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# Protesting in the 21st Century

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## ABSTRACT

*The article highlights the relevance of protests in the current socio-political scenario. The main object of any protest is to bridge the communication gap that exists between the government and people with respect to major decisions. The people resort to protests to actively criticise the government with regard to implementation of legislation. Any major decisions taken need the voice of reason of people whom it concerns. Protest have been taking place since the birth of societies and social order, and have transformed through time into the 21st century. The article deals with newer methods of protests in the online platform and calls for a system wherein communication is made easy between the people and the government. Several instances of protests in history and present times have been analysed along with current legislations dealing with the right to protest. The latin phrase 'Vox Populi, Vox Dei' would suffice to summarise the main theme of the article.*

## MAIN ARTICLE

Bio-piracy Change is something that everyone demands for in every aspect in life and it is no different when it comes to the rights of people as citizens of the world and protests have served as means of acquiring these rights. The word protest can be described as an objection or a display of unwillingness to an idea and has been defined as a gesture of disapproval. A statement of objection can also amount to a protest against something, but the word generally indicates mass public demonstrations which express dissent against an idea and also to achieve a desirable outcome. One of the most common forms of protests are demonstrations on the streets against authority and its strategies. It is a conspicuous method which people utilise to express their opinions on key issues. Protesting is the only way through which people can come forward with their ideas and opinions in a regime that rarely takes the public's opinion into consideration. This form of activism can be classified as conventional and unconventional which is differentiated by level of risk, demands, and political legitimacy<sup>2</sup>. Conventional protest activities are relatively less demanding, socially legitimate and low risk when compared to unconventional protests.

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<sup>2</sup> Joseph DiGrazia, Individual Protest Participation in the United States: Conventional and Unconventional Activism (2014)

Protests have been prevalent for centuries, the earliest and possibly the first being the Peasant's Revolt in the 14th century against the violative consequences of the bubonic plague that manifested in the early 1340's. Likewise there have been several protests in history, some calm and orderly and some which had violent consequences. The Boston Tea Party in the 1750's when almost 46 tonnes of tea sent by the East India Company was dumped into the ocean as a sign of revolt, marks the beginning of the American Revolution. In the 1770's the French Revolution known as the Reign of Terror where powerful monarchies were overthrown in France marked the rise of democracy and freedom not just in France but across the world. Later the fight for democracy turned into a fight against the democracy due to the Suffragist Movement wherein the Suffragettes held peaceful campaigns for women's right to vote.

Gandhi's Salt March against British taxation was a 240 mile journey with more than sixty thousand people along the coast of India serving as a turning point in history for India's independence. Similarly in a rally of more than two hundred thousand peaceful protesters to promote racial equality was where Martin Luther King's 'I Have A Dream' speech was delivered. To fight for what is rightfully ours is a privilege that is bestowed upon citizens along with certain restrictions by the laws of the democracy. As societies go through the tides of time newer issues arise and people need to make sure they are heard on their opinions and problems and that is how the concept of 'protests' has evolved and carried through to the 21st century. The century began with an array of significant problems and soaring inequality which resulted in a lack of representation. A decreasing sense of trust in the democracy, global economic crisis and climate change are some of the main reasons for mass mobilisation in the 21st century which has carried clout in world politics.

Large scale protests have flared up all over the world especially in the Middle East, North Africa, Hong Kong, Latin America and India. These protests are being used as a form of political expression against change that threatens civil liberty. On February 15, 2003 millions of people took part in protests in more than 60 countries all over the world marking the biggest and most widespread anti-war global movement the world has ever seen against the US and UK intervention in Iraq. Similarly protests in Sudan or Algeria have overthrown popular leaders. The more recent case of protest being against the implementation of the Citizenship Amendment Act in India. More protests have been flaring up because of the weakened mechanisms of expressing discontent such as frivolous attacks on freedom of press and restrictions on labour unions. Hong Kong's recent wave of civil disobedience began with a murder which resulted in the introduction of a bill allowing the extradition of fugitives to trial in mainland China which was seen as a threat to the freedom the city enjoyed under the 'one

country, two systems' model. The right to protest is not expressly provided for in any international or domestic legislation but is enshrined within the rights of a person to adhere to one's own views, to express freely and to assemble peacefully. Therefore the right to freedom of expression and freedom of assembly are important components which confers upon people the right to protest peacefully.

Analysing the the Constitution of India it can be inferred that the right to peacefully protest is provided for in *Article 19(1)(a)*<sup>3</sup> which is the freedom of speech and expression and *Article 19(1)(b)*<sup>4</sup> is the freedom to assemble peacefully without any arms. These fundamental rights expressly allow protests and mass demonstrations in a peaceful manner enabling the citizens to freely express their opinion and dissent. In democracies everywhere the citizens have the right to elect their government and also to throw it out in a legitimate election. The preamble of the Indian Constitution mentions 'liberty of thought, expression, belief, faith and worship.' In the landmark judgement of *Ramila Maidan Incident v. Home Secretary, Union of India & Ors*<sup>5</sup> it was adjudged that people have a fundamental right to assemble and peacefully protest and that the restrictions imposed should be reasonable and cannot be curtailed by an arbitrary legislative or executive action. All of this implies that an important virtue of any good democracy is one which demands the voice of reason of the people to be heard by those elected to power and decisions reached after due considerations. The right to protest like any other right accorded comes with certain reasonable restrictions. Violent protests, demonstrations that infringe any other rights and jeopardise the security of a state, relations with another state, morality and public order can constitute an offence and is deemed unlawful.

Historically, protests have served as instigators of positive social change and encouraged development of the state and the involvement of of citizens in strengthening the democracy. Protests enabled direct participation and accountability, served as an outlet for those whose interests are not sufficiently represented. Despite of all these centuries of protesting, governments all over still have not found a suitable system through which people can be involved and represented. Even in the 21st century these governments view protests as nuisance or inconvenience that needs to be nipped in the bud . One of the major changes in protesting in the 21st century is the use of digital technology. What used to be mass mobilisation on streets now has formed a platform online. Social media is now a crucial tool for expressing dissent against democracies and in most cases is even more effective.

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<sup>3</sup> Constitution of India, art 19 § 19 (1)(a)

<sup>4</sup> Constitution of India, art 19 § 19 (1)(b)

<sup>5</sup> *Ramila Maidan Incident v. Home Secretary, Union of India & Ors* , 5 SCC 1 (2012)

The 'Streisand Effect' is a social media phenomenon wherein when someone attempts to hide or remove any information it has the consequence of further publication via the internet. This effect has only proved that the more people try to suppress opinions online the more publicised it becomes. So when compared, protesting through social media carries more influence than conventional activism and cannot be as easily suppressed. Taking example from when a five judge bench decriminalised homosexuality mentioned in Section 377 of the Indian Penal Code, the digital activism of all supporting the decriminalisation of homosexual activity created a revolution in India and strongly influenced the judiciary. The recent protest in India, against the implementation of the Citizenship Amendment Act and the National Register of Citizens which has been facing some violent backlash has been curtailed due to the coronavirus pandemic. Despite these restrictions the protests are still continuing on social media.

Reasons and forms of protests have gone through several changes over the centuries but the manner in which they are received by the opposition has not changed with time. As aforementioned, no government has come forth with any system to include the public opinion while deciding on important policy matters that affect the people directly. While it may take an indefinite period of time to come up with such a system, it is of utmost necessity that basic human rights are not violated and fundamental rights are not curtailed. Violent and unnecessary backlash against the protestors should be avoided and an effective communication system should be enforced. Proper and untainted communication between authority and opposition is extremely important for protests to take place efficiently. Initial stages of protests against the Citizenship Amendment Act took place mainly due to the lack of proper information and communication.

Looking back at the beginning of this century, the story of a sea of protests that swept across the globe can be discovered. One of the prime challenges to any government today are non-violent mass movements. Demonstrations have emerged out of nowhere, overnight and public rage has unleashed on a global scale demanding proper governance and better systems.