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**Social Media and Human Rights**

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## ABSTARCT

Social media has both merits and demerits. The merits include its endless potential to disseminate information and educate individuals. The drawbacks consist mainly of anonymity, lack of authenticity, invasion of privacy, violation of the rights of children, etc. There are number of threats to human rights in the contemporary digital age. Among these threats, lawmakers are most concerned about the protection of privacy in the digital age. Therefore, it will be a special focus of this article. Human rights have and will always be an important in our life. It is an intrinsic part of the lives and personal freedom of individuals. Thus, the present paper will explore the various issues in the age of internet and role of human rights regarding the use of social media. We have freedom to express our thoughts on social media but it doesn't mean one can pass on any adverse comment which can hurt someone. So, it is very important to understand human rights while using social media.



**Key Words: Human Rights, Social Media, Privacy**

## Introduction

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Today most of the information is shared on a digital form, when communication technologies such as smartphones and free internet access have become part of everyday life, when commerce, health and financial services, education and entertainment, social platforms and infrastructure are provided online and in real time, contemporary life is increasingly moving in the direction of life.

Privacy is a primary concern as human interactions go online more and more. A new challenge for the legal and regulatory framework is the amount of data we generate online and its vulnerability to misuse.<sup>3</sup> On the one hand, where this information technology has made access to information extremely easy and readily available at any point of time, its harmful effects can, on the other hand, be in the form of



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unnecessary surveillance, data theft, communication interception, etc. Technological advances in the storage, retrieval, analysis and transmission of information (particularly individuals' personal information) have definitely increased concerns about privacy violations.

### **Privacy in the Age of Social Media**

First of all, it is important to understand the meaning of the term 'privacy' in order to gain in-depth knowledge of the right to privacy and its involvement in the digital age. Legally speaking, in a strict sense, the term "privacy" as such has not been defined anywhere. Privacy is defined by the Merriam Webster dictionary as "freedom from unauthorised intrusion." It is possible to conceptualise privacy as an information space attached to a person. Personal information is the content of this space. Privacy rights can be understood as the right to control the flow of information in and out of this private area. In view of its importance in one's life, because of its existence as a human being, the same has been defined as human rights enjoyed by every human being. The Supreme Court of India has time and again considered privacy as an essential element of personal liberty which is a crucial human right for the holistic development of human personality. Protecting one's privacy and respecting the right to privacy is a counterbalance to the power of the state to extend the lives of its citizens.

The vulnerability of individual privacy is a major problem in today's technologically advanced world, with the presence of the internet being omnipresent. While the advantages of digitalization are applaudable, the norms of human life have certainly improved in many ways, but the disadvantages are equally noteworthy. The right to privacy poses a powerful threat to information technology. This article deals with dealing with social media as a tool for education and awareness of human rights.

### **Social Media and Human Rights**



VIDHYAYANA

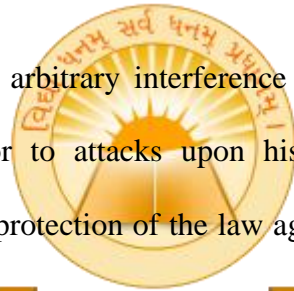
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Human rights can be considered broadly speaking as those fundamental and inalienable rights that are essential to life as a human being. It is crystal clear that these rights are not something that is specifically created and then awarded to any person, but rather those rights that are inherent in any person because he is a 'human'. The state simply acknowledges such rights. Every human being, regardless of their nationality, race, colour, caste, religion, gender, etc., possesses these rights. In order to reaffirm faith in the fundamental human rights, dignity and worth of the human person, the world community, after witnessing gross human rights violations during World War II, has come together to resolve and devise a mechanism to ensure the protection of human rights. When the same was done, attention was given to the elements of privacy. Article 12 of the Universal Declaration of Human Rights (UDHR) is proof that the right to privacy, as a human right, is protected. Thus, the said article reads:

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.



VIDHYAYANA

The above provision seeks to create a legal regime in the international order that casts an obligation upon States to protect physical and communication privacy. In addition, this position seeks to encompass different facets of human interaction and behaviour. These facets include the right to reputation and family privacy, which are the foundation of dignity,<sup>9</sup> an essential element of the right to life and personal freedom. The arbitrary intrusion of one's personal freedom is extremely dangerous not only to the right to privacy, but also to the realisation of various other human rights, as the fountain head of other human rights is the right to privacy. If one is not allowed personal space, it is futile to protect all other human rights in the intimate space he shares with himself. While freedom of expression is essential to diverse cultural expression, creativity and innovation, as well as the development of one's personality through self-expression, the right



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to privacy is essential to ensuring the autonomy of individuals, facilitating the development of their sense of self and enabling them to forge relationships with others. A major role is played by education, health care facilities and privacy. The right to privacy has always been deemed an intrinsic part of an individual's life and personal freedom. In earlier times, privacy was essentially linked to physical/physical privacy, where laws and regulations were intended to provide physical protection against any kind of intrusion into one's privacy. Today, in the context of the ubiquitous presence of the internet, the right to privacy has come to be understood as a multifaceted right, meaning that privacy is no longer concerned with the physical aspect, but also includes communication privacy and data privacy within its scope. This digital age has given a multidimensional scope to the notion of privacy protection.

Since media plays the role of communication between the state and the public, it can also play an effective role of making the authorities aware of their duties. The new role of the media today is to report, analyse and comment. It is challenging to play a role in protecting the world's human rights. While playing this new role, the risk of its misuse is present. The need for the hour is self-regulation for that. While reporting violations of human rights, journalists should establish 'Lakshman Rekha'. Before journalists, the main objective should be to give facts, but not in a way and with the purpose of generating sensation and arousing people's feelings. It should be decent and civilised for projection and language. Journalists should not add insults to the investigation. The media should refrain from providing flaring statements and images. As the media is the mirror of society, it is important to be careful that the mirror is not hazy.

The media should not be influenced by the authorities while reporting such violations. It should look deeply into the issue and offer solutions. It is not sufficient to merely report the facts. It should give reasons for the issue and the nature of the violations and then provide solutions. Press has a sacred duty to concentrate on violations of human rights and then measures to protect them. Freedom of expression is a sacred right that is well accepted across the globe and this freedom should be respected by journalists. It



VIDHYAYANA

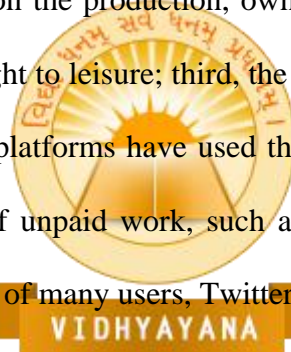
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finds its place as a guaranteed fundamental right in the Indian constitution. In line with the constitutional mandate, the Government of India professes its desire to safeguard and safeguard this fundamental right. However, no right and, for that matter, the right to freedom of expression is, in all circumstances, absolute and unfettered, but bound by the duty to preserve the peace and harmony of body politics by the exercise of prudence and restraint in the exercise of the right to freedom of expression. If passion is likely to be inflamed by the exercise of this right, the right to freedom of speech needs circumspection and consequent restraint for the greater good of society.

Social media are inevitably modulated according to business interests, opening up three main areas of discussion: first, to what extent it is possible to examine private agreements between free people from a human rights approach; second, debates on the production, ownership and labour processes as regards the right to work, the right to work and the right to leisure; third, the issue of the right to work, the right to work and the right to leisure; Online software platforms have used the inherent ability of Web 2.0 to allow free expression online as an infinite source of unpaid work, such as the translation of software into minority languages. Thanks to the voluntary efforts of many users, Twitter has recently been translated into Catalan.



VIDHYAYANA

Since such a voluntary effort is monetized by private companies, some human rights, such as the right to equal pay for equal work, could be at stake. But the fragmentation and difficulty of finding common areas for people doing the same job online is likely to hinder efforts to form trade unions and collectively protect their interests as workers. The possibility of accessing the internet via several mobile devices, on the other hand, creates the fiction of a permanent connection that is easily extended to the effect of permanent visibility and permanent work.

The concept of private ownership of digital platforms raises questions about the rightful owner of online media content, particularly in the event of a collision between a remix of works borrowed from



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previous works and the original author of a particular product. In other cases, the name of the author is rejected in such a way that the contributor, the participant and the user are not considered to be the authors and are therefore not entitled to authorship rights. Finally, in the classic conflict between author and copyright owner, a new space of struggle is discovered in social media where ownership falls between the platform, the interface and the software in which the user has published or created his work and has thus granted the platform all rights of exploitation. In terms of authority, social media owners have the ability to lay down rules of conduct for users and rules relating to published content. This means that the freedom of expression initially assumed can be strategically adapted according to the owners' specific interests, who can freely decide what is and what is not publishable. Therefore, as long as the social media are profit-oriented, the information they contain can be considered part of the product and can be collected, analysed, sold, shared, and ultimately used through state control for more profit in advertising and social ordering. In this case, traded data is private information relating to users and their practises, raising privacy concerns.



VIDHYAYANA

### Conclusion

There are both advantages and disadvantages of technology. On the one hand, it poses powerful threats to the realisation of the human right to privacy in the form of communication surveillance, interception and retention of data containing personal information that renders individuals vulnerable. The biggest concern in the social networking world is privacy issues. For nefarious purposes, such as cyber-bullying, cyber-stalking-invading into someone's privacy, social networking sites are often used. Cases of unauthorised access to data and misuse of such data or information illegally retrieved are widespread, posing serious threats to privacy concerns in the digital age. However, on the other hand, by creating awareness among the masses, social media can potentially be used as a platform to promote the realisation and



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protection of human rights. Social media, if used prudently, can open up innovative views of human rights discourse, create an interconnected environment and make a big difference in the protection, promotion and enforcement of human rights.

### **References**

Chakravartty, P. & Sarikakis, K. (2006). Media Policy and Globalization. New York: Palgrave Macmillan.

Morozov, Evgeny (2011) The Net Delusion. The Dark Side of Internet Freedom. New York: Public Affairs.

Mosco, Vincent. (2004) The digital sublime: myth, power, and cyberspace, Cambridge, Mass: MIT Press.

Sarah, Joseph (2011) Blame It on the WTO: A Human Rights Critique. Oxford: Oxford University Press.

Shirky, Clay (2010) Cognitive Surplus: Creativity and Generosity in a Connected Age – London: Penguin.

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