



## Freedom of Speech and National Integration

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**Abstract :** *The first Prime Minister of free India, Pandit Jawahar Lal Nehru, had two serious concerns. The first one was to modernize India and the second was to integrate India. It is a probing question why these issues came to his mind. Probably, this work tried to address the same issue in the 21<sup>st</sup> century. The pertinent question is why the problem persists even today? This work found that, ideally, India is a multi-cultural nation, but within this idealism there are many cleavages based on religious, caste and lingual fanaticism. Unfortunately, politics today has aggravated the issue rather than solved it. Along with advancement, India is today grappling with the problems of division and separatism. The*

*citizens of the country, having the right to speak freely, are guaranteed this fundamental right in the Indian Constitution. However, they sometimes cross the limits of decency and pose a threat to national integration. This apprehension was discussed in the constituent assembly and even today it is leading to a number of cases and controversies regarding sedition charges. This work reached a generalization that absolute freedom cannot be practised either by the denizens or by the government. The bottom line is that we can legitimately protest against the government but cannot blemish the image of our nation.*

**Keywords:** *Integration, Freedom of speech, Sedition, Fanaticism, Multi-cultural, Separatism.*

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### Introduction :

India is characterized by "UNITY IN DIVERSITY" embracing a spectrum of diverse religions, ethnicities, races, castes, communities, territorial units etc., which presents a picture of opportunities along with certain challenges for the country. In spite of all our efforts, for preserving unity and integrity, in the past as well as in the present, our national integration is hindered because of several reasons. In recent years, the unprecedented havoc of communalism, regionalism, casteism and terrorism have led to the menace of anti-social and anti-national elements, which poses a serious threat to the integration as well as to the democratic fabric of India. Hence, in order to align and integrate the entire population, our constitution provides for certain

fundamental rights that can facilitate the development of citizens and at the same time also provides certain safeguards that can act as a caution against various unreasonable demands put forward by any group. One such fundamental right guaranteed by the constitution is the “*freedom of speech and expression*”. Under article 19 [1] of the constitution “every citizen has the right to express his views, opinions, belief and convictions freely by word of mouth, writing, picturing or in any other manner”. But, at the same time, the state can impose certain reasonable restrictions, under article 19[2], on the grounds of sovereignty and integrity of India, security of the state, friendly relations with states, public order, decency or morality, contempt of court, defamation and incitement to an offence.

But today freedom of speech has emerged as an issue of frequent debates and seminars organized under the banner of various groups and associations, that work as a catalyst in diverting the people, especially the youth from the path of patriotism. It is further politicized and misused which ultimately hinders the process of national integration.

In the wake of increasing dissent, such as the *J.N.U case, the political instability in Kashmir, and Zakir Naik controversy* etc, there is a need to build a capacity to differentiate between critique and ridicule and to draw a boundary line between the right to express oneself and its misuse against the national interest of the country.

Failure to balance the right of free speech and misuse of speech leads to greater governmental interventions and more dissent on the part of the public. Thus, freedom of speech and expression is a democratic right, which needs to be cherished and protected, but, at the same time, should not be allowed to be misused in the name of freedom. There is a thin line of demarcation between freedom of speech and misuse of free speech which, at times, gets blurred and poses serious threat to the spirit of nationalism and it is this line that needs to be identified and respected in order to accomplish the goal of national integration.

#### **Hypotheses :**

Our research study is based on the following hypotheses-

1. Misuse or, often, politicization of freedom of speech leads to national disintegration.

2. Constitutional limitations on freedom of speech are not likely to maintain national integration.

#### **Aim and objectives :**

1. To understand the meaning, nature and scope of freedom of speech as far as national integration is concerned.
2. To assess the role of freedom of speech in disintegrating the nation.
3. To analyze the judgments of the Supreme Court in understanding the real aspect of freedom of speech in maintaining national integration.

#### **Methodology :**

Sampling size- 50

Sampling method- Incidental, purposive

Tools and techniques

- (a) Primary data – scheduled interview
- (b) Secondary data – books, journals, magazines, newspapers and the websites.

Method of data analysis

Method of data analysis was through 3-Dimensional pie-charts.

#### **Discussions and Findings :**

Freedom of speech is one of the most gifted rights guaranteed under article 19(1) of the Indian Constitution. However, lately the freedom of speech became a matter of constant concern and so did discussions at many of the public forums whereby this very freedom is seen to be interpreted differently by different sections of society.

Freedom of speech and National Integration had never been in such conflict with each other. But, today, they have come against each other through several contributing factors, such as, political parties, sectional groups, and, seldom, even the common people, for fulfilling their own agendas and interests.

Media today has emerged as a platform, whereby people rampantly use this freedom of speech to make their voices heard and at the same time to serve their selfish motives, which not always but sometimes, may be antithetical to the interest of the country.

Politicians today are unable to balance the exercise of political power with freedom of speech. This often results in a feeling of hatred among the citizens. The political parties today add “fuel to the fire” which, in one or another form, hampers the national integration.

Integration, today, has become subservient to the various claims and interests of the society and thus it ends up giving undue importance to freedom of speech.

There is one section of people who do not generally focus on using freedom of speech to highlight those elements which threaten our country. Rather, they more often use it to give birth to anti-national elements which, bifurcate the country from unity.

Among all the individuals whom we came across, most were sure about absolute freedom of speech leading to anarchy, that is, complete lawlessness and, therefore, they agreed that limitations are important, since man is not always wise. Furthermore, it is also to be noted that restrictions are only useful as long as they do not infringe upon our right to free expression. Moreover, people are now required to act more maturely, to understand the distinction between being anti-national and anti-governmental.

#### **Recommendations :**

Right to speech is an inherent part of individual liberty. Based on this notion, the Indian Constitution has guaranteed the right to speech and expression, which helps us to make the government more accountable and responsible to its citizens. However, this should be kept in mind, that individuals are never above the nation and their freedom ought to be restricted if, in any manner, it threatens national integration.

An important role here is required to be played by the various governmental and non-governmental organizations in checking the misuse of freedom of speech, as we cannot every time rely upon the judiciary to intervene.

Media today has come forward as the fourth pillar of democracy. So, we cannot ignore the role of mass media not that of social media in spreading hate speeches and manipulating the media. The government should check the manipulation of such speeches assigning an important role to the police.

Politicians should be careful before exercising the right to speech so that the integration of the country is not hampered. Any one, including these politicians, who try to use their speech in the manner that hampers the integrity of India, should be penalized.

The right to freedom of speech should not be used to promote violence or public disorder. Rather, it should be used to unite India's fractious public sphere and to sustain its secular as well as its multicultural character.

India being the largest democracy, is often characterized by its emotions and sentiments. These separatist groups take advantage and use the freedom of speech to harm or bifurcate the country. Here, people, should mature enough to understand the real motives behind these speeches and not to get swayed by them.

Moreover, a line should be drawn between raising our grievances or criticizing our government and using speech in a wrongful manner to incite violence or to endanger the integrity and unity of India.

As youth, we should be alert and conscious enough to exercise our freedom of speech within the constitutional limits, and not to be influenced by speeches of various groups, leaders or countrymen who try to question the very integrity, unity and diversity of India.

#### **Conclusion :**

India has granted its citizens the right to speech and expression, under article 19(1) of the Constitution, to express their opinions and thoughts freely. Ever since Independence, national integration had been one of the major priorities of the Indian leaders, such as, Patel and various other leaders, who played an important role in integrating the princely states within the ambits of independent India. During our freedom struggle, the national speech had always been the medium, through which nationalist forces could spread their message, for the harrowing need of independence throughout India. It was the censorship on freedom of speech that leaders like Bal Gangadhar Tilak were put behind bars on account of sedition charges. It was at this instance that the Indians realized the very need and importance of freedom of speech in one's life.

However, speech used otherwise can bring great peril to the unity and integrity of the nation. This is what India is going through in the present scenario, whereby

a particular section of people are in favour of absolute freedom of speech, even if it questions the integrity and security of India. There exists the other group who are in support of the idea that the right to speech should be given to an extent that it does not hamper the integrity and democratic fabric of the country because criticizing the government is different from ridiculing the nation. The recent developments that took place at J.N.U, Amnesty International, and further, the demands of Kashmiris for their independence have put India in a dilemma as to whether being anti-governmental is being anti-national? In Feb 2016, in the JNU campus, students came together to commemorate the death of Afzal Guru, a Kashmiri separatist, who was executed for his role in 2001 Indian Parliament attack. According to reports, various anti-India slogans were shouted on the campus which in a were the expression of solidarity with the separatist elements of Kashmir. An intense debate that was followed by this event led to the emergence of two divergent views. One advocated complete freedom of speech, debate, discussion, and dissent in the country in general and Indian varsities in particular, whereas the other one demanded its curtailment to check anti-India speech and activities that could threaten India's unity and integrity. The matter become even more complicated when the event was politicised by the different political parties to serve their political ends.

A similar thing is oftenwitnessed in Kashmir when the right to free speech is misused by the separatist elements to incite acts of violence and disturb peace and tranquility in the valley. All these events actually dilute the essence of the "UNITED INCREDIBLE INDIA" dream of our freedom fighters.

Despite having reasonable restrictions on the exercise of this right, it has been misused and there have been controversies also, sometimes only for the TRPs of the various news channels and their much awaited burning debates. Though national integration is not directly in danger, somehow it is affectingthe very core of it. The hate speeches have gone too far in creating a feeling of heart burning alienation. Anomic outburst may eventually in future lead to anarchy and this ultimately would endanger national integration. Hence, we would conclude with the very notion that today there is dire need to distinguish between what comprises anti-governmental and what is called anti-national.

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