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# Protest as an Instrument of Ascertaining Public Opinion

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JAHNABI GOSWAMEE<sup>1</sup>

## ABSTRACT

*Protests are generally public expressions of discontent or disapproval towards a particular idea or course of action, be it political or social. Protestors organise protests in order to voice out their opinions and views loud in an attempt to influence public opinion. Although protests are systematic and peaceful campaigning for fulfilment of one's interests, yet we get to see many instances where protests turn violent and ultimately go beyond government control. One of the most significant protest movements was the Civil Rights Movement which was a decades-long struggle (from 1950s to 1960s) by the African-Americans against racial discrimination and segregation practised upon them by the Whites in the United States.*

*This article discusses some of the most prominent protests that took place in the 21st century all over the world. These protests revolve around various contentious issues and concerns of the people worldwide who were eventually to a certain extent successful in their quest for the fulfilment of their basic rights, privileges and interests. Most of these protests turned violent as it concerned the sentiments of millions of people wanting their voices to be heard at a bigger platform.*

Protests from time immemorial have proved to have a deep and enduring impact on the society at large. Historically, protests have often influenced positive societal change and enhanced the protection and preservation of human rights. The protests in the 21<sup>st</sup> century have been carrying different objectives towards bringing a change in the social as well as political framework worldwide. These are quite different and distinct from the protests organised by people in the yesteryears. Protests from the 1950s throughout 1970s have centred upon the struggle for civil and social rights, equality, and justice in the United States as well as in other parts of the world. The structure and objective of protests however took a gradual turn to focusing on more fundamental and elaborative issues concerning citizenship, inequality, immigration, gender etc. leading to some of the notable protest movements so far in this century as discussed below.

The announcement of Trump's candidacy in June 2015 was followed by one such protest called the Anti-Trump Movement. This was an effort undertaken by a group of Republicans and other

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<sup>1</sup> National Law University and Judicial Academy (NLUJA), Assam, India

eminent conservatives to prevent now President of the United States, Donald Trump's nomination and to oppose his 2016 presidential campaign. Besides his inauguration as the 45<sup>th</sup> President, the protesters expressed opposition to his alleged history of sexual misconduct and various presidential actions, most notably his aggressive family separation policy adopted across the entire US-Mexican border. This policy was based on the 'zero tolerance' approach which intended to dissuade illegal immigration and to encourage a stringent legislative system. This practice of family separations was however already imposed before making its public announcement and under this policy, children had to part ways with their parents or guardians with whom they had entered the US.

Soon after the inauguration of President Donald Trump, there was a worldwide protest on 21<sup>st</sup> January, 2017 as a reaction to his anti-women or otherwise offensive statements. This Women's March was one of the largest single-day protests in U.S. history.<sup>2</sup> Demonstrators at this Women's protest march adopted goals as of the "Protection of our rights, our safety, our health, and our families – recognizing that our vibrant and diverse communities are the strength of our country".<sup>3</sup> The main protest was in Washington, D.C., and is known as the Women's March on Washington<sup>4</sup> apart from the other marches taking place worldwide.

The Israeli-Palestinian conflict had been fuming with rage since 1947. The Israeli government continued to enforce severe and discriminatory restrictions on Palestinians' human rights; restrict the movement of people and goods into and out of the Gaza Strip; and facilitate the unlawful transfer of Israeli citizens to settlements in the occupied West Bank.<sup>5</sup> This conflict took a major uprising on 30<sup>th</sup> March, 2018 which continued for about 20 months. Also called the 2018–19 Gaza border protests, this campaign was launched demanding that Palestinian refugees and their descendants be allowed to return to Israel from where they were displaced. The protestors also demanded the ending of the blockade of the Gaza Strip.<sup>6</sup> While these protests were largely non-violent and protesters were unarmed, often incidents of stone pelting, tire burning, damaging Israeli property were reported. In response to that, the Israeli forces fired tear gas, rubber-coated bullets and live ammunition.

A significant yet enduring protest has been the Anti-Brexit movement where thousands of

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<sup>2</sup> Matt Broomfield, Women's March against Donald Trump is the largest day of protests in US history, say political scientists, *Independent*, January 23, 2017

<sup>3</sup> Meredith McGraw & Adam Kelsey, Everything You Need to Know About the Women's March, *ABC News*, January 20, 2017

<sup>4</sup> Jia Tolentino, The Somehow Controversial Women's March on Washington, *The New Yorker*, January 18, 2017

<sup>5</sup> World Report 2019: Israel and Palestine, *Human Rights Watch*, <https://www.hrw.org/world-report/2019/country-chapters/israel/palestine>

<sup>6</sup> Jack Khoury, Yaniv Kubovich & Almog Ben Zikri, Mass Gaza Border Clashes: 58 Palestinians Killed by Israeli Gunfire, 1113 Wounded, *Haaretz*, May 15, 2018

protesters had taken to the streets of central London in a march against Brexit and Conservative Party leadership hopeful Boris Johnson. The campaigners took resort of slogans like “No to Boris, Yes to Europe” and asked Johnson “to stop the Brexit chaos”.<sup>7</sup> As opposed to those protesting, Boris Johnson called the Brexit deal “the greatest single restoration of national sovereignty in parliamentary history.”

The Citizenship Amendment Act (Bill) protests were widespread protests in India which emerged soon after the enactment of the Citizenship (Amendment) Act in December, 2019. The protest initially began in Assam and then swiftly spread to other states as well, with varying concerns of the protesters. This Act of 2019 amended the Citizenship Act of 1955 by providing Indian citizenship status to illegal migrants of Hindu, Christian, Jain, Parsi, Sikh, Buddhist religious minorities from Pakistan, Bangladesh and Afghanistan who had entered India prior to December 2014; however Muslims from those countries were not given such eligibility.<sup>8</sup> Protesters found this Act to be discriminatory of religion and so demanded it to be scrapped. The protesters in Assam particularly, feared that it would alter the region's demographic balance, resulting in a loss of their political rights, culture, and land. Major violent protests took place in few educational institutions where public as well as private properties were vandalized.

One of the remarkable 21<sup>st</sup> century protests that took place in India centred round the use and status of triple talaq which always has had been a subject of controversy and debate. Many opposing this practice raised issues of gender equality, justice and human rights. This led to mass protests being organised by Indian Muslim women in every part of the country to contest against this illegal practice. The Supreme Court laid down in its judgment in August, 2017 with reference to the landmark case of *Shayara Bano v. Union of India & Others*.<sup>9</sup> holding the practice of Triple Talaq unconstitutional.<sup>10</sup> Talaq is an Islamic word for divorce and under the Muslim law, Triple Talaq means liberty from the relationship of marriage, eventually or immediately, where the man, by simply uttering the word ‘talaq’ three times, ends his marriage. This instant divorce is called Triple Talaq, also known as ‘*talaq-e-biddat*’. Earlier, the Shariat Act of 1937 had legalised and allowed the practice of Triple Talaq which gave a Muslim

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<sup>7</sup> Anti-Brexit protesters hold 'No to Boris' march, BBC News, July 20, 2019, <https://www.bbc.com/news/uk-england-london-49058433>

<sup>8</sup> Joanna Slater, Why protests are erupting over India's new citizenship law, The Washington Post, December 19, 2019

<sup>9</sup> (2017) 9 SCC 1

<sup>10</sup> Hemant Varshney, Shayara Bano vs Union of India- Triple Talaq- Case Summary, Law Times Journal, September 24, 2018, <http://lawtimesjournal.in/triple-talaq/>

husband special privileges over his wife.<sup>11</sup> Now with the revocation of this practice, divorcing a wife by reciting ‘talaq’ thrice is void and will therefore lead to three years of imprisonment for the husband.

In August 2019, the Government of India revoked the special status granted under Article 370 to Jammu and Kashmir which had been the subject of debate among China, India and Pakistan since 1947. While international human rights groups swiftly condemned the action, Hindu nationalists celebrated, saying this could bring peace and investment to the war-torn region.<sup>12</sup> Eventually, a large number of protesters started pouring onto the streets worldwide soon after the scrapping of Article 370. But the voice of the Kashmiris was silenced, as government authorities cut off practically all communication from the area. Mehbooba Mufti, former Chief Minister of Jammu and Kashmir called the day the blackest day in India’s democracy.<sup>13</sup> Rallies and demonstrations were also carried out in London, England where protesters gathered outside the Indian Embassy to express discontent over Indian action. Protests also took place in France, Canada, Bangladesh, and United States where demonstrators carried placards and shouted slogans on the streets. The international community reacted immensely to the violent protests happening regarding the abrogation of Article 370. United Nations urged both India and Pakistan to resolve all outstanding disputes between them and to exercise maximum restraint.

There have been also numerous protests till date in India as to the increase in the number of crimes against women in the country. As per the Crime in India Report 2017 released by The National Crime Records Bureau (NCRB), a total of 3,59,849 cases were reported against women. Especially, there has been an alarming increase in rape cases; a total of 32,559 rapes were reported in 2017 in India.<sup>14</sup> Thousands of Indians were witnessed taking to the streets to join the nationwide protests against continuing sexual assaults of women and girls like the 2012 Delhi gang rape case, the 2018 Kathua rape case in Jammu and Kashmir. These monstrous crimes against women sparked protests across the country where demonstrators adopted various means of protesting like holding placards, shouting out slogans like “Punish the guilty”, organizing rallies, candle marches etc. Incidents of massive violence were seen especially during the protests to condemn the 2012 gang rape case where enraged protestors and police

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<sup>11</sup> What is Triple Talaq Law, Business Standard, <https://www.business-standard.com/about/what-is-triple-talaq-law>

<sup>12</sup> Jeffrey Gettleman, Suhasini Raj, Kai Schultz & Hari Kumar, India Revokes Kashmir’s Special Status, Raising Fears of Unrest, *The New York Times*, August 5, 2019

<sup>13</sup> Jeffrey Gettleman, Suhasini Raj, Kai Schultz & Hari Kumar, India Revokes Kashmir’s Special Status, Raising Fears of Unrest, *The New York Times*, August 5, 2019

<sup>14</sup> Nirandhi Gowthaman, NCRB Crime in India 2017 report reveals most unsafe places for women, *Women Rights*, October 31, 2019, <https://yourstory.com/herstory/2019/10/most-unsafe-places-women-india-ncrb-report>

pelted stones at each other and even roads and railway stations had to be shut down in a bid to restore law and order.

Protests have greatly defined the first two decades of the 21<sup>st</sup> century which saw the return of mass movements to streets around the world.<sup>15</sup> Mass mobilization around the world and the practice of influencing public opinion has had a huge impact on both official politics and wider society and thus, protest has become the form of political expression to which millions of people turn.<sup>16</sup> The urge to safeguard the integrity of one's nation by voicing out their opinions and views contrary to any legislation or measure undertaken by the government has indeed brought thousands of people out onto the streets and thereby encouraged them to stand in solidarity with the under-represented or marginalized groups in the society.

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<sup>15</sup> Protest has helped define the first two decades of the 21st century- here's what's next, The Conversation, December 30, 2019, <http://theconversation.com/protest-has-helped-define-the-first-two-decades-of-the-21st-century-heres-whats-next-128745>

<sup>16</sup> Protest has helped define the first two decades of the 21st century- here's what's next, The Conversation, December 30, 2019, <http://theconversation.com/protest-has-helped-define-the-first-two-decades-of-the-21st-century-heres-whats-next-128745>