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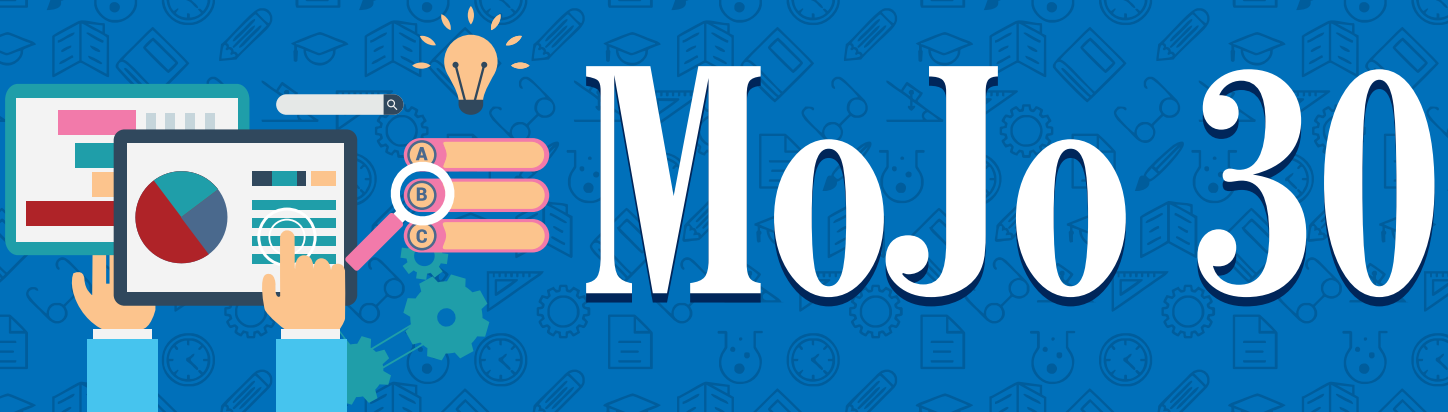
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# SOCIAL MEDIA CANNOT GO UNREGULATED ANYMORE

Relevant for: Security Related Matters | Topic: Role of Media and Social Networking Sites in internal security challenges

Given its vast influence, India needs a law that is equipped to restrict its adverse effects, although the rules we adopt must neither stifle free speech nor invade the privacy of users

US President Donald Trump's attempt at reining in social media platforms has made policymakers around the world sit up and take notice. In India, the US move has fuelled a debate over the responsibility and culpability of such platforms for the content they carry. Though our Information Technology Act of 2000 covers such matters, its application tends to discourage these apps from intervening in what people put out, with the result that moderation is minimal and it takes a court order to take down offensive or dangerous material. As of now, if a platform does not interfere at all, its liability for content is shielded; if it does, it could be dragged into a dispute. But the harm posed by fake news and messages that incite lawlessness is obvious. We thus need an updated legal framework that allows social media to serve its purpose without being a menace to civil society. So far, online discourse in India has been a free-for-all, where gross misinformation gets peddled all too often, sometimes as a means to some political end. The big question, however, is how our online spaces can be sanitized without compromising free speech and user privacy, both of which are rights our citizens are entitled to.

At one end of the spectrum, some argue that it is better to let such platforms operate as mere carriers that are distinct from publishers, and let what is posted be considered the user's own expression. If this approach is adopted, regulating content would be difficult and an unacceptable status quo would prevail. The limits of such a hands-off approach are being witnessed in the US, where public pressure has made apps make editorial interventions and the White House has responded by trying to expose them directly to lawsuits for what gets posted. So, at the other end of the argument are those who would have these organizations treated on par with content generators, to be held liable for all that they allow online—or "publish". Given the sheer volume of traffic on popular apps, it would be hard for them to keep watch. Earlier, the Indian government had sought to frame draft guidelines for content moderation, with the use of Artificial Intelligence recommended for the purpose. This may work to some extent, but algorithms cannot be expected to sniff out every post designed to offend sensibilities or instigate violence. There are other complexities. Much of India's traffic is on WhatsApp, which is encrypted as part of its promise to users. Chats cannot be pried into. In contrast, Twitter's tweets go out openly, so it can be monitored.

Perhaps the country needs a mix of legal provisions and self-regulation (by apps and their users), suitably optimized to balance all concerns. Social media platforms could be asked to watch what goes out and devise their own ways to do it. Their exposure to legal action can be calibrated finely so that they neither trample free speech nor permit content that violates our principles of reasonable restrictions on that freedom. Encryption need not be abandoned so long as encrypted apps put in place effective mechanisms for bad content to be flagged by users. We could look to legislative action elsewhere, too. Some aspects of European models, for example, may be worthy of emulation. We have gone far too long without any proper regulation of social media. This has endangered some of the principles we have chosen to live by under our Constitution. The aim of intervention is not to stifle the internet, but safeguard the values we hold dear.

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## GOVT. TO BOOST FACILITIES ALONG CHINA BORDER

Relevant for: Security Related Matters | Topic: Security challenges and their management in Border Areas

The BADP, which was started in 1980 for the western border, has over the years expanded to cover 396 blocks of 111 border districts in 16 States and two UTs.

The new BADP guidelines said, “10% of the total allocated funds will be additionally allocated to the States/UTs abutting Indo-China border [Arunachal Pradesh, Himachal Pradesh, Ladakh, Sikkim and Uttarakhand] for taking up works/projects in the districts abutting Indo-China border.”

It said that 10% funds would be reserved as an incentive for the better performing States. Out of the remaining Rs. 638.2 crores, the northeastern States — Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim — would get Rs. 255.28 crore, or 40% of the remaining 80% funds. Around Rs. 382.9 crore, or 60%, would be allocated to Bihar, Gujarat, Himachal Pradesh, Punjab, Rajasthan, Uttar Pradesh, Uttarakhand, West Bengal and the Union Territories of Jammu and Kashmir and Ladakh, the guidelines said.

Forces such as the Border Security Force (BSF), deployed along the Bangladesh and Pakistan borders; the Indo-Tibetan Border Police (ITBP) on the China border; the Sashastra Seema Bal along the Nepal border; and the Assam Rifles stationed along the Myanmar border would provide independent feedback on the projects in the blocks concerned and may be tasked to conduct social audit of the works, it stated.

No NGO or private institution could be hired for infrastructure related work, the guidelines said.

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# INDIA NEEDS SOVEREIGN RULES TO GOVERN SOCIAL MEDIA

Relevant for: Security Related Matters | Topic: Role of Media and Social Networking Sites in internal security challenges

If foreign media or laws get to determine what can legitimately go online, it would amount to a loss of sovereignty

When the internet was being hailed as a new frontier of freedom, few foresaw how an infodemic of fake news on social media platforms could scuttle the dream of a better-informed and thus wiser world. So severe has the crisis of lies fanning out far and wide become that “mis” is now an apt prefix for this so-called “information age”. The dangers of the phenomenon are clear. With weapons and viruses more lethal than ever, words and falsehoods can kill. India has had several instances of mob violence spurred by incendiary material posted online, but it has taken a firestorm over racism in America to lend the idea of social media curbs its urgency.

The US spotlight, of late, has been on the posts of President Donald Trump, whose challenger for the White House, Joe Biden, is campaigning to mount pressure on Facebook to revise its hands-off policy on what gets conveyed by its media vehicles. Under an employee siege over the issue, the US-based company had signalled a revision of its guidelines for content intervention. Twitter, which serves more as a broadcast platform, had acted earlier to tighten its self-regulatory norms, earning Trump’s ire by flagging a few of his tweets for a fact-check, and even slipping one behind a cautionary screen for allegedly “glorifying violence”. The editorial calls being made by this app have stirred an e-hornet’s nest, and US political trends suggest that state regulation could come into force at some point. Either way, what we say online in India may soon be subject to moderation by American values and politics, an outcome we need to pre-empt.

Our Constitution guarantees the right to free speech with a few riders—on the spewing of hatred, for example—designed for Indian social conditions. If foreign media companies or laws get to determine what can legitimately go online, it would amount to a loss of sovereignty. While US restrictions may follow global principles of civil decency on many matters, they are unlikely to satisfy the specific interests of our democracy. On geopolitical issues, the problem of foreign intervention could be even more acute. Twitter has reportedly shut down 170,000 accounts for spreading narratives deemed favourable to the Chinese government. The platform seems to be under no illusion that it is often deployed as a propaganda tool, but we have little official sway over its allegiances in playing gatekeeper. If our country were to be victimized by hostile agents, there is no saying what its stance would be.

To keep social media in consonance with our constitutional values, we need mechanisms of moderation that are answerable to us. The government is looking to employ an external agency to filter content. The rules that are instituted for this need to be framed clearly, and kept open to public scrutiny and democratic discussion. Our twin objectives should be to keep incendiary stuff off the web, while safeguarding our liberty to speak the truth.

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