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**DIGITAL VIGILANTISM AND SOCIAL  
MEDIA JUSTICE IN INDIA**

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## DIGITAL VIGILANTISM AND SOCIAL MEDIA JUSTICE IN INDIA

### Context

- Recently, the Delhi High Court observed that social media posts can *'transcend mere free expression and act as a catalyst for public shaming'* and social media platforms are emerging as a **parallel space for justice delivery**. It has revived debate on **digital vigilantism** in India.

### Understanding Digital Vigilantism

- Traditionally, vigilantism involves **private citizens enforcing justice outside legal frameworks**.
- In the digital context, it refers to public naming and shaming, viral amplification of allegations, and online 'trials' without judicial scrutiny.
- Digital vigilantism in India arises from a **crisis of trust in formal institutions**, as social media provides **visibility, immediacy, and collective pressure**.
- However, it risks **defamation, misinformation, and erosion of due process**, and reflects a deeper structural issue i.e. institutional inefficiency rather than mere misuse of free speech.

### Arguments Favoring Digital Vigilantism

- Bridging Institutional Gaps:** Digital Vigilantism arises due to **delays in courts and weak enforcement mechanisms**.
  - It provides victims with **immediate visibility and voice**, and addresses a **'perceived gap in law and justice delivery'**.
- Empowerment of Marginalized Voices:** Platforms like #MeToo enabled victims to **bypass patriarchal and bureaucratic barriers**. It encourages **collective solidarity and support**.
- Enhancing Accountability:** Public exposure compels corporates, governments, institutions to act swiftly due to reputational risks.
  - Public outrage on social media forcing action in harassment cases (airlines, workplaces).
- Deterrence Effect:** Fear of **public shaming** may discourage misconduct. Digital Vigilantism acts as a **social sanction mechanism**.
- Democratization of Justice:** Digital Vigilantism enables **citizen participation** in governance, and reduces monopoly of elite institutions over justice processes.

### Arguments Against Digital Vigilantism

- Undermines Rule of Law:** Digital Vigilantism violates principles of **natural justice** (*audi alteram partem* ie let the other side be heard as well); and **presumption of innocence**. It leads to **'trial by media/social media'**.
- Risk of Misinformation and False Allegations:** Lack of verification mechanisms, as rumors and viral content can trigger real-world harm, including mob violence.
- Irreversible Reputational Damage:** Even unproven allegations can destroy careers, and cause social ostracism.
  - Defamation laws often act **post-facto**, offering limited relief.
- Mob Mentality and Online Harassment:** Digital Vigilantism leads to doxxing, cyberbullying, and threats; and often escalates into **collective punishment behavior**.
- Lack of Accountability:** Anonymity shields perpetrators of false accusations, hate campaigns; there is no clear mechanism for **liability or redress**.
- Threat to Constitutional Values:** Conflicts between **Article 19(1)(a)** (free speech) and **Article 21** (right to reputation and dignity) that can lead to **erosion of civil liberties and due process**.

### Why Social Media Becomes a Tool for Justice?

- Systemic Failures:** Police apathy and victim-blaming, and weak enforcement of laws like **POSH Act, 2013** (sexual harassment at workplace); and **criminal law amendments post-Nirbhaya (2013)**.
  - For example, movements like **#MeToo in India** relied on digital platforms due to lack of faith in formal redressal mechanisms.

- **Issues in Justice Delivery:** India's justice system suffers from **pendency of cases and delayed justice delivery**.
  - ♦ Victims face **secondary victimization** during investigation.
  - ♦ **Legal consciousness is shifting**, with individuals increasingly bypassing courts for digital platforms.
- **Risks of Social Media Amplification: Defamation and misinformation**, lack of verification mechanisms, anonymity leading to false accusations, and irreversible reputational damage.
  - ♦ **Social media trials** often blur the line between justice and harassment, undermining fair trial principles.

### Way Forward

- **Institutional Reforms:** Fast-track courts for gender-based crimes; strengthening **Internal Complaints Committees (POSH Act)**; and police sensitization and accountability.
- **Digital Regulation:** Implementation of **IT Rules, 2021** for platform accountability; and implementation of mechanisms for fact-checking, and grievance redressal.
- **Balancing Rights:** Protect **victims' voices** while ensuring presumption of innocence, and fair trial.
- **Ethical Dimension:** Promote **responsible digital citizenship**, and encourage **media literacy and verification culture**.

### Conclusion

- The rise of digital vigilantism in India is not merely a challenge of regulating social media, it is a reflection of **institutional inadequacies and declining public trust in justice systems**.
- While social media empowers victims, unchecked use can undermine the **rule of law and natural justice**.
- The solution lies in **strengthening institutions, ensuring timely justice, and creating a balanced digital ecosystem** where **accountability and fairness coexist**.

Source: TH

### Daily Mains Practice Question

[Q] Digital vigilantism is a symptom of institutional failure rather than merely a misuse of freedom of expression. Discuss in the context of social media justice in India.