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Protests in 21st century

MOLLSHREE PAREEK¹

I. INTRODUCTION

“Never be afraid to raise your voice for honesty and truth and compassion against injustice and lying greed. If people all over the world....would do this, it would change the earth.”

These are the words of Sir William Faulkner an American writer. Indeed, to raise voice against injustice, exploitation and tyrannical administration has to be raised in order to curb injustice and oppression. Struggles between the oppressed and the oppressor have been witnessed by almost every nation. The terms oppressor and oppressed have been interpreted differently by different scholars. In the book **“The Communist Manifesto”** Karl Marx and Friedrich Engels it has been mentioned that,

"The history of all hitherto existing society is the history of class struggles."

Struggle as per Marx is between two economically non-equivalent classes i.e., bourgeoisie and proletarians. However, this struggle is not restricted to economic classification only it indicates the state of power as well. For example, most of the protests are directed against the state (government) as well. Some of the protests during the colonial rule were so impactful and powerful that many nations got their independence.

Speaking in the common parlance protests are generally conducted for bringing change. However, not always these protests are directed towards something positive or correct. Often these protests are directed against the government (state) and the policies or schemes of government. There are both pros and cons of a protest legally speaking.

Protests should be there if there is any injustice or oppression but it should be also kept in mind that as what are its positive outcomes vis-s vis negative ones also, that on what cost will we have the positive outcomes.

As mentioned earlier protests can lead to both positive and negative outcomes. The aspect negative is being used here with respect to law. It implies that what appears to the masses as correct might not be appropriate in the eyes of law. Protests can lead to the following negative impacts:

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- 1) Can lead to economic loss to the nation as people stop working and their entire energy is consumed somewhere else.
- 2) Can lead to a situation of anarchy.
- 3) Can lead to a situation of fear and anxiety among citizens.

II. LEGAL POSITION WITH RESPECT TO PROTESTS:

Indian Position with Respect to Protests:

Indian Constitution provides for right to protest to its citizens however, this right is accompanied with some limitations and restrictions. The Indian position with respect to it is as follows:

Article 19 provides for freedom of speech and expression and Article 19 1(b) provides for the right to peaceful assembly and protest. In the case of *Ramlila Maidan v. Home Secretary Union of India* it was laid down that, “Citizens have a fundamental right to assembly and peaceful protest which cannot be taken away by an arbitrary executive or legislative action.”

Also in the case of *Maneka Gandhi v. Union of India* Supreme Court of India laid down that, “If democracy means government of the people by the people, it is obvious that every citizen must be entitled to participate in the democratic process and in order to enable him to intelligently exercise his rights of making a choice, free & general discussion of public matters is absolutely essential.”

Following are the protests that grabbed most of the attention in the 21st century (India):

- 1) Nirbhaya Movement, 2012- movement against a brutal gangrape which shook the entire country.
- 2) Pro-Jallikattu Protests, Tamil Nadu, 2017-Supreme Court banned the traditional festival of jallikattu.
- 3) FTII Agitation, 2015- appointment of Gajendra Chauhan as the chairman of Film and Television Institute was not accepted by the public.
- 4) Jan Lokpal Bill: Anti Corruption Movement by Anna Hazare, 2011.
- 5) The Assam movement, 1979-1985.
- 6) Anti-reservation protests, 2006.

- 7) Jadavpur University Protests, 2014.
- 8) Protest against the Citizenship Amendment Act.

In America the protests are as follows:

In USA there is an organization which is known as US Protest Law Tracker it keeps in check the protest movements of its citizens.

- 1) The Women's March on Washington — January 21, 2017.
- 2) The March for Women's Lives in Washington DC — April 25, 2004
- 3) Protests against the Iraq war in America's largest cities— February 15-16, 2003
- 4) The Million Woman March in Philadelphia, Pennsylvania — October 25, 1997
- 5) The March on Washington for Lesbian, Gay.
- 6) The Second National March on Washington for Lesbian.

III. CONCLUSION

By concluding it can be said that protests are one of the key features of history. Protests have their own pros and cons. Therefore, protests shall be conducted only after weighing both of these. Protests have their own past, present and future. Mob psychology comes also comes into play when protests are conducted.