

In 2012, the United Nations, famously, adopted digital rights as fundamental rights in its landmark resolution by stating that “[the same rights that people have offline must also be protected online](#)”. This comes as no surprise with the internet, discovered in the latter half of the 20th century, has been permeating each and every sphere of an individual’s life. At the same time, it is being increasingly employed by private and government entities. Being hailed as the symbol of freedom in the 21st century, the internet is often defined as a [democratic and disruptive invention](#).

The spread of cellular network across the globe has given impetus to the ever-growing coverage of the internet. This enhanced access to the internet is transforming the means and nature of content creation. With no particular authority to administer, people have been freely engaging in constant recording and charting of their daily lives on the internet, using it as a platform to express their thoughts, opinions. Concurrently, businesses are employing the internet to reach out to a larger customer base in the form of online shopping, internet banking, e-commerce. The Internet has facilitated governments’ efforts to inform, influence the domestic and foreign audiences, by serving as a means of direct communication between the public and the authorities. These transformations altogether are heralding a new age of information revolution.



But as every coin has two sides, the birth and advancement of the internet have presented with itself a number of opportunities as well as obstacles. The boundaries between public and private information have been successfully blurred due to the easily accessible internet services, bringing forth the concerns regarding data protection. Individuals have become targets of identity frauds and data breaches. These threats are expanding to the national level with non-state actors like terrorist organizations hacking into government websites and state-run social media accounts. Our growing dependence on the internet is, in turn, making us vulnerable to cybercrimes.

The task of ensuring internet security is not without difficulties, as numerous countries are still grappling with cyber-related legislations. An increase in cybersecurity is posing a threat to the very notion of internet sovereignty. Freedom of expression and the privacy of individuals, trademarks of the Internet Age, are being challenged by the growing cybersecurity concerns.

The exercise of internet freedom without a proper security framework in place is a precarious move. As demonstrated in the 2013 case of Google being accused of illegal wiretapping in America. In a move to better the accuracy of the information provided in its [Street View](#) initiative, the tech giant had been collecting emails, passwords, images along with other personal information from unencrypted home computer networks. Recently, it has been accused again of keeping track of the users' browsing history, despite the users opting for [private browsing](#).



Apart from private agencies, states too are employing the internet as a tool of sabotaging their political rivals. The dark clouds of online Russian interference in the 2016 presidential elections stand heavy as the USA approaches the 2020 presidential elections. The recent Senate report confirms the conclusion drawn by the intelligence agencies that [“Russians had engaged in cyber-espionage and distributed messages through Russian-controlled propaganda outlets to undermine public faith in the democratic process, hurt Democratic candidate Hillary Clinton and help President Donald Trump.”](#) This is challenging the foreign policy objective of internet freedom widely promoted by the former State Secretaries John Kerry and Hillary Clinton.

Countries like Russia and China are engaging in curbing the political usage of internet through a number of online censorship legislation. Creation of a psychological wall against the internet by promoting it as a portal of political scares and threats has been a successful tactic to keep the masses away from the internet. The rise of political, social discourses on various platforms through the medium of internet is proving to be a bane for many governments as they try to assert control over the masses. Employment of aggressive program of political, economic and legal intimidation has been keeping the public from openly engaging in political discussions and discourses on the internet. Such threat scares are popularly utilized by the Russian government in its efforts to contain the political

opposition in the country.

This trend is quite evident in Bangladesh as well, in the form of an online battle between the rationalists and the fundamentalists which had begun in 2012. The country "[is in the grips of a shocking and almost systematic purge of outspoken secularists by self-appointed Islamist vigilantes](#)". After a hitlist consisting names of secular and atheist bloggers was published online in 2013, a series of murders have taken place. All of the killings have connections with local affiliations of transnational terror groups like ISIS, Al Qaeda. The government has been unable to curb the extrajudicial killing spree conducted in the name of religion. Avjit Roy, Niloy Chatterjee, Washiqur Rahman, Ananta Das are some of the bloggers who were targeted by the hard-line Islamist groups.

Apart from non-state actors hampering freedom of speech in the country, the government too has ramped up its surveillance for potential "[anti-state propaganda, rumours and provocations on Facebook, Youtube, Viber as well as other means of communication on the internet](#)". Minority groups, political opponents, government critics along with secularists and atheists have fallen victims to this increased state control of the internet.

The community of internet users are actively engaged in shrinking spaces for opinions to be expressed and giving rise to the disturbing trend of vigilante justice. In times like these, it becomes imperative for the government to ensure every individual's safety and security, regardless of their political, religious affiliation and economic, gender, social status.



The law enforcement agencies across the countries are struggling to find a balance between internet freedom and national security. The very access to the internet, the starting point of digital rights, has been disrupted in some states due to various national security concerns. The trend of internet shutdowns as witnessed in countries like India, Ethiopia, Turkey and Uganda have been subject to severe international criticism. With internet connections being disrupted, a direct attack is launched on the freedom of speech.

The [internet shutdown in Kashmir](#), owing to the abrogation of Article 370 of the Constitution, has been one of the longest, lasting for 7 months (August 2019-March, 2020). Internet services in the Valley have been restored, however, only at 2G speed and in a phased manner. The availability of 2G slow speed internet is drastically affecting the lives of people in Kashmir, amidst the pandemic lockdown, infringing on their fundamental right to life. Essential services related to education and medical consultation are taking place through online platforms. However, the [2G internet speed](#) is unable to support the delivery of these services adding to the suffering of the people. Government has been restraining the highspeed 4G internet service owing to the rise of terrorism in the region, which in recent years, has been largely facilitated through the online medium. The Supreme Court, too, has

taken the stand to prevail national security consideration over the human rights of the people.

Beyond individual rights, internet shutdowns are detrimental for the economic health of the country as well. This is prevalent from the two-week internet blackout in Ethiopia in 2019 which cost the country [a loss of \\$66.87 million](#). Ethiopia has been a frequent victim of internet shutdowns since 2016. Internet shutdowns disturb the flow of information, a crucial aspect during any crises as people seek access to information online. It not only interferes with political and economic rights but also affects the right to health, education, social security. Internet shutdowns cannot be a viable solution to any form of political crises. And if implemented, a proper legal, transparent system should be instituted for the same.

The Internet has been successful in broadening the contours of freedom of speech and expression. Thus, resulting in a fine line between freedom of expression and offending sentiments. The freedom of one person to express their opinions could quickly transgress into hurtful statements for others, potentially leading to incitement of violence. Quite unmistakable in the recent case of Indian comedian [Agrima Joshua](#), whose joke regarding the statue of Chhatrapati Shivaji Maharaj led to an invitation of abusive comments against her, including rape threats. The arrest of one of the abusers was possible only with the intervention of the National Commission of Women.

Cybersecurity for women has developed into a contentious issue with a rise in the employment of the internet for instigating abusive behaviour including crimes against women. Another example of cyberspace regressing into a restrictive and unsafe place for women comes from India's neighbourhood, Pakistan. [Aurat March](#) (Women's March) is annually held since 2018 on the International Women's Day to voice out various grievances of Pakistani women and demand economic as well as restorative justice, accountability for the violence committed against them. Issues of consent, discriminatory practices towards women along with domestic abuse have been frequently raised during the March. However, the movement has not been well-received by the people resulting in online harassment and issuance of rape and death threats against the movement's organizers.

Thus, it can be witnessed that the internet is being used by individuals in their right and freedom to troll and send out hate. These instances bring forth the deeply entrenched social problems and divide in the society. Simultaneously, they question the very premise of internet freedom, with regard to 'who can exercise it' and to 'what extent'. It brings forth the question of what can be considered as freedom of expression and what can be considered as an incitement to violence. The mentioned incidents demand a much-needed

legislation catering to the protection of freedom and safety of individuals engaging in any form of discourse on the internet. However, it also corresponds to the extent of the internet regulation exercised by the government in the name of maintaining law and order, often bordering on the infringement of basic rights of the people.

India issuing a ban against [59 Chinese apps](#), amidst the political tensions between both the countries questions the arbitrariness of the move. Wherein the digital rights of the people are being sacrificed for tending to the national security concerns of the government. Blocking internet service or a particular internet application can be described as an intrusive step as it interferes with the fundamental rights and freedoms of the people. Questions regarding the aggressiveness of the action as well as the extent of the power exercised by the government constantly arise. And this is supplemented by the lack of satisfactory cyber-related legal provisions in the country.



Where Do We Stand

The Internet has been actively promoting the exercise of democracy as it “[provides citizens](#)

[around the world with greater freedom of expression, opportunities for civil society, education and political participation](#)". This begets the need to engage with the internet for exposing oneself to new information, participate in political discussions. However, the internet poses an immense power of distraction wherein individuals are in the constant practice of tuning out politics, and immersing themselves in a wide range of entertainment channels. This emphasizes the fact that the democratic potential of the internet largely depends on the manner of its usage.

Employment of internet by the governments to control domestic political environment is becoming the new normal. The [2016 military coup](#) in the state of Turkey was overturned with the help of local masses, as President Erdogan turned to social media to seek help against the armed forces. This is ironic considering the authoritarian nature of Erdogan's government constantly engaged in clamping down internet freedom in the country. Thus, establishing the fact that the internet as an effective tool of democracy can only be established if employed in the right direction.

Tools of online propaganda and disinformation have been successful in limiting the ability of the citizens to "[separate truth from fiction, demobilize citizens and 'undermine the self-organizing potential of society' to pursue democratic change](#)". As a result, states have been successful in maintaining the authoritarian nature of the government.

To address the growing menace of online data and national security risks, countries need to set up accountable legal processes. As it has been made clear in the [Anuradha Bhasin judgment](#) wherein the Supreme Court stated very clearly on the issue of internet shutdowns "[that any order blocking people's rights to liberty, especially in relation to the Internet, requires to be published](#)". This shall uphold the individuals' effort in maintaining their privacy and safety.

The mere accessibility of the internet to the masses is not sufficient to ensure the prevalence of democracy. It is imperative that internet freedom be utilized for channelling democratic practices, otherwise, it would remain a mere tool in the hands of the vested parties. The use of technology holds greater importance, in comparison to the existence of the technology itself.

Sources

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