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An Epoch of Digital Activism

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ABSTRACT

The progressive social changes through social media and internet is regarded as a new insight in understanding activism prevailing in 21st Century. In the last decade, the Republic of India has witnessed a series of protests and its close nexus of modus operandi through technological development. Presently, India has seen active growth of new social media platforms to express social concerns while it bridges the gap between traditional media and internet/digital media. Recent developments in communication trends has brought the youth of the nation into mass movements. Voluntary generated content has a dynamic effect, be it a positive or a negative impact in the society. In this modern era of technology, the social media has projected its power to gather people and to lead a digitally empowered movement with unity. Freedom given is awarded by the Constitution of India through Freedom of Speech and Expression which is enveloped with reasonable restriction.

Keywords: *social media, protest, social movements, freedom of expression, social movements.*

I. INTRODUCTION

Social media in recent times has become synonyms with social Networking sites such as Facebook or micro blogging sites such as Twitter. The advent of social media is transforming the way in which people connect with each other and the manner in which information is shared and distributed. Social media is redefining the way people connect with each other.² In India number of subscribers accessing internet via wireless phones etc. was 615.05 million at the end of March 2019 while the number of wire line internet subscribers was 21.68 million.³ India

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² Government of India, *Framework & Guidelines for use of social media for Government Organisations*, Department of Electronics and Information Technology. (Mar. 23, 2020, 02.35 P.M) https://meity.gov.in/writereaddata/files/Approved%20Social%20Media%20Framework%20and%20Guidelines%20_2_.pdf.

³ Government of India, *Annual Report 2018-19*, Department of Telecommunications, Ministry of Communications. (Mar. 23, 2020, 05.47 P.M) <https://dot.gov.in/sites/default/files/Annual%20Report-2018-19%28English%29.pdf>.

now has 400 million active Whatsapp users⁴, 250 million active Facebook users⁵ and 16 million Twitter users⁶. The social media and the traditional media play a prominent role in providing information to public at large which tends to form mass opinion over a particular subject matter of concern.

The true test of a democracy is its ability to ensure the creation and protection of spaces where every individual can voice their opinion without the fear of retribution.⁷ The Indian Constitution has guaranteed the Right of 'Freedom of Speech and Expression' to its citizens in sub clause (a) clause (1) of Article 19. But this not being an absolute right is subject to certain limitations imposed under Article 19(2) which empowers the State to put 'reasonable restrictions.'⁸ Freedom of speech and expression includes freedom of propagation of ideas and that freedom is ensured by the freedom of propagation.⁹ This makes it clear that the right to freedom of speech and expression carries with it right to publish and circulate one's ideas, opinions and views with the use of any means of publication. In a democratic state, an accepted principle of Freedom to Express or Right to dissent is of paramount importance. The India Press Commission expressed that "Democracy can thrive not only under the vigilant eye of its Legislature, but also under the care and guidance of public opinion and the press is *par excellence*, the vehicle through which opinion can be articulated."¹⁰ Right which is engraved has its prominence with that of Media to express on a particular theme.

The first and foremost role of media is to provide accurate and objective information to the public to enable it to form rational opinion, which is a *sine qua non* in a democracy. Obviously, people cannot go everywhere to collect information about important events, and hence the media acts as an agency of the people for supplying such information. Hence it plays a vital role in a democracy.¹¹ Media is a medium through which people are made aware of the ongoing

⁴ Kul Bhushan, *Whatsapp now has about 400 million users in India*, Hindustan Times, (Mar. 22, 2020, 11.30 AM) <https://www.hindustantimes.com/tech/whatsapp-now-has-about-400-million-users-in-india/story-CT4v7JjYjmc8YKIQiSkXJ.html>

⁵ Government of India, *India's Trillion-Dollar Digital Opportunity*, Ministry of electronics and Information Technology. (Mar. 22, 2020, 04.30 PM) https://meity.gov.in/writereaddata/files/india_trillion-dollar_digital_opportunity.pdf

⁶ Government of India, *Framework & Guidelines for use of social media for Government Organisations*, Department of Electronics and Information Technology. (Mar. 24, 2020, 7.30 A.M.) https://meity.gov.in/writereaddata/files/Approved%20Social%20Media%20Framework%20and%20Guidelines%20_2_.pdf

⁷ PTI, *Blanket Labelling of dissent as Anti-National hurts ethos of Democracy: Justice D. Y. Chandrachud*, The Hindu. (Mar. 22, 2020, 7.45 P.M.) <https://www.thehindu.com/news/national/blanket-labelling-of-dissent/-as-anti-national-hurts-ethos-of-democracy-justice-chandrachud/article30829420.ece>

⁸Dr. J. N. Pandey, *Constitutional Law of India*, p.195, (54. ed, 2017)

⁹ Romesh Thapar v. State of Madras, AIR 1950 S.C. 124.

¹⁰Dr. J. N. Pandey, *Constitutional Law of India*, p.207, (54. ed, 2017).

¹¹ Justice Markandey Katju, *Role of the Media and the Anna Hazare Movement*, Satyam Bruyant, Markandey Katju Blogspot. (Mar. 23, 2020, 08.45 P.M) <http://justicekatju.blogspot.com/2012/08/role-of-media-and-anna>

issues and concerns in a society. With the Rule of law, liberal democracies ensure that their citizens enjoy the right to express their views in every conceivable manner, including the right to protest and express dissent against prevailing laws.¹²

Democratic country like India in past few decades has witnessed many protests, Nirbhaya Movement 2012, Pro-Jallikattu Protests, (Tamil Nadu, 2017), FTII Agitation, 2015, Jan Lokpal Bill: Anti-Corruption Movement by Anna Hazare, 2011, The Assam Movement, 1979-1985, Anti Reservation Protest, 2006, Jadavpur University Protest, 2014 and recently Citizenship Amendment Act, 2019 protest. These instances depicted that in a democracy expressing one's view is considered to be a righteous conduct. Protest and a recourse to the judiciary are options that are legitimately available to the people.¹³

If the right to freedom of speech and expression includes the right to disseminate information to as wide a section of the population as is possible, the access which enables the right to be so exercised is also integral part of the said right. The wider range of circulation of information or its greater impact cannot restrict the content of the right nor can it justify the denial. The virtues of the electronic media cannot become its enemies.¹⁴ However, in recent times, the question is whether mainstream media helped in giving shape for a huge movement or media had no choice than establishing its credentials in a democratic setup to claim for its continuous guardian and fourth pillar status. Some scholars also believe that it was the social media which provided momentum for a huge movement that the mainstream media could not ignore. As a result, the subsequent intervention of electronic and print media has made the agitation into a mass movement.¹⁵ However, it would appropriate to say that there is an inclusion of use of Internet in Electronic Media.

The introduction of social media such as blogs, Facebook, and Twitter as a new way to social network has become the new catalyst tool to provide information of social Movements.¹⁶ One of such protest was Jan Lokpal Bill Protest in 2011, which was New Millennium in Indian democracy. This protest drew attention of people, mostly the young guns of India who supported and led the protest march. Many pages, groups and communities were followed by

hazare-movement.html.

¹² Sohini Ghosh, *Dissent is 'safety value' of Democracy: Justice Chandrachud*, The Indian Express. (Mar. 24, 2020, 09.48 A.M) <https://indianexpress.com/article/india/justice-d-y-chandrachud-caa-protest-democracy-anti-national-6269831/>.

¹³ Ajit Prakash Shah, *In CAA Initiative, finding the Judiciary's lost voice*, The Hindu, (Mar. 23, 2020, 11.57 P.M) <https://www.thehindu.com/opinion/lead/in-cao-narrative-finding-the-judiciarys-lost-voice/article30415118.ece>.

¹⁴ Secretary. Ministry of I & B v. Cricket Association of Bengal (CAB), 2 SCC 161 1995.

¹⁵ Dr. Atanu Mohapatra, *Lokpal and the Role of Media in Propping up Anti-Corruption Movement in India*, International Journal of Social Science and Interdisciplinary Research, March 2013.

¹⁶ Dr. Saswati Gangopadhyay, *Digital Media and Social Movements*, Communication Today, 2015.

the youth on various social media platforms. The Social Media and Print Media played a vital role in creating mass people support for this movement. Following on these lines was the Nirbhaya Movement in the year 2012, which was also a much media influenced protest. Although, this protest was initiated in the capital of the country, but it received support of the citizens all over India on various social media platforms.

Recently there was an outburst and an outcry that erupted in a violent way in various regions of India with reference to Citizenship Amendment Act, 2019 (CAA). It was an outcome of the reaction to express dissent against legislative action. Here being in 21st Century, wherein social media was on the go, people used to get updated with the information before the traditional media sources. Twitter *Trending hashtag* were witnessed with ‘for’ and ‘against’ opinions. A new day would lead to new dimensions which media used to provide and the people were driven through these trending charts especially the youths.

The Social Media platforms and Freedom of Expression can have considerable great impact on the social conditions in a democratic state. The social media has a role in democracy parallel with that of other forms of print media in exercising the right to freedom of speech and expression. A citizen has a fundamental right to use the best means of imparting and receiving communication and as such have an access to telecasting for the purpose.¹⁷ While expressing on any medium it must be kept in mind that, public order also includes public safety.¹⁸ In addition to the same, any action of citizen enjoying its right cannot hamper or take away the liberty of another person.

Another example could be the ‘Arushi Double Murder Case’ where media virtually considered the accused guilty. Several recommendations have been made on this issue in 200th report of Law Commission of India. Considering the recent and past incidents, ever-increasing tendency to use media while the matter is sub-judice has been frowned down by the Supreme Court of India in many instances and to which the Apex Court reiterated the same in Sidhartha Vashisht v. State (NCT of Delhi)¹⁹ (Jessica Lal Case). The conduct of media whether being a print media or electronic media must avoid unnecessary judgement of any situation unless and until it has any authenticity of source from which it has evolved. Patanjali Shastri J, in A. K. Gopalan v. State of Madras²⁰ explained Reasonable Restrictions stating that observed, “man as a rational being desires to do many things, but in a civil society his desires will have to be controlled with

¹⁷ Secretary. Ministry of I & B v. Cricket Association of Bengal (CAB), 2 SCC 161 1995.

¹⁸ Romesh Thapper v. State of Madras, AIR 1950, SC 124 1950.

¹⁹ Sidhartha Vashisht v. State (NCT of Delhi), 6 SCC 1 2010.

²⁰ A. K. Gopalan v. State of Madras, AIR 1951, SC 21 1951.

exercise of similar desires by other individuals”. However, dicta of Supreme Court described this Freedom as “the Ark of the Covenant of Democracy.”²¹

In India, movements such as Lokpal Movement 2011, Nirbhaya Rape case 2012, CAA, 2019 can be regarded as fierce digital battles which have engraved a large impact on social and statutory position. Many a times, the social media platforms are flooded with fake news which sometimes results into occurrence of violent protests.

Reality of Freedom will be realised by will and determination of its citizen who are willing to assert and some willing to defend their freedom. Hence, it may be safely assumed that for most social movements the groundwork may be done by using the internet and witnessing its success in real world of such events further focusing on Social Media to reach large number of people. In India, technological advancements are becoming more ‘hyper-real’ than it was ever thought of. In 21st Century the freedom conferred by the state upon its citizen have led to social movements where new reality is picturized by Social Media thereby paving its way towards Digital Activism and striking balance between Democratic principle of the state.

²¹ Bennett Coleman & Co. v. Union of India AIR 1972, SC 106 1972.