number of internet users suggests that it is the most convenient and widely used platform which if misused, sows the seeds of hatred at micro (individual), meso (group) and macro (societal) level.

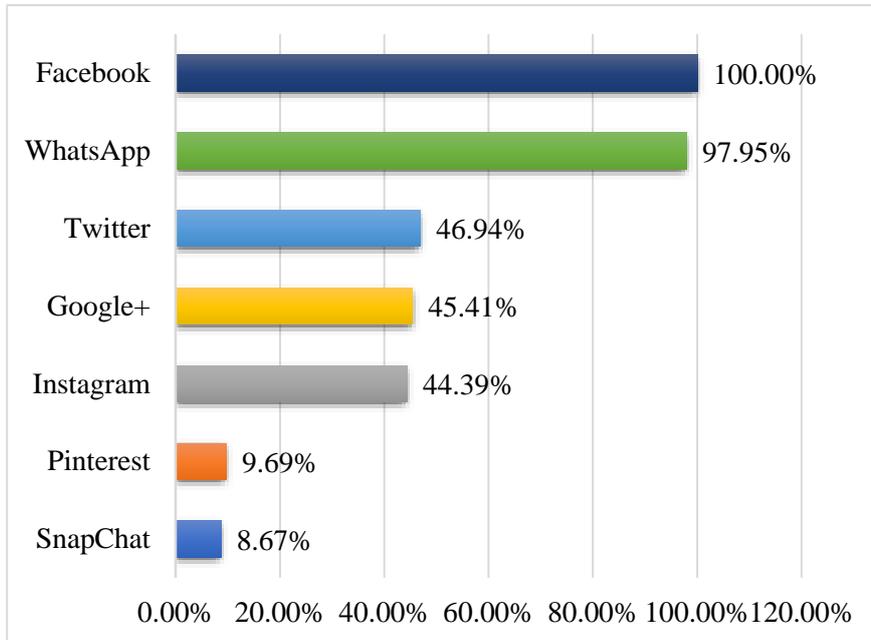
To examine hate culture phenomenon on social media, a survey was conducted with a sample size of 200 internet users having diverse educational background and of different ages. The survey used for this paper contained four questions, the results are enumerated as under: -

Q 1: What is the highest level of education you have completed?

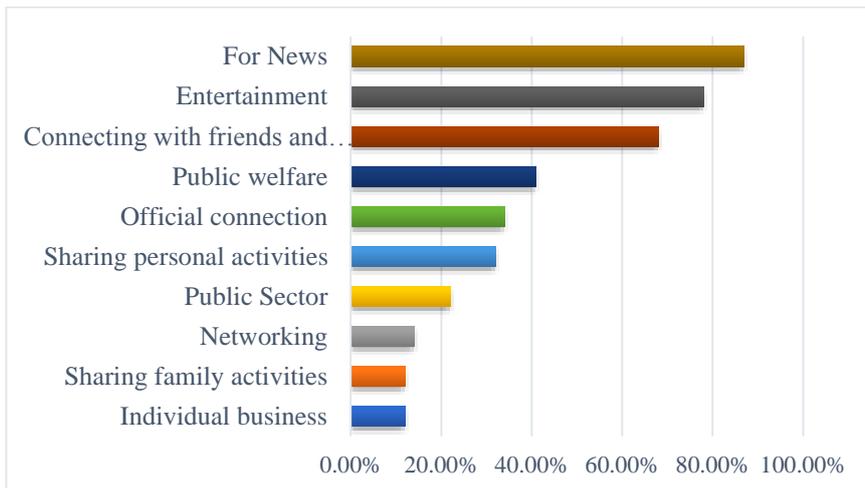


PAKISTAN STATE'S STRATEGY TO CURB & COUNTER HATE SPEECH: AN APPRAISAL, ANALYSIS AND WAY FORWARD

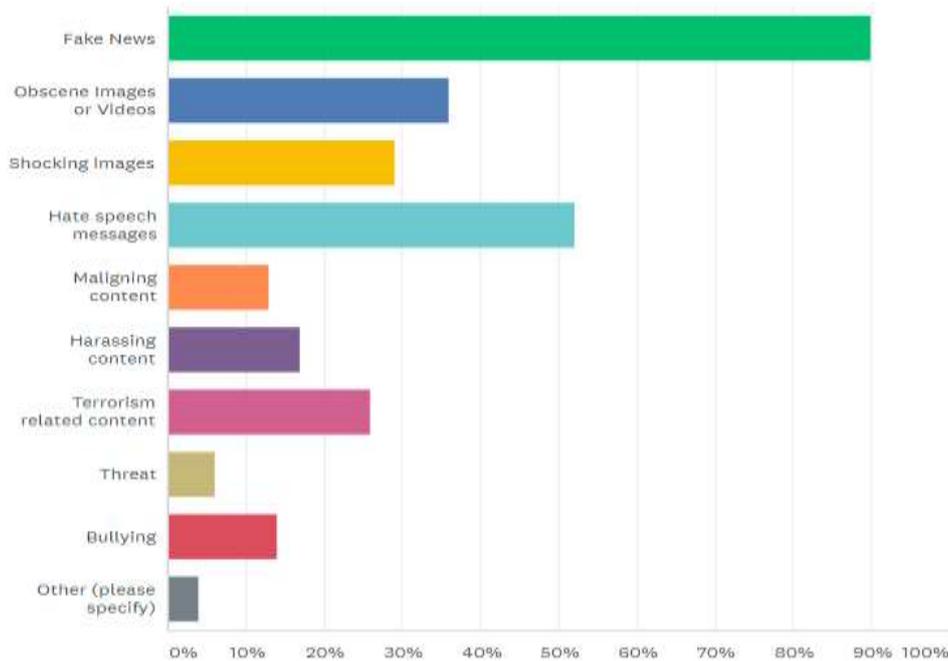
Q 2: During the last six months, which of the following social networks have you used? (Please select all that apply)



Q 3: For what purposes do you use social media? (Select all that apply)



Q 4: What kind of objectionable content you have seen on social media during the last six months? (You can select more than one option which applies).



The result of the survey illustrates that after fake news (90%), hate speech messages and bullying (68%) are the most commonly found substance on social media, which indicates that this medium is impacting the lives, behavior, mindset and social fiber of the society negatively. The gravity of situation increases in Pakistan as 42% of the population is illiterate and 30% of the people are living below poverty line which makes it easy to fall prey to the bigoted ideas of the perpetrators²⁰. Unemployed youth is the most vulnerable segment of the society to be affected by such radical thoughts and extremist propagations.

Impacts of Hate Speech on Society

Every element has its own shadow, the first and foremost impact of hate speech is division of society into many fragments. Hate speech can be used to play one fraction of society against the other, which in the long term make them fight each

other and either party blames the other side over what is wrong. The effect is that sanity leaves the place and the real issues are not recognized. In this situation, anyone with an agenda can influence both parties towards their goals.

The menace of terrorism is often attributed to hate speech and radicalization, among other factors. Hate speech mostly produces hate crime which is a precursor to terrorism. Hate speech casts its impacts at three levels. First level is hate-related crimes. These crimes include derogatory remarks, abusive language and sometime hate is expressed in the form of battery as well. Second level impact of hate speech is radicalization and extremism. In this level, hate monger minds tend toward incitement, hostility and intolerance and try to impose their ideas and beliefs on the people they hate. Third level is dangerous and ultimate impact of hate which includes a group or society causing violence and terrorism. The history behind terrorism in Pakistan, inter alia, can be associated to the unchecked publication and expression of hate and extremist ideas. These ideas gave birth to religious extremism in 1980s. The trend of uncontrolled expression of ideas, including publication of thoughts and sentiments which clearly reflected and promoted sectarianism, intolerance, religious extremism, and hatred for other groups continued well into the 21st century.

Hate speech also causes psychological harm, just as hate-motivated violence causes physical harm. Verbal abuse can render workplace, educational or other environments unbearable. Further, it has serious ramifications on the mental health of victim, which may result in dire consequences of self-harm, losing their confidence and affecting their pride and dignity.²¹

It also poses challenges to peace, security and stability of the society and gives rise to societal stratification, restlessness and anarchy, leading toward decline and poor human development. In nutshell, hate speech promotes division and mutual hostility, that is inefficient and dangerous within the end of the day, resulting in murder, riots, and ultimately violent extremism²².

Section 2

Existing Legal Framework to Curb Hate Speech and its Effectiveness

Existing Legal Framework

Constitutional Provisions

Article Nineteen of Constitution of Pakistan 1973 deals with the liberty of speech and within the same article it prohibits from hate speech. It states that each subject shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any affordable restrictions obligatory by law within the interest of the glory of Islam or the integrity, security or defense of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in regard to contempt of court, commission of or incitement to an offence. It is evident from this text that the constitution provides freedom of speech however doesn't permit expressing opinion which may cause any threat or danger to the holiness of Islam, internal security, public order and social peace.

Criminal Laws and Hate Speech

Pakistan Penal Code (PPC) quite rigorously covers those offences that may be distinguished as "Hate Speech". Section 153-A (a), criminalizes anyone who "by words, either spoken or written, or by signs, or by visible illustrations or otherwise, promotes or incites or tries to promote and incite dissonance, enmity, hatred or ill-will between different religious, racial, language, castes or communities."²³

Similarly, Section 153-A (b), punishes anyone "commits, or incites the other person to commit, any act that is prejudices to the upkeep of harmony between completely different non secular, racial, language or regional teams or castes or communities or any cluster of persons acknowledgeable per se on any ground whatever and that disturbs or is probably going to disturb public tranquility."²⁴

Further Section 295 of criminal code states that, injuring or defiling place of worship, with intent to insult the faith of any category may be a punishable offence giving penalization for 2 years imprisonment or fine or each.

Section 295 A, additionally deals with same offence of deliberate and malicious acts supposed to outrage non secular feelings of any category by insulting its faith or non-secular beliefs provides most penalization for 10 years of imprisonment or fine or each.²⁵

Section 296 highlights troubling non secular assembly and offers most penalization for annual imprisonment or with fine, or both. Section 297 intrusive on burial places, etc. provides most penalization of 1-year imprisonment, or with fine, or

*PAKISTAN STATE'S STRATEGY TO CURB & COUNTER HATE SPEECH: AN
APPRAISAL, ANALYSIS AND WAY FORWARD*

both. So as to safeguard non secular feelings, Section 298, provides penalization of 1-year imprisonment or with fine or each to those uttering words, etc., with deliberate intent to wound non secular feelings.²⁶

Blasphemy Laws

These sections of the PPC are distinct within the world, as well as the Muslim majority countries. Any disrespect towards holy personage of any faith could fall in outraging non secular sentiments of a religious cluster which is covered by the laws mentioned below:

PPC Section 295-B: Defiling, etc. of copy of Holy Qur'an. Whoever will fully defile damages or desecrates a replica of the Holy Qur'an or of associate degree extract there from or uses it in any derogative manner or for any unlawful purpose shall be punishable with imprisonment for all times.²⁷

PPC Section 295-C: Use of derogative remarks, etc. in respect of the Holy Prophet. Whoever by words, either spoken or written, or by visible illustration, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet (peace be upon him) shall be chastened with death, or imprisonment for all times, and shall even be at risk of a fine. Death or imprisonment for all times, and shall even be at risk of a fine.²⁸

PPC Section 298-A: Use of derogative remarks, etc., in respect of holy personages. Whoever by words, either spoken or written, or by visible representation, or by any imputation, insinuation or insinuation, directly or indirectly, defiles the sacred name of any better half (Umm ul Mumineen), or members of the family (Ahle-bait), of the Holy Prophet (peace be upon him), or any of the righteous Caliphs (Khulaf-e-Raashideen) or companions (Sahaaba) of the Holy Prophet (peace be upon him) shall be chastened with imprisonment of either description for a term extendable to three years, or with fine, or with both.²⁹

PPC Section 298-B: Misuse of epithets, descriptions and titles, etc. reserved for certain holy personages or places. (1) Any person of the Qadiani group or the Lahori Group (who call themselves 'Ahmadis' or by any other name) who by words, either spoken or written, or by visible representation.³⁰

PPC Section 298-C: Any person of Qadiani group, etc., calling himself a Muslim or preaching or propagating his faith. Any person of the Qadiani group or Lahori group (who call themselves ‘Ahmadis’ or by another name), who, directly or indirectly, poses himself as a Muslim, or calls, or refers to, his faith as Islam, or preaches or propagates his faith, or invites others to accept his faith, by words, either spoken or written, or by visible representation, or in any manner whatsoever outrages the religious feelings of Muslims, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine.³¹

Other Relevant Laws

a) Maintenance of Public Order Ordinance 1960: This law also prohibits any acts prejudicial to public safety or maintenance of public order penalizing the person who commits this offence with maximum punishment for three years, or fine or both.

b) Anti-Terrorism Act, 1997: This act deals with hate speech by giving its definition and other hate related offences. Hate speech means hatred against a group of persons defined by reference to religion, religious sect, religious persuasion, or religious belief; (a) Acts intended to stir hatred as threatening, abusive or insulting words or behavior; or (b) displaying, publishing or distributing any written material which is threatening, abusive or insulting; or (c) distributes or shows or plays a recording or visual images or sounds which are threatening, abusive or insulting; or (d) possessing written material or a recording or visual images or sounds which are threatening, abusive or insulting with a view to their being displayed or published by himself or another. This offence is punishable with seven years rigorous imprisonment or with fine, or with both.³²

c) The Protection of Pakistan Act 2014: This act also declares all offences against ethnic, religious and political groups or minorities including offenses based on discrimination, hatred, creed and race punishable with maximum imprisonment for ten years, with fine and confiscation of property.³³Pakistan Electronic Media Regulatory Authority (PEMRA) Ordinance 2002 stipulates:

- PEMRA ensure that Licensees (media outlets), besides other things will ensure that all programs and advertisements do not contain or, encourage violence, terrorism racial, ethnic or religious discrimination, sectarianism, extremism,

PAKISTAN STATE'S STRATEGY TO CURB & COUNTER HATE SPEECH: AN APPRAISAL, ANALYSIS AND WAY FORWARD

militancy, hatred those who violate shall be awarded with maximum punishment for three years imprisonment and 10 million fine for licensee; Four years imprisonment and five for person without license.³⁴

- Pakistan Telecommunication Authority (PTA) is responsible for regulating the internet use. It deals with unauthorized transmits through a telecommunication system or service which he (licensee) knows or has reason to believe to be false, fabricated, indecent or obscene or commits mischief.³⁵

d) Prevention of Electronic Crimes Act 2016: Section 11 of this act deals with online hatred. It states that whoever prepares or disseminates information through any information system or device, that advances interfaith, sectarian or racial hatred shall be punished with imprisonment for seven years, or fine or both.³⁶

State's Strategy to Curb Hate Speech

Pakistan Protection Ordinance 2013

Pakistan enunciated the Pakistan Protection Ordinance (PPO) in 2013. However, some questions arose over the nature and scope of this ordinance, yet the main feature of PPO was to provide protection to the society of Pakistan which is already fighting a war against growing extremism leading to terrorism. The ordinance gives armed forces and law enforcement agencies the authority to exercise "all the powers of a police officer." which is not a complete solution to the problems of Pakistan but in short run, it may help to stabilize the society.³⁷

NACTA

NACTA was established in 2009 but its act was passed in 2013 with the view to create a coordinating body against terrorism and extremism in country. NACTA was mandated to receive collate and share intelligence, it was also tasked to coordinate and prepare counter terrorism and counter extremism strategies. Initially, NACTA could not be made effective due to budget constraints, capacity issues and lack of political backing. It is only recently that the government has made attempts to operationalize it by providing necessary staff, infrastructure and budget. However, the issue regarding placement of NACTA under MOI or under the Prime Minister Office also remains a contentious issue³⁸. As per NISP, a Joint Intelligence Directorate (JID) was to be established under NACTA which would

serve as one point stop for all intelligence gathering and coordination. However, JID is only partially functional primarily because the military intelligence agencies are reluctant to share sensitive information on the civil side³⁹

a) **CHAUKAS App by NACTA:** NACTA also launched an Android-IOS app CHAUKAS for public to report hate speech and extremist content online and offline. The data and information gathered would then be shared by police, FIA and other law enforcement agencies and regulatory authorities in Pakistan. Unfortunately, it wasn't successful.⁴⁰

b) **National Internal Security Policy:** The National Internal Security Policy (NISP) was formulated in 2014 with the objective to establish writ of the state. The NISP 2014 was based upon “*principles of mutual inclusiveness and integration of all national efforts*” and included three elements viz. Dialogue (with all stakeholders, Deterrence (Capacity building of Police/CTDs/CAFs) and Isolation (Terrorist Organizations)⁴¹. The policy foresaw establishment of the Directorate of Internal Security (DIS) under NACTA, in a bid to integrate “all grids of tactical, operational, and strategic intelligence, civil and military, under one roof”. The policy envisioned a broad and effective role of NACTA established in 2009, which is still ineffective. As NACTA being central platform would *inter alia* be responsible for development of narratives for CT and CVE (Counter Violent Extremism). The intelligence collation, collection and timely transmission to the blunt end of LEAs would be done through a Joint Intelligence Directorate in NACTA. All 33 agencies would be represented in this Directorate. The Policy also meted out a detailed implementation plan of 56 points. NISP elicited a basic weakness in envisioning its implementation and weak political consensus. The policy had a broad spectrum in nature. Its kinetic components moved fast, however, progress on soft policy areas was excruciatingly slow. Terrorism being its primary focus, the policy largely skipped extremism while executing it. It neither assigned responsibilities for implementation to relevant entities nor jotted down timelines for completion. Although NACTA was assigned important roles, the requisite factors (political ownership and resources) to pursue those goals were missing⁴². Consequently, after December 24, 2014, NISP was replaced by the NAP. The later captured most of points delineated in NISP.

National Action Plan (NAP)

The NAP was devised in the aftermath of atrocious attack on APS Peshawar on December 16, 2014. NAP suggests 20 actions to counter terrorism and extremism in the country, which were drafted in haste within a short span of three days. In order to implement NAP, a three-tiered structure comprised of Federal Apex Committee, NACTA and Provincial Apex Committees. Holding Ministry of Interior solely responsible for its implementation would not suffice. Therefore, an institutional arrangement can be linked in figure1. At provincial level, the apex committees were constituted as shown in figure 2⁴³.

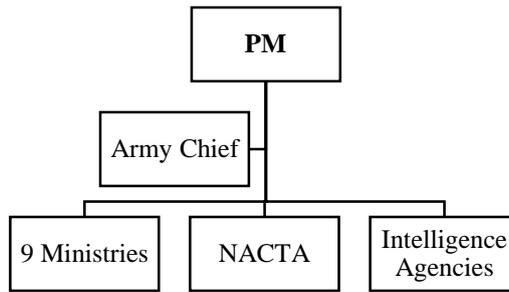


Figure-1

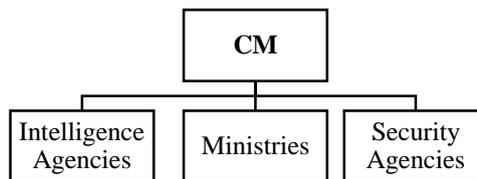


Figure-2

a) **NAP Points Dealing with Hate Speech:** The National Action Plan (NAP) consists of twenty points and some of the important points relating to this study are as follows:

- Point five of NAP directly relates to curbing hate speech and extremist material.
- Point number nine calls for dealing with religious persecution effectively.
- Point ten deals with registration of Madaris and their regulation.
- Point number fourteen is about taking stern actions against those who abuse social media for advancing their bigoted thoughts.
- Point eighteen deals with curbing the elements which are responsible for sectarian terrorism.

- Point number twenty stresses the need for revamping the existing criminal justice system to effectively deal with the menace of hate speech in general and violent extremism in particular⁴⁴.

All six points mentioned above are related with hate speech, its communication and glorification, which can be termed as the maiden implicit state's strategy to curb hate speech and other related crimes associated with this phenomenon. Point number five directly deals with curbing this menace, however, other four points enumerated above are the indirect measures to hit the drivers of hatred.

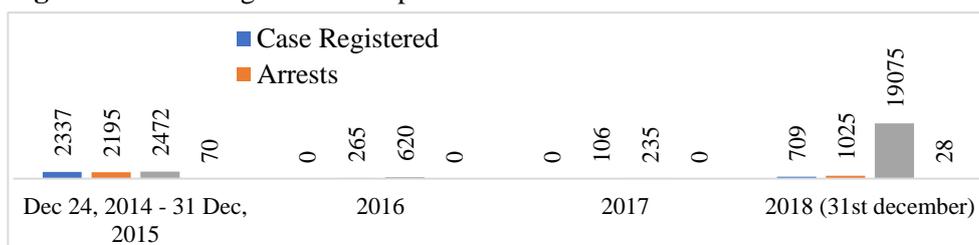
b) NAP Expert Group on Hate Speech: Initially, the implementation and coordination of NAP was envisaged through creation of committees, which lacked the basic framework under which they were to ensure the envisaged implementation. Realizing the deficiencies in the said committees, the federal government has now constituted high powered expert groups for development of action plan with timelines, implementing partners and resource indication. A separate expert group has been formulated under Ministry of Information and Broadcasting for ensuring the implementation and coordination regarding hate speech and other related aspects⁴⁵.

Progress on Crimes Related to Hate Speech

Efforts for comprehensive counter-extremism did not bear fruit until the implementation of NAP 2014 was undertaken. The government strategy of combating hate speech material involved two-pronged strategy. First was regulating the public order and second checking systematically dissemination of hate material. As a result of this strategy, there was a visible improvement in actions against this menace. Year wise cumulative data of all the provinces about legal actions against hate speech and misuse of loudspeaker are given in the following graph and tables:

PAKISTAN STATE'S STRATEGY TO CURB & COUNTER HATE SPEECH: AN APPRAISAL, ANALYSIS AND WAY FORWARD

Figure-3: Action Against Hate Speech and Material



Source: “Annual Counter Terrorism & Extremism Policy Review 2018”, NACTA, Islamabad.

Table-1: Misuse of Loudspeaker

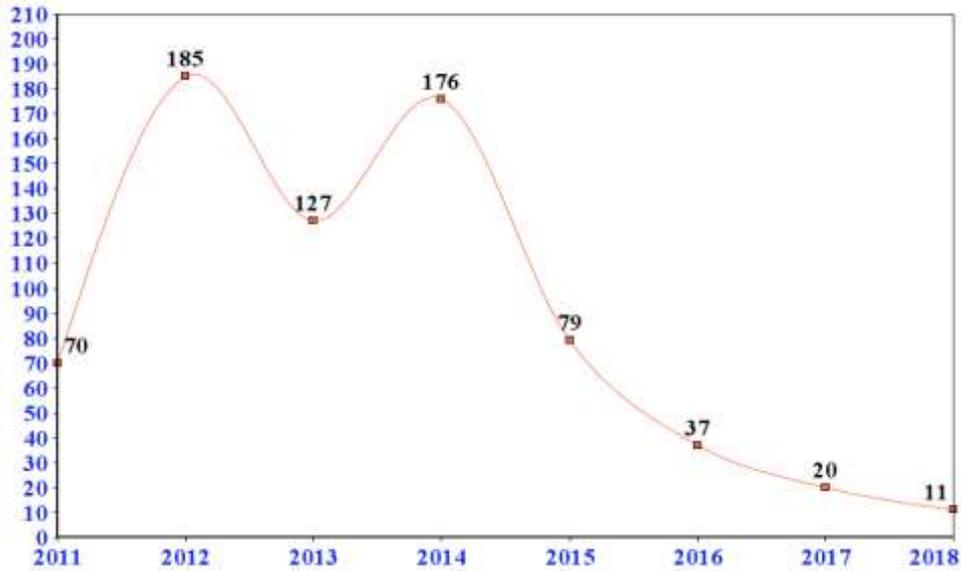
Years	2015	2016	2017	2018	Total
Case Registered	9164	6315	3419	1351	20249
Arrested	9240	6658	3643	1403	20944
Equipment confiscated	2596	1791	3299	1414	9100

Source: “Annual Counter Terrorism & Extremism Policy Review 2018”, NACTA, Islamabad.

The data given in above graph and table shows that there has been a steady decline in the incidents of hate crime and misuse of loudspeaker till 2017. However, in 2018 the cases against hate speech saw an increase from year 2017, after the government decision to amend Sound System Act under the pressure of TLYRA. Four loudspeakers were allowed by the government on the demand of above said religious party, retrieving from its previous decision of allowing only one speaker. Although, government put a serious crackdown on the said party in 2018, but for the intervening time, it gave an impression that government had gone soft towards religious parties which impacted the implementation apparatus adversely⁴⁶.

Out of 3052 cases regarding hate speech, 1720 have been decided in which 436 have been convicted (conviction rate 25%). Similarly, out of 20249 cases of violation of loudspeaker, 11727 have been decided in which 6591 have been convicted (56%)⁴⁷. Although, the conviction rate in hate related cases is not encouraging but yet, the actions taken have resulted in marked decline in the incidents of sectarian violence across the country, which is manifested by the following graph regarding trend of sectarian violence in Pakistan.

Figure-4: Sectarian Violence in Pakistan



Source: “Annual Counter Terrorism & Extremism Policy Review 2018”, NACTA, Islamabad.

Table-2: Summary of Progress and Analysis of NAP Points Related to Curbing of Hate Speech

NAP Point	Progress	Analysis
5	Countering hate speech and extremist material	
	Hate Material : Cases: 3052 Arrests: 3591 Cases Decided: 1720 Conviction: 436(25%) Misuse of Loudspeakers Cases: 20,249	Existing mechanism focuses on enforcement only, with no attention to soft component, Counter narrative not yet developed Low conviction rate due to absence of judicial reforms in our criminal justice system Lop sided State strategy – Amendment on Pressure of TLYRA in Sound

PAKISTAN STATE'S STRATEGY TO CURB & COUNTER HATE SPEECH: AN APPRAISAL, ANALYSIS AND WAY FORWARD

NAP Point	Progress	Analysis
	Arrests:20,944 Cases Decided:11727 Conviction: 6512(56%) Equipment Confiscated: 22049 ⁴⁸	System Act, allowing four speakers Intolerance to diversity and divergent opinion not being addressed, Implementation of Loud Speaker Act is impressive, resulted in decline in the incidents of sectarian violence LOW IMPACT
9	Taking effective steps against religious persecution	
	Little or no Progress to bring down the religious persecution of minorities Minorities feels vulnerable Widespread persecution by the extremist elements is yet to be addressed Isolated efforts with limited results	There exists no precise definition of religious persecution Seven terrorist attack on minorities worship places since 2015 Prevalent laws don't address the menace of intolerance and extremism Required judicial as well as religious reforms NO IMPACT
10	Registration and regulation of Madaris	
	Overall registration of Madaris 90% Geo-tagging Punjab and ICT 100%, Sindh 80%,	Registration of Madaris is a mean and not the end goal. Reforms in curriculum are direly needed.

NAP Point	Progress	Analysis
	<p>KPK 75 %, Baluchistan 60% and FATA 85%</p> <p>Suspect Madaris closed (Punjab: 2, Sindh: 167, KPK: 13), Unregistered Madaris closed (Sindh: 72), Foreign Funded Madaris: 190 (Punjab: 147, Sindh: 06, KPK, 07, Baluchistan: 30), Security audit by all provinces in process, Punjab and ICT completed, ICT established and activated Panic Button Alert System.⁴⁹</p>	<p>Bangladesh model of Madaris reforms needs to be replicated</p> <p>Police unwilling/reluctant to register/process cases against teachers and administrators of the institutions that have proven linkages with terrorist activities e.g. Maulana Abdul Aziz of Lal Masjid, etc.</p> <p>As per the statement of the Minister of State for Religious Affairs, the government has not been able to forge consensus of stakeholders on modalities of registration of Madaris</p> <p>Failure to register main Madaris in KP and Baluchistan belonging to JUI(F).</p> <p>Modern curriculum required for De-radicalization.</p> <p>LOW IMPACT</p>
14	Measures against abuse of internet and Social Media for terrorism	
	<p>The Formation of CTIU and Cyber Crime Wing in FIA</p> <p>1060 URLs and 3192 social media pages blocked</p> <p>E-portal for automatic lodging of complaints</p>	<p>Current Laws insufficient to deal with the threat</p> <p>This is challenging and an ongoing struggle where new technology and platforms require constant monitoring and blockage; low capacity of government agencies to deal with cyber-crime.</p>

PAKISTAN STATE'S STRATEGY TO CURB & COUNTER HATE SPEECH: AN APPRAISAL, ANALYSIS AND WAY FORWARD

NAP Point	Progress	Analysis
	regarding misuse of internet facility and fanning militancy/extremism /sectarianism through social media has been developed and launched by PTA.	The government needs to be sensitive to websites that have educational value e.g. the case of YouTube after building consensus of the concerned stakeholders. MEDIUM IMPACT
18	Dealing firmly with sectarian terrorism	
	National narrative being developed to address sectarianism Nose-dive decrease in the incidents of sectarian related violence Database of sectarian elements being prepared Active surveillance of hardcore elements	Amongst other reasons, the sectarian issue will keep pestering unless foreign funding of sectarian groups countries is dealt with firmly Absence of counter narrative strategy Success limited to kinetic portion Implementation of Non kinetic portion to mitigate their support from masses LOW IMPACT
20	Revamping and reforming the criminal justice system	
	Amendments in Federal Laws proposed by Ministry of Law and Justice Division are in process Punjab, KPK and AJK	Across the board, implementation of Laws without prejudice to different sects and religious denominations is required 'Certainty and not the severity of punishment deters crime.' Investigation

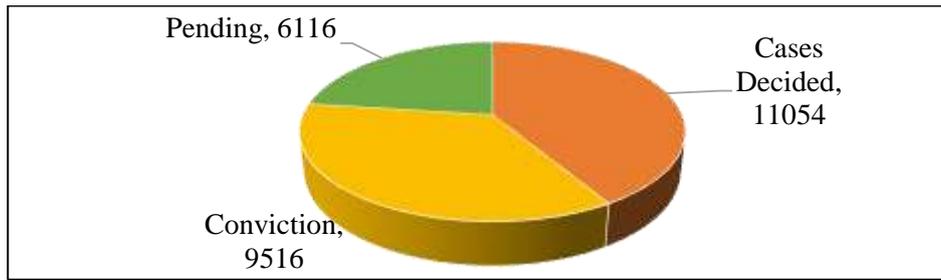
NAP Point	Progress	Analysis
	<p>have enacted laws covering misuse of loudspeakers, hate speech, illegal weapons, MPO, etc.</p> <p>Baluchistan Sindh and AJK have adopted Punjab Laws</p> <p>Kinetic success bouncing back</p> <p>Low conviction</p>	<p>and prosecution are still lax.</p> <p>Meagre progress</p> <p>Coherency missing</p> <p>No reforms in investigation and prosecution</p> <p>If courts are working, we will not lose (Winston Churchill WW II)</p> <p>NO IMPACT</p>

Implementation Status of Countering Hate Speech in Punjab

Like other provinces, implementation of the laws regarding hate speech and hate material in Punjab is spearheaded by CTD with the active support of Police. Bifurcation of cases is a grey area as no formal document exists which ascertain the domain of both LEAs⁵⁰. However, strict enforcement of Sound Systems and Wall Chalking Acts was ensured, which is being discussed in the subsequent paragraphs. With regard to action against hate literature and extremism, 219 books recommended by MUB were banned, 4384 pamphlets, 3956 magazines, 377 books and 1600 CDs were confiscated by CTD. Geo tagging of all 13,832 Madaris has been completed (100%) and 64,320 mosques 3670 worship places and 4209 NGOs have also been geo-tagged. Now all madaris are fully accessible for search by the CTD.⁵¹

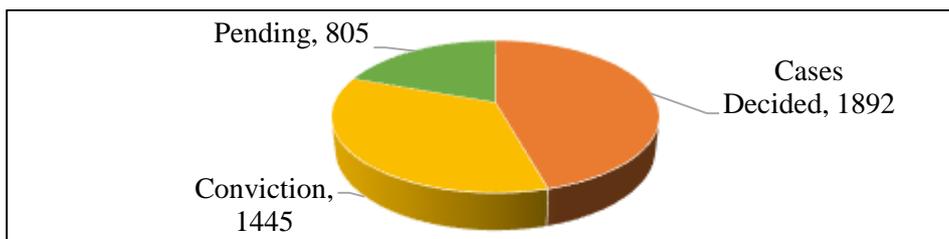
Home department Punjab is the focal agency for coordinating the implementation status of NAP including hate crimes. Implementation status of various laws regulating the hate speech and conviction rate is graphically illustrated as follows:⁵²

Figure-5: Sound System Regulation Act (Conviction rate 86%)



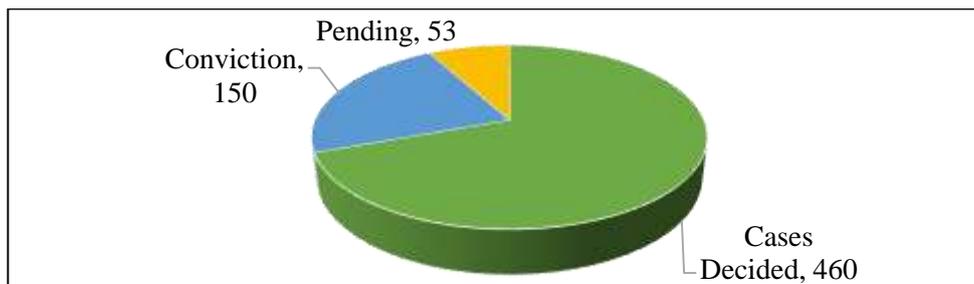
Source: Rai Tahir, Addl. IG, CTD, Punjab, Lahore, interview by the author interviewed on 22 April, 2019.

Figure-6: Material on Wall Act (Conviction rate 76%)



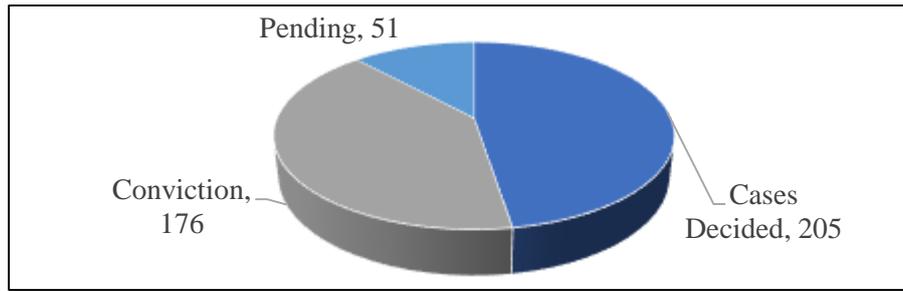
Source: Rai Tahir, Addl. IG, CTD, Punjab, Lahore, interview by the author interviewed on 22 April, 2019.

Figure-7: Hate Material Sec-9, 11W-ATA (Conviction rate 33%)



Source: Rai Tahir, Addl. IG, CTD, Punjab, Lahore, interview by the author interviewed on 22 April, 2019

Figure-8: Hate Material under PPC (Conviction rate 29%)



Source: Rai Tahir, Addl. IG, CTD, Punjab, Lahore, interview by the author interviewed on 22 April, 2019.

The above given graphical illustrations show that conviction rate of Sound System and Wall Chalking Act is satisfactory with 86% and 76% respectively. However, the conviction rate of Hate Material Sec-9, 11W-ATA (33%) and Hate Material under PPC (29%) shows poor performance in these areas. This low conviction rate is mainly because of poor investigation, ignorance of laws on the part of investigation officers, non-availability of public/private witnesses, registration of faulty FIRS with incomplete/ incorrect facts, weak prosecution due to lack of legal direction to the local police/CTD and burden of cases on the trial courts.

Punjab has shown good progress on kinetic part of the issue only, however, the non-kinetic component which addresses the root cause of the problem like revamping of criminal justice system for the improvement in investigation and prosecution, madrassah reforms and introduction of modern curriculum, absence of soft interventions for promoting tolerance, interfaith harmony and promotion of sense of coexistence is still a missing link.

Section 3

Issues and Challenges/Analysis

There was no state strategy to curb hate speech and hate related crimes before National Action Plan 2015, though, there were laws and enforcement. Since it has never been a focus area, therefore, the implementation mechanism was also complacent. However, after the inclusion of hate speech related crimes in NAP, at least there was a direction to follow for curbing this menace. The analysis carried out in the preceding paragraphs, identify the following fault lines and gaps in the existing state strategy to curb and counter hate speech.

Inefficiency of Existing Laws

Apparently, language in some of the laws is vague and open to misinterpretation and abuse, for instance, the language injuring or wounding feelings leaves a lot of room for interpretation. There is also inconsistency in meaning of hate speech in different laws dealing with hate speech. For instance, though Maintenance of Public Law Ordinance 1960 carries sweeping administrative power, used frequently to impose house arrest (preventive detentions), travel ban, prevent public gathering on the pretext of hate speech and apprehension of law and order situation, the law does not define hate speech clearly. It merely relies on enormously broad characterization of acts “prejudicial to public safety or maintenance of public order. “In sum, different laws dealing with hate speech were introduced in different times in Pakistan serving specific purposes. Each new law carried heavier penalties than earlier laws and became more focused on religiously motivated hate material. The meaning of hate speech under different laws (offenses) ranges between promoting enmity, issuing threats, incitement to violence and propagating religious intolerance. There is a slow progress towards the actions to check the reemergence of proscribed organizations in new names. Therefore, apart from their compatibility with democratic rule and civil liberties, these laws embody a symptomatic treatment of the issues.

Weak Provincial Ownership and Political Consensus

Implementation of NAP at provincial level is often marred with issues of ownership. In retrospect since the inception of NAP, the provinces had governments by different political parties. Similarly, law and order is primarily a provincial subject. In the ambience of emerging political imbroglio, the provinces take it as a federal assignment in their purist and keep NAP as less prioritized in financing and other strategies. Political parties too, apprehend that it may be used as political tool⁵³.

Non-Kinetic Component Still a Missing Link

Before NAP, the kinetic part to curb Hate Speech was there in one form or the other but non-kinetic part was altogether a neglected area. After NAP, we have shown satisfactory performance in the enforcement of laws which has been able to create an impact by a sharp decline in the hate related crimes. However, the root

cause of the issue has still not been addressed, the non-kinetic part to deal with the root cause was included in NAP but, its implementation reflects a very slow progress. We have been successful in dealing with the militancy but not been able to address the causes that breed the militants.

Counter-Narrative not Yet Developed

It is unfortunate that we have not been able to develop a counter-narrative against the hate mongers even after lapse of four years. Our opponent has a clear narrative, that is life according to principles of Islam “as interpreted by them”, which pollutes the minds, specially of our youth and results into hatred, violence and extremism against the other religions and sects.

Flawed Implementation and Coordination Mechanism

Initially, the implementation and coordination of NAP was envisaged through creation of 16 sub committees, for which notification was issued on December 26, 2014. It is interesting to note that the notification of all 16 sub committees was issued on the same day without assigning them any terms of reference or the frame work under which they had to work. It seems that the required deliberation was not carried out to develop an effective implementation and coordination mechanism, which also reflects the visible lack of political ownership and commitment.

The Plight of NACTA

NACTA was established in 2009 but its act was passed in 2013 with the view to create a coordinating body against terrorism and extremism in country. Initially, NACTA could not be made effective due to budget constraints, capacity issues and lack of political backing. It is only recently that the government has made attempts to operationalize it by providing necessary staff, infrastructure and budget. However, the issue regarding placement of NACTA under MOI or under the Prime Minister Office also remains a contentious issue⁵⁴.

Lack of Coordination Between Federal and Provincial Tiers

Policy making and coordination of the strategy is at federal level, whereas the implementation and enforcement is at provincial level. There exists lack of coordination between the federal and provincial governments and within the different implementing agencies also.

Religio-Political Resistance

There has always been resistance on part of religio-political parties to facilitate Madaris reforms. They see it as an attempt by the government to encroach upon their turf. However, only very recently, Wafaq ul Madaris reluctantly agreed to participate in registration drive as well as to adopt modern curriculum including four contemporary subjects English, Pak Studies, Science and Math⁵⁵.

Disjointed Efforts at Judicial Reforms

The efforts at judicial reforms remained disjointed. The military courts set up after the 21st Constitutional amendment were supposed to be a short-term transitory measure during which judicial reforms were to be carried out. NACTA endeavored to formulate strategy for revamping of criminal judicial system but effort was scuttled due to parallel exercise in Law and Justice Division. Immediate judicial reforms are required to address the weak areas of prosecution and investigation. Moreover, burden of cases on the trial courts must also be addressed in the reforms.

Conclusion

To conclude with, it can be said that hate culture is irrefutable reality of this modernized global village by which every nook and corner of the planet is affected badly. Pakistan milieu is highly susceptible for simmering hate phenomenon which is comparatively a recent product. This story is not too old when Masjid and Mandir (Mosque & Temple) would be found in the same street of Pakistan. But today, agonizingly, these are gone stories due to stratification of society into several segments based on self-styled bigotry, that gave rise to many social, political, religious and ethnic groups surfaced from hatred for others. Hate and hate related crimes were the least focused subject a few decades ago. It gained focus of state in 90s when it was addressed in Anti-Terrorism Act 1997. Later on, particularly after Peshawar APS terrorist incident, PPO, NAP, NACTA and many other laws addressed hate related crimes extensively and state devised strategy to curb hate speech at every level. These laws and agencies, however, did not succeed in curbing root cause of hate related crimes.

Besides this, all efforts by the state to counter hate speech and hate related crime were done with hard power like devising stringent laws with strict implementation

and establishment of dedicated departments but soft power which is smart but highly effective way is ignored to address this menace. There are two broad approaches to deal with hate speech and extremist content: the restrictive approach which ban hate speech and punishes hate related crimes, and the non-restrictive approach which aims to educate the recipients to shun and reject hateful propaganda. This power deals with the culture of enacting counter narrative, changing mindsets of the miscreants and mainly addressing root causes which perpetrate hatred in our social fabric.

It is safe to conclude that although a lot has to be done in various tiers in combating hate speech and extremism, however, the momentum is still there and we are seeing effects. As discussed above a way forward is more than possible, it is a necessity, and as long as there is a will to make things better, we have a good chance in eradicating this menace from our society for good and that will be the day when we will be in line with developed nations. In terms of financial, cultural, social and humanitarian values we will thrive as a nation above all.

“Our greatest glory is in never falling, but in rising every time we fall.”

Confucius.

Way Forward

The moment of truth that came with realizing the magnitude of extremism on December 16, 2014, can be turned into an opportunity of reconstruction of Pakistan. Following policy measures are recommended to bridge the abovementioned gaps and fault lines.

1. The role of State, indubitably, is of paramount importance. State is the key role player in uprooting hate speech from Pakistan. Hate mongers and extremists are staunch followers of their own narrative which is based on implementation of their self-styled interpretation of Islam. It is very disturbing to note that no counter-narrative has been formulated to counterfoil their bigoted narrative. It is therefore, high time that state should devise a counter-narrative, consistent with the ideology of Pakistan. It is proposed that a committee should be made consisting of all the stakeholders which include political representatives from all provinces, persons from intelligent agencies, armed forces, LEAs, religious leaders, heads of all sects, social activists, media persons, professors, research analysts and bureaucrats. This committee should submit their policy recommendations to the Federal Apex

*PAKISTAN STATE'S STRATEGY TO CURB & COUNTER HATE SPEECH: AN
APPRAISAL, ANALYSIS AND WAY FORWARD*

Committee. Counter-narrative must be finalized by CCI to draw a broad based consensus and comprehensive implementation mechanism.

2. Policy making and coordination of provincial performance is done at federal level. However, after 18th amendment same is being done by respective provincial governments, because of which there are issues of coordination and implementation. It is therefore, proposed that in order to have coherent, integrated, and uniform response, an effective coordination mechanism be evolved between federal and provincial tiers, through a broad-based consultative process involving all stakeholders.

3. For effective dissemination of National Peace Narrative, it is proposed that a Centre of Excellence should be set up under NACTA bringing scholars, CE experts, researchers, media experts, content writers, and IT experts under one roof for the purpose of disseminating peace messages through every institution of state and society. We need a national counter-extremism program to launch in all walks of life.

4. All departments which are already established like NACTA, CTD and Police, to counter hate speech need to be overhauled. There is dire need for the capacity building of the staff, their training and refresher courses, specially in the field of analysis, investigations and prosecution.

5. The curriculum of all public, private and religious Madaris and educational institutions must be revamped. A compulsory subject of "citizenship" and "civic education" along with ethics and Islamic teachings should be added in the curriculum. There must be an emphasis on the teaching and practicing of true injunctions and social values of Islam like Tolerance, forbearance, patience, generosity, non-aggression, and above all inter-faith harmony. To change the curriculum, a committee made comprising of religious leaders, heads of all sects, educational experts, and research analysts should be constituted. This amended curriculum be sent to National Assembly for passage after debate. Then, the same be implemented through Higher Education Commission across the board in all public, private schools and religious madaris.

6. The concept of "Soft Power" should be introduced on emergency basis to extirpate deep roots of hate culture in our society. By this concept, hate mongering

mind set is changed by addressing those root causes which give birth to hate. Social institutions, media of all kind, NGOs, political and religious leaders and scholars should put their high headed efforts to promote a culture of peace and tranquility with rational and logical debates. Federal and provincial information ministries to spearhead this important initiative by taking all stakeholders on board and formulate their implementation proposals for the consideration of Federal Apex Committee.

Cyberspace is regulated under PECA 2016, which focuses more on comparatively mundane violations instead of denying space to hate and extremist material. Countries like United States, work in conjunction with academia, IT experts, specialists and other such stakeholders to develop better security systems and knowledge. Security infrastructure needs to be developed, improved and implemented, which includes the use of firewalls, encryption and intrusion detection systems. Research and developments need to be encouraged along with awareness and digital security trainings. It is proposed that a comprehensive cyber security policy may be formulated, and a National Cyber Security Center may be established focusing on the cyber security by Ministry of Information and Technology, while keeping in view the existing weak links of regulating social media.

References:

Endnotes

¹ National Park Service, "Quotations"

<https://www.nps.gov/mlkm/learn/quotations.htm> (accessed March 12, 2019).

² Eugenia Siapera, Elena Moreo and Jiang Zhou, *Hate Track Tracking and Monitoring Racist Speech Online* (Dublin, Ireland: Dublin City University).

³ John T. Nockleby, "Hate speech," in *Encyclopedia of the American Constitution*, ed. Leonard W. Levy and Kenneth L. Karst, vol. 3, 2nd edition (Detroit: Macmillan Reference US, 2000), 1277-1279, quoted in Margaret Brown Sica and Jeffrey Beall, "Library 2.0 and the Problem of Hate Speech," *Electronic Journal of Academic and Special Librarianship* 1, no. 2, (summer 2008)

⁴ Margaret Brown Sica and Jeffrey Beall, "Library 2.0 and the Problem of Hate Speech," *Electronic Journal of Academic and Special Librarianship* vol. 1, no. 2 (summer 2008).

⁵ UN International Covenant on Civil and Political Rights, "General Comment 34", September 12, 2011, <https://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf> (accessed 20 March, 2019).

⁶ Shaikh Abdullah Al Faisal, "Afsir Surah Anfal (2): Victory is Only from Allah", 17 June 2014, <http://www.authentictauheed.com/2014/06/notes-tafsir-surah-al-anfal-2-victory.html> (accessed 1 May, 2019).

⁷ V. G. Julie Rajan, *Al Qaeda's Global Crisis: The Islamic State, Takfir and the Genocide of Muslims* (USA: Routledge 30 Jan 2015), 159.

⁸ National Assembly, *Constitution of Pakistan*, Article 19 (Islamabad: Official Printers, 1973).

⁹ Daniel M. Downs and Gloria Cowan, "Predicting the Importance of Freedom of Speech and the Perceived Harm of Hate Speech," *Journal of Applied Social Psychology* vol. 42, no. 6 (16 April, 2012): 1353–75.

¹⁰ Julian Walker, "Hate Speech and Freedom of Expression: Legal Boundaries in Canada (Ottawa, Canada: Library of Parliament, 29 June, 2018).

¹¹ Eric Heinze, "Viewpoint Absolutism and Hate Speech," *The Modern Law Review* vol. 69, no. 4 (2006): 543–82.

¹² *ibid.*

¹³ Eric Heinze, "Viewpoint Absolutism and Hate Speech," *The Modern Law Review* vol. 69, no. 4 (2006): 543–82.

¹⁴ *ibid.*

¹⁵ V. G. Julie Rajan, *Al Qaeda's Global Crisis: The Islamic State, Takfir and the Genocide of Muslims* (USA: Routledge 30 Jan 2015), 159.

¹⁶Abdul Hameed Nayyar, “Madrasa Education: Frozen in Time” in *Education and the State: Fifty Years of Pakistan*, ed. Pervez Hoodbhoy, (Karachi: Oxford University Press, 1998).

¹⁷ Mainack Mondal, Leandro Araújo Silva, Denzil Correa and Fabrício Benevenuto, “Characterizing usage of explicit hate expressions in social media”, *New Review of Hypermedia and Multimedia* vol. 24, no. 2 (2018): 110-130.

¹⁸ Facebook, “Our Mission”, <https://newsroom.fb.com/company-info/> (accessed 25 April, 2019).

¹⁹ “Social Media Stats Pakistan”, <https://gs.statcounter.com/>(accessed April, 2019).

²⁰ “Pakistan Bureau of Statistics”, www.pbs.gov.pk/(accessed 25 April, 2019).

²¹Laura Beth Nielsen and Teresa Ciabattari, “The Impact of Hate Speech on Social and Emotional Well-Being”, *National Council for the Social Studies* (Washington, DC: American Sociological Association, 2019).

²²JSTOR, “Front Matter.” *PMLA*, vol. 109, no. 4 (1994) 533–859, www.jstor.org/stable/463204 (accessed 1 May, 2019).

²³Pakistan Judicial Academy, “Pakistan Penal Code, 1860”, <http://www.pja.gov.pk/pakistanpenalcode> (accessed 1 May, 2019).

²⁴Pakistan Judicial Academy, “Pakistan Penal Code, 1860”, <http://www.pja.gov.pk/pakistanpenalcode> (accessed 1 May, 2019).

²⁵*Ibid*

²⁶*ibid.*

²⁷*ibid.*

²⁸Pakistan Judicial Academy, “Pakistan Penal Code, 1860”, <http://www.pja.gov.pk/pakistanpenalcode> (accessed 1 May, 2019).

²⁹*Ibid*

³⁰ *Ibid*

³¹ *Ibid*

³²Ministry of Law, “Anti-Terrorism Act 1997”, <http://www.molaw.gov.pk/molaw/userfiles1/file/Anti-Terrorism%20Act.pdf> (accessed 1 May, 2019).

³³National Assembly, “The Protection of Pakistan Act 2014”, http://www.na.gov.pk/uploads/documents/1404714927_922.pdf (accessed 2 May, 2019).

³⁴Ministry of Information and Broadcasting, “Pakistan Electronic Media Regulatory Authority (PEMRA) Ordinance 2002”, http://www.moib.gov.pk/Downloads/Ordenances/Ordinance_2002.pdf (accessed 2 May, 2019).

³⁵*ibid.*

³⁶National Assembly, "Prevention of Electronic Crimes Act 2016", http://www.na.gov.pk/uploads/documents/1470910659_707.pdf (accessed 2 May, 2019).

³⁷National Assembly, "Pakistan Protection Ordinance 2013", http://www.na.gov.pk/uploads/documents/1383819468_951.pdf (accessed 2 May, 2019).

³⁸ Imran Mukhtar, "Transfers, Postings Turn NACTA into a Dormant Entity", *The Nation*, 17 July 2011, <https://nation.com.pk/17-Jul-2011/transfers-postings-turn-nacta-into-a-dormant-entity> (accessed 23 May, 2019).

³⁹ Ejaz Haider, "What's the Plan?", *Newsweek Pakistan*, 21 December 2014, <http://newsweekpakistan.com/whats-the-plan/> (accessed 23 May, 2019).

⁴⁰National Counter Terrorism Authority, <https://nacta.gov.pk/> (accessed May 2, 2019).

⁴¹ Ministry of Interior, *National Internal Security Policy* (Islamabad: Official Printers, 2014), <https://nacta.gov.pk/nisp-2014/> (accessed 23 May, 2019).

⁴² Muhammad Amir Rana, "Review of Security Doctrine", *DAWN*, 14 January 2018, <https://www.dawn.com/news/1382841> (accessed 12 May, 2019).

⁴³ Shakeel Ahmed Ramay, "National Action Plan: Implementation Gaps & Successes", *SDPI*, October 2016, <https://www.sdpi.org> (accessed 12 May, 2019).

⁴⁴*ibid.*

⁴⁵ Azmat Mehmood, JS Internal Affairs, PM Office, Islamabad, interview by the author on 22 May, 2019.

⁴⁶ Rai Tahir Ahmed, Additional IG, CTD, Punjab interview by the author 22 April, 2019.

⁴⁷ "National Counter Terrorism Authority", <http://nacta.gov.pk/> (accessed 2 May, 2019).

⁴⁸ National Counter Terrorism Authority, <http://nacta.gov.pk/> (accessed May, 2, 2019).

⁴⁹ *Ibid.*, 15

⁵⁰ Rai Tahir, Addl. IG, CTD, Punjab, Lahore, interview by the author interviewed on 22 April, 2019.

⁵¹ Punjab Police, "CTD, Punjab", <https://www.punjabpolice.gov.pk/ctd> (accessed April 2, 2019).

⁵² Zahoor Ahmed, AS IS, Home Department Punjab, interviewed on April 2, 2019.

⁵³ Zulfiqar Ahmed, “Military courts: Rabbani says revival of sunset clause to contradict government’s claim”, *Business Recorder*, 12 January 2017, <https://fp.brecorder.com/2017/01/20170112122567/> (accessed 23 May, 2019).

⁵⁴ Imran Mukhtar, “Transfers, Postings Turn NACTA into a Dormant Entity”, *The Nation*, 17 July 2011, <https://nation.com.pk/17-Jul-2011/transfers-postings-turn-nacta-into-a-dormant-entity> (accessed on 23 May, 2019).

⁵⁵ The Nation, “Madaris ready to cooperate on registration, regulation”, 16 May 2019, <https://nation.com.pk/16-May-2019/madaris-ready-to-cooperate-on-registration-regulation?show=preview> (accessed 23 May, 2019).