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À PROPOS DE NOUS

La **Revue Internationale de droit des données et du numérique (RIDDN)/ the International Journal of Digital and Data Law** est une revue universitaire créée et dirigée par Irène Bouhadana et William Gilles au sein de l'IMODEV, l'Institut du Monde et du Développement pour la Bonne Gouvernance publique.

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IMODEV est une organisation scientifique internationale, indépendante et à but non lucratif créée en 2009 qui agit pour la promotion de la bonne gouvernance publique dans le cadre de la société de l'information et du numérique. Ce réseau rassemble des experts et des chercheurs du monde entier qui par leurs travaux et leurs actions contribuent à une meilleure connaissance et appréhension de la société numérique au niveau local, national ou international en en analysant d'une part, les actions des pouvoirs publics dans le cadre de la régulation de la société des données et de l'économie numérique et d'autre part, les modalités de mise en œuvre des politiques publiques numériques au sein des administrations publiques et des gouvernements ouverts.

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ABOUT US

The **International Journal of Digital and Data Law / Revue Internationale de droit des données et du numérique (RIDDN)** is an academic journal created and edited by Irène Bouhadana and William Gilles at IMODEV, the Institut du monde et du développement pour la bonne gouvernance publique.

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IMODEV is an international, independent, non-profit scientific organization created in 2009 that promotes good public governance in the context of the information and digital society. This network brings together experts and researchers from around the world who, through their work and actions, contribute to a better knowledge and understanding of the digital society at the local, national or international level by analyzing, on the one hand, the actions of public authorities in the context of the regulation of the data society and the digital economy and, on the other hand, the ways in which digital public policies are implemented within public administrations and open governments.

IMODEV regularly organizes conferences and symposiums on these topics, and in particular every year in November the Academic days on open government and digital issues, whose sessions are published online [ISSN: 2553-6931].

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ROLE OF SOCIAL MEDIA IN PROMOTING TRANSPARENCY IN AN OPEN GOVERNMENT ERA IN SAARC COUNTRIES WITH SPECIAL REFERENCE TO INDIA

by **Charru MALHOTRA**, Associate Professor, Indian Institute of Public Administration (IIPA), India.

Transparency means "sharing information and acting in an open manner"[1]. The concept of transparency in governance focuses on inclusive participation of all its stakeholders[2] in public processes to infuse an 'openness' in public decision making and to make sure that the governance stays citizen-centric and corruption-free. For doing so, literature[3] and also the funding bodies[4] maintain that the public information needs to be easily available to the masses on non-discriminatory basis by adequate provision of legal instruments such as Right to Information (RTI)/ Right to Hearing/Right to Education and Right to Public Services. Moreover, the procedures for public decision-making need to be clearly delineated and the channels of communication between all stakeholders and officials must be easily available. Undoubtedly, such citizen inclusiveness in public decision-making helps governance to be more citizen-centric[5] resulting in transparent public-processes, more accountable public- functionaries and reduced corruption.

Literature ruminations (for instance, Bac, 2001[6]; Khan, 2002[7]; Peisakhin & Pinto, 2010[8]) can be prudently summed up to testify that transparency in governance has minimum two indicators (also being referred to as 'dimensions' in the study) *viz.* 'inclusive

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[1] UNDP, GOVERNANCE AND SUSTAINABLE DEVELOPMENT, January 1997, pp. 2-3.

[2] UNDP (1997) in its report titled GOVERNANCE AND SUSTAINABLE DEVELOPMENT, there are various stakeholders of Governance including: national and regional (provincial and state) governments; the private sector; non-governmental and community-based organizations (NGOs/CBOs), the media, professional associations and other members of civil society (pp. 2-3).

[3] C. MALHOTRA, *Public Tools for Open Governance: Review of RTI Act and Social Media in Indian Context,* REVUE INTERNATIONALE DES GOUVERNEMENTS OUVERTS, 2015.

[4] UNDP, GOVERNANCE FOR SUSTAINABLE DEVELOPMENT, January 1997, p. 36.

[5] C. MALHOTRA, V. M. CHARIAR, L. K. DAS, *A Validated Citizen-Centric Approach using Delphi Technique For Converging Indigenous Knowledge Systems using ICT,* INTERNATIONAL JOURNAL OF E-GOVERNMENT RESEARCH (IJEGR), Issue 4, 2014.

[6] M. BAC, *Corruption, connections and transparency: Does a better screen imply a better scene?,* PUBLIC CHOICE, Issue 107, n° 1/2001, p. 87-96.

[7] M. KHAN, CORRUPTION AND GOVERNANCE IN EARLY CAPITALISM: WORLD BANK STRATEGIES AND THEIR LIMITATIONS, 2002.

[8] PEISAKHIN & PINTO, *Is transparency an effective anti-corruption strategy? Evidence from a field experiment in India,* REGULATION & GOVERNANCE, (2010) 4, 261–280, doi:10.1111/j.1748-5991.2010.01081; Accessed from http://www.accountabilityindia.in/sites/default/files/document-library/regulationandgovernance_peisakhin.pdf.

governance' and 'reduced corruption'. *'Inclusive governance'* includes gauging the availability, accessibility, institutionalisation and implementation status of legal instruments and tools in a country including the usage of legal acts such as RTI, Open governance portals and so on. A study on extent of implementation of these tools in a country could enable a researcher to measure the degree of sharing of information between public authorities and other stakeholders and thus help to decipher the extent of 'inclusive governance' in that particular country.

'Reduced corruption' is to estimate, preferably from the citizens' perspective, about the perceived levels of 'corruption', in public institutions including executive, judiciary, and legislative bodies. *Global Corruption Barometer* and Corruption Perception Index (CPI) are two such popularly used indicators. Both indicators have been evolved by Transparency International[9], founded in 1993. This study intends to first analyse GCB and CPI indices related to SAARC countries and then understand the relationship between these indicators and usage of social media (§ 1). This will be followed by understanding of percolation of social media in Indian context (§ 2).

§ 1 – EXISTING STATUS OF TRANSPARENCY IN GOVERNANCE IN SAARC COUNTRIES

The existing status of transparency in SAARC countries has been understood with reference to the second dimension of the proposed transparency paradigm, which is "Reduced corruption".

A) Global Corruption Baromater and Corruption Perception Index

There are several ways, both quantitative and qualitative measures to understand the level of corruption prevalent in a system. The study resorts to analysis of two such quantitative indicators viz. Global Corruption Barometer (GCB) and Corruption Perception Index (CPI).

1) Global Corruption Baromater

GCB, founded by the Transparency International in the year 2003, is a global survey of experiences of people confronting corruption/bribery in the main institutions in their respective countries. GCB provides citizens' perspective of status of transparency in their country. An analysis of GCB data for 2010-11 for the SAARC countries brings out the following (Table-1).

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[9] http://www.transparency.org/.

Table-1: Global Corruption Barometer (GCB) for SAARC Countries

		Global Corruption Barometer 2010/11																	
	Col A	Col B			Col C												Col D		
		Q1: In the Past 3 years, how has the level of corruption in this country changed?			Q2: To What Extent do you perceive the following Institutions in this country to be affected by Corruption? 1= Not at all Corrupt; 5= Extremely Corrupt												Q3: How would you assess your current Government's actions in the fight against Corruption?		
	Col A	Col B.1	Col B.2	Col B.3	Col C.1	Col C.2	Col C.3	Col C.4	Col C.5	Col C.6	Col C.7	Col C.8	Col C.9	Col C.1	Col C.1	Col D.1	Col D.2	Col D.3
Sno.	SAARC Countries	Decreased %	Same %	Increased %	Political Parties	Parliament	Police	Business	Media	Public Officials	Judiciary	NGO	Religious Bodies	Military	Education	Ineffective %	Neither %	Effective %
1.	Bangladesh	36	18	46	3.8	3.1	4.4	2.4	2.3	4	3.5	2.3	*1.8*	1.9	2.6	22	17	61
2.	Sri Lanka	32	19	49	3.7	3.2	4	2.6	2.3	3.3	2.5	2.6	*1.7*	2.4	2.9	36	12	52
3.	Maldives	10	34	56	4.1	4.2	3	3	3.1	3.5	3.8	2.7	*2.3*	2.6	2.9	39	15	46
4.	Nepal	19	14	67	3.9	3.3	3.2	2.8	*2.2*	3	2.8	2.8	2.4	2.4	2.9	27	32	41
5.	Afghanistan	16	24	60	2.9	3.2	3.2	3.1	2.8	3.1	3.4	3.1	*2.7*	2.9	2.9	40	26	35
6.	India	10	16	74	*4.2*	*4*	4.1	3.1	3	3.5	3.1	3.1	*2.9*	*2.8*	3.4	44	31	25
7.	Pakistan	7	17	77	4.1	4	*4.5*	3.8	3.3	4.2	3.6	3.8	*2.8*	3	3.1	73	15	12
8.	Bhutan	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

Source: Derived especially for only SAARC countries from the complete table http://www.transparency.org/gcb201011/results

Note: On a scale of 5, the lower the score, higher is the citizens' trust in that particular agency.

(i) The citizens of Bangladesh (Sno.1) rate their government the most effective one (Column D.3) wherein 36% of its citizens feel that corruption has decreased in their country.

(ii) On the other end of the spectrum is Pakistan (Sno.7), where 77% of its citizens polled (Column B.3) indicated an increase in corruption during the last three years.

(iii) Amongst the public bodies in SAARC, scoring the least ('2.2') is the 'Media' (Column C.5) of Nepal, followed by ('2.3') Sri-Lanka and Bangladesh; the latter reposing equal trust in its NGOs (Column C.8). This highlights the need of active involvement of 'Media' and 'NGOS'.

(iv) In general, it was heartening to see in all the SAARC countries the 'Religious bodies' (Column C.9,) followed by 'Media' (Column C.5), were perceived to be least corrupt. India displayed a little deviation, as Military (Column C.10) has been rated to be more honest.

(v) Scoring the highest ('4.5') in the entire table is the 'Police' (Table-1) of Pakistan (Sno.7), indicating highest mistrust of its citizens.

(vi) Although, the citizens of Bangladesh (Sno.1), trust governance, they don't seem to trust either their 'Police' (Column C.3), or their 'Political parties' (Column C.1), or their 'Public Officials' (Column C.6) giving them higher corruption score equal or above 4 despite the fact that these agencies are crucial for ushering good governance in a system.

(vii) In direct contrast stands Afghanistan (Sno.5), which although does not have high position in GCB ranks (5th in order of its perception of Government's actions in the fight against Corruption (Column D.3) but it's citizenry seems to trust its political parties the most (2.9).

(viii) in India (Sno.6), the citizens seem to be wary of its 'Political parties', 'Police', 'Parliament' and 'Public officials' (with high scores of 4.2, 4.1, 4 and 3.5 respectively), an unfortunate situation that can be best redeemed by a synergetic collaboration of 'Media', 'NGOs', 'Judiciary' and 'Business' (low scores of 3, 3.1, 3.1 and 3.1 respectively), albeit the data indicates more trust on 'Military' and 'Religious bodies' (2.8 and 3, respectively).

(ix) Spirituality too plays some part in ushering better governance as the citizens in all the SAARC countries have perceived 'religious bodies' above corruption.

2) Corruption Perception Index

While GCB gives an insider view *i.e.* citizens' perception of level of corruption in a country, CPI gives an international perspective to corruption, as it ranks countries on the perceived levels of corruption at a global level. Each country is given CPI scores based on the country related information from a number of sources including The World Bank and the Asian Development Bank (ADB). These scores are on a scale of 0 to 100; a lower score indicating that the country is perceived to be highly 'corrupt' and a higher value indicating a 'clean' country. Presented below are the latest CPI rankings of the years 2012 and 2013[10], for SAARC countries, except Maldives (Table-2). Maldives had been omitted in CPI surveys for both the years; however, Maldives was placed at the 134th rank out of 176 countries in the year 2011.

Table-2: Corruption Perception Index (CPI)
for SAARC Countries, 2012 and 2013

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6 (Col 4-Col 5)
Rank in SAARC Countries	**Country**	**Overall Rank in 177 countries in 2013**	**CPI Score in 2013**	**CPI Score in 2012**	**Change in Score**
1.	Bhutan	31	63	63	0
2.	Sri Lanka	91	37	40	-3
3.	India	94	36	36	0
4.	Nepal	116	31	27	+4
5.	Pakistan	127	28	27	+1
6.	Bangladesh	136	27	26	+1
7.	Afghanistan	175	8	8	0
8.	Maldives*	-	omitted	omitted	

Source: Derived especially for only SAARC countries
from the complete table for 177 countries

Following conclusions can be derived from the analysis of CPI score (Table-2) for SAARC countries:

    1. Bhutan has been perceived to be the cleanest nation followed by Sri Lanka and India respectively.

    2. None of the SAARC countries except Nepal, have achieved an improvement during the last one year; in fact, Sri-Lanka has shown a decline.

    3. Almost all the SAARC countries save Bhutan are cluttered towards the lower end of the CPI rankings, with Afghanistan close to bottom of the global list.

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[10] http://cpi.transparency.org/cpi2013/results/.

3) Conclusions from GCB and CPI scores of SAARC countries

An analysis of CPI scores (Table-2) indicates that none of the SAARC countries figure in the top 30 'clean' nations of the world. The existing literature too laments about poor governance issues in SAARC; for instance Chowdhury[11] has attributed poverty and inequality in these countries to low and falling volume of intra-country trade, weak governance and low levels of growth. The analysis of GCB scores (Table-1) reveals that the citizens of SAARC countries except Afghanistan mistrust 'Political parties' the most, followed by 'Police' and 'Public officials', reposing higher trust in 'Military' (India), 'Media' and 'NGOs/Civil Society ». From these indicators, it emerges very clearly that the SAARC countries seem to be facing a complete and a "*systemic failure to address corruption*"; this comment has been attributed to Maldives[12] but, in reality, stands valid for other countries of SAARC too.

B) Future Strategy for Ushering Transparency in SAARC Countries

Based on the conclusion gleaned from analysis. Of GCB and CPI scores, using the proposed framework in this study, a two-pronged strategy is proposed herewith to foster transparency in governance of these countries.

1) Inculcate a Congenial Eco-system to Imbue Inclusive Governance

A review of literature (Malhotra, 2013) indicates that it is the facilitating eco-system in the country properly nurtured by the support of civil society and social media that is gradually propelling Indian governance towards transparency and accountability. Taking cue from this case-study, first and foremost, a robust legal framework encompassing freedom of information law enactments must be introduced in SAARC countries. At present, the status of RTI implementation is not very encouraging in SAARC countries. For instance, in Bhutan the Constitution provides for RTI as a fundamental right but the government is yet to bring in a RTI law. Even in other SAARC countries that have RTI laws, the situation is not very encouraging, barring India. The status of RTI implementation[13] had been conducted for 89 countries by the RTI International (http://www.rti.org/) which endorses the pessimistic state for three SAARC countries namely Bangladesh, Nepal and Pakistan, out of the four surveyed (Table-3).

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[11] K. CHOWDHURY, *Convergence of Per Capita GDP Across SAARC Countries, Working Paper 04-07*, Department of Economics, University of Wollo`ngong, 2004 [research-pubs@uow.edu.au]
[12]   http://minivannews.com/politics/systemic-failure-to-address-corruption-transparency-maldives-28970.
[13] http://www.rti-rating.org/.

Table-3: Status of RTI implementation

(Year 2014) in SAARC countries

S.No.	SAARC Countries	RTI Ranking out of 89 countries	RTI Score
1	India	2	130
2	Bangladesh	17	109
3	Nepal	21	104
4	Pakistan	78	66

*: Afghanistan, Bhutan, Maldives and Sri Lanka have not been considered in the survey

Source: Derived especially for only SAARC countries from the total survey of 89 countries at http://rti-rating.org/

As can be clearly seen, only India had an impressive score of 130 points and literature confirms (Malhotra, 2013) it has been made possible only because of facilitating role played by civil society in India. It can therefore be clearly understood that to usher a satisfactory level of transparency in SAARC countries, it is not just important to create tools of transparent governance (RTI Act is an example) rather it is equally important to ensure successful implementation of these tools through facilitating eco-systems, collaborative social equity and empowered institutions, as is presently happening in India.

In a recent report, Lamsang[14] endorses the role of civil society and media by stating,

> "key difference in the SAARC countries that do or do not have RTI is civil society...countries with RTI like India, Pakistan, Nepal and Bangladesh have a relatively more well developed and vocal civil society than in non-RTI countries like Bhutan, Sri Lanka, Maldives and Afghanistan. [...] Again in the four countries that do not have RTI media freedom is restricted in many ways from political interference to media being dependant on government handouts."

Further, GCB (Table-1) scores also validate that the citizens of SAARC countries repose a higher level of trust in 'Media' and 'NGOS'. This harmonious combination of the two is expected to level the progress of implementation as well as aid the spread of awareness about transparency mechanisms in the masses. Apart from this, the establishment of a network and creation of common forums among the countries of the region (albeit in the virtual cyber world) could help to address issues related to common issues of social justice and development in SAARC countries. This collaborative, inclusive eco-system is further expected to set the stage for successful application of tools such as Social media for improved transparency. This strengthening of entire eco-system of a country has been corroborated by philosophers such as Lamsang (2013), who also insists that the focus should not merely be on the technicalities of creation of the RTI law "[....] but also the

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14 T. LAMSANG, *Indicators and Benchmarks for Transparency and Right to Information in the SAARC Region in the Bhutanese*, 2012:
http://www.thebhutanese.bt/indicators-and-benchmarks-for-transparency-and-right-to-information-in-the-saarc-region-part-1/.

surrounding environment which ultimately will decide the success of the law". To sum up, instilling the first dimension of the proposed two-pronged transparency framework implies that the tools and instruments such as RTI must not only be conceived and legalised in a citizen-friendly manner but also be institutionalised in a collaborative manner by all the SAARC economies so that the citizens of have an easier and affordable access to all information related to public officers/offices/processes and can participate more meaningfully in their respective democratic processes.

2) Strengthen Anti-Corruption Measures

The SAARC countries need to have in place anti-corruption laws and regulations as a minimum benchmark (as cited by 'United Nations Convention against Corruption'[15]) to be attained in all the related public bodies. For instance in India public servants can be penalised for corruption under Indian Penal Code-IPC, 1860; Prevention of Corruption Act, 1988 and the Prevention of Money Laundering Act, 2002. On the other hand, laws that govern the bureaucracy of SAARC countries such as Oath of secrecy in countries like Bhutan need to amended to assure supremacy of anti-corruption regulations. Simultaneously, for effective implementation of these laws, the anti-corruption mechanisms must also be properly institutionalised by enlisting cooperation of civil society organisations, media and judiciary.

Moreover, as reinforced by low values of GCB (Table-1) scores for SAARC institutions, 'Political parties', 'Police' and 'Public officials' of these countries need to do some introspection to redeem themselves in the eyes of their citizens for orchestrating a clean, open government. Besides, they could also rely on collaborative platforms such as social media to connect more meaningfully with the citizenry on governance issues. This has been affirmed by researchers such as Bertot, Jaeger and Grimes[16] who corroborate that Information communication technologies (ICT) and social media, allow individuals to gather and express themselves on economies of scale and convenience and has direct influence on many aspects of politics and activism. In the subsequent sections, this study proposes to unravel the role of social media for ushering transparency in governance and then further intents to explore genesis, opportunities and threats of using social media in public domain with special reference to Indian context.

[15] http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.

[16] J. C. BERTOT, P. T. JAEGER, J. M. GRIMES, *Using ICTs to Create a Culture of Transparency: E-Government and Social Media as Openness and Anti-Corruption Tools for Societies*, GOVERNMENT INFORMATION QUARTERLY, Issue 27, n°3/2010. 264-271.

C) Role of Social Media in ushering Transparency in Governance

Social networking and social media websites are a fusion of sociology and technology. Such technologies can abet the process of flow of information to be more transparent where citizens become 'active' content publishers from 'passive' content readers. Clinton[17] had aptly commented on the emerging scenario by stating, "Now, in many respects, information has never been so free […] information networks are helping people discover new facts and making governments more accountable".

Since social media is gaining a great deal of clout in creating protests and revolutions its employment for holding governments accountable is likely to increase, especially in SAARC countries, where public resources are limited. In such a scenario, social media would permit lower costs of participation and organization[18] and therefore even smaller and poorly funded groups can organize their compatriots, publicize their arguments and communicate at higher speed and lower cost than they ever could in the past[19].

Figure-1: Social Media Penetration
in Asia-Pacific Countries, January 2014

Source: http://wearesocial.net/tag/statistics/

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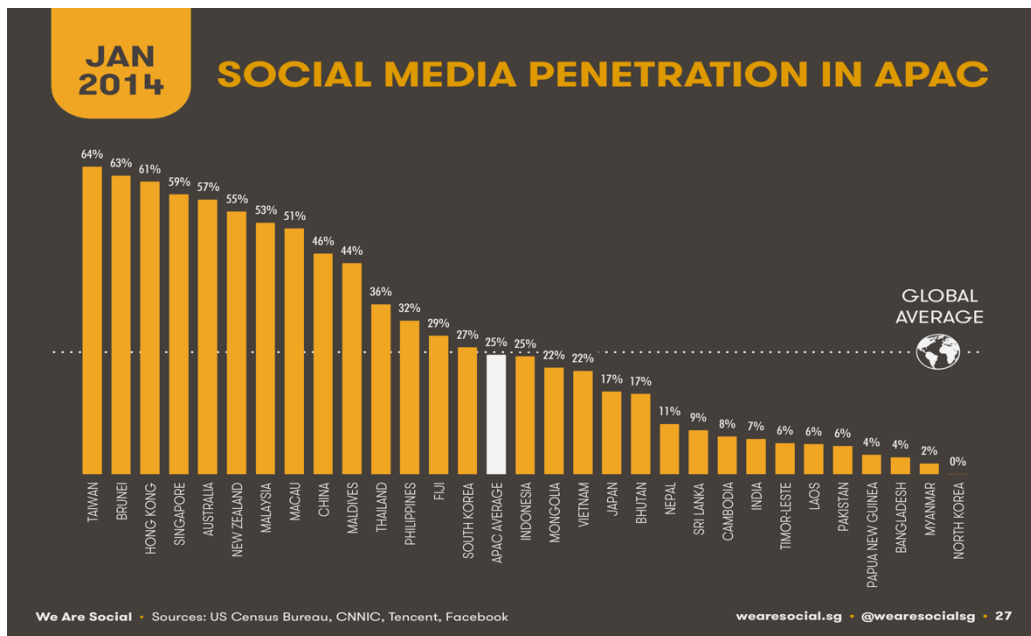
[17] Speech by US secretary of state on Internet Freedom, H. Clinton, delivered on 21 January 2010 at the Newseum, Washington DC, 21 January 2010:
http://www.state.gov/secretary/rm/2010/01/135519.htm

[18] M. PAPIC, S. NOONAN (2011), *Social media as a Tool for Protest*, STRATFOR, Austin, Texas, 2011.

[19] T. PRICE, A. D. FOOS, *Cyber Activism: Advocacy Groups and the Internet*, Washington D.C: Foundation for Public Affairs, 2010.

The net outcome can be best understood by a conclusive statement of Reilly[20], "Citizens are connected like never before and have the skill sets and passion to solve problems affecting them locally as well as nationally." At present, the active social media penetration in Asia Pacific Region (APAC) has been pegged to 25%[21] and amongst the SAARC countries Maldives has already surpassed this value (Figure-1).

Apart from Maldives, one finds a steady increase in the usage of social media in other SAARC countries also from last year to now (Table-4).

Table-4: Social Media Usage in SAARC countries for March 2013, January 2014

Column 1	Column 2	Column 3	Column 4	Column 5
Rank in SAARC Countries	SAARC Country	Social Media Penetration in March 2013	Social Media Penetration in Jan 2014	% Increase in last one year
1	Maldives	36%	44%	8%
2	Bhutan	12%	17%	5%
3	Nepal	7%	11%	4%
4	Sri Lanka	7%	9%	2%
5	India	5%	7%	2%
6	Pakistan	4%	6%	2%
7	Bangladesh	2%	4%	2%
8	Afghanistan	Not available	Not available	

Source : Comparative data specifically derived from :
http://wearesocial.net/tag/statistics/ for the considered SAARC countries

Even in Afghanistan where social media penetration data was not available and only 10% of the Afghanistan population have access to the Internet, it has been reaffirmed as per another report[22], where author states,

> "... the group of Afghans I spoke to via Skype were some of the most creative and passionate people I have met who see social media and new technology as tools to express themselves and their viewpoints.....(this group of) young Afghans is finding ways to express themselves and start social movements aimed at improving their country....They are poised to be influencers in an emerging market where Internet penetration is predicted to surpass 50% of the population by 2015 and the use of mobile phones is growing (currently 18 million mobile phone users or 60 percent of the population)."

However, as already pointed out earlier, it is the prevailing eco-system of the country that would actually determine the readiness of its citizens to use these emerging tools and technologies including social media, specifically for governance related issues.

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[20] T. O'REILLY, *Gov 2.0: The Promise of Innovation*, FORBES, October 2009:
http://www.forbes.com/2009/08/10/ government-Internet-software-technology-breakthroughs-oreilly.html.
[21] WE ARE SOCIAL, *Social, Digital and Mobile Worldwide report*, 2014:
http://wearesocial.net/blog/2014/01/social-digital-mobile-worldwide-2014/.
[22] J. WITTERS, *Diplomacy in the digital age*, SPAN, November/December 2013.

Breeding of inclusiveness in governance using social media (or RTI) stands directly proportional to the state of governance in the region. The prevailing social capital[23], regulations and legislations of a country can actually nurture (or stifle) the breeding of citizen-collaboration and citizen-participation by usage of social media and vice versa.

*Table-5: Social Media Ranks
and CPI Ranks for SAARC countries*

Country	Social Media Usage Rank, 2013* *(Source: We are Social, Mar 2013)	CPI Rank, 2013)** **(Source Transparency International, 2013)
Afghanistan		7
Bangladesh	7	6
Bhutan	2	1
India	5	3
Maldives	1	
Nepal	3	4
Pakistan	6	5
Sri Lanka	4	2

To study the correlation between usage of social media and prevalence of corruption in SAARC countries, the latest data of social media usage-2014 for SAARC (Column 4, Table-4) along with Corruption Perception Index-2013 for these countries (Column 1, Table-2), (reproduced beneath as Table-5) has been plotted as a scatter diagram and a strong linear correlation has been seen in the two (Figure-2) which has been further endorsed by a strong correlation index of the value .83 (Value 1 indicates the strongest correlation between two variables).

*Figure 2: Correlation between Social Media Usage and
Corruption Perception Index*

**Social Media Usage Rank-2014 and
CPI Rank-2013 (SAARC Countries)**

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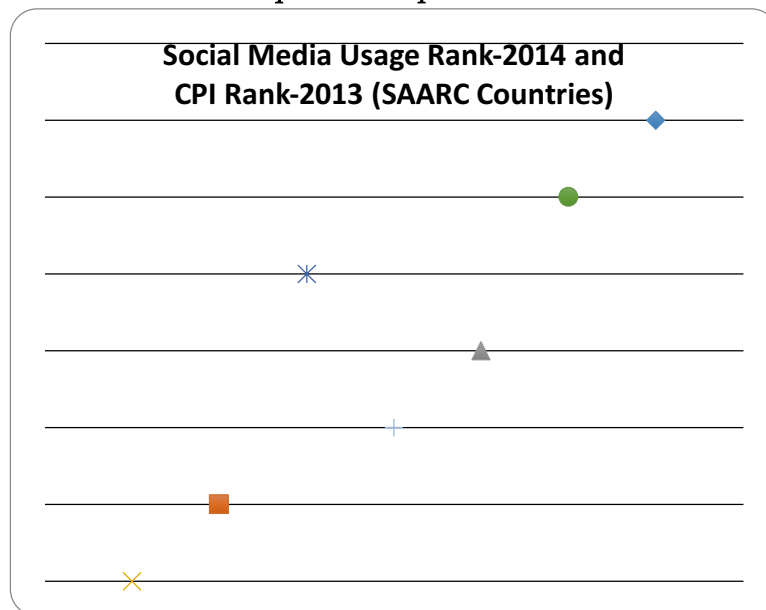
[23] R. PUTNAM, *Social capital: Measurement and consequences*, CANADIAN JOURNAL OF POLICY RESEARCH, Issue 2, n° 1/2001, p. 41.

This in a way validates the supposition that only in those countries where corruption has been perceived to be low the usage of social media has been encouraging. However, intense qualitative and quantitative research would be required to validate how social media can be applied by citizens to combat corruption issues, which is presently beyond the scope of this study.

What is be clearly understood from the above discussions and literature understanding, that the culture of open governance and usage of any technology tool in a country (such as social media), both share a causal and symbiotic relationship with each other. This means if on one hand, usage of social media tools (such as *Face book, Twitter, YouTube*, Blogger, Emails, Chat options) is expected to facilitate a greater role for its citizens in policy formulation then on the other hand, such tools can prove to be effective only if there already exists a healthy social capital and good ecosystem in a country.

§ 2 – ISSUES AND OPPORTUNITIES FOR USING SOCIAL MEDIA FOR USHERING TRANSPARENCY IN GOVERNANCE: A CASE STUDY OF INDIA
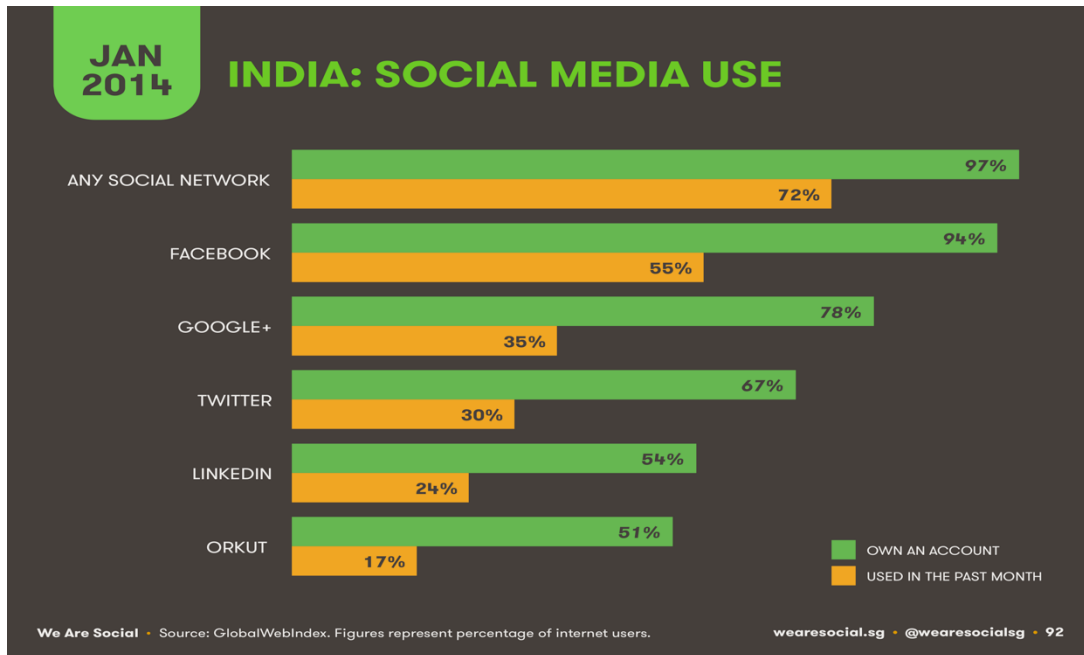
The Indian politics are distinctly hierarchical, engaging citizens only in principle. However, with improvements in the technology infrastructure and mobile revolution the country at present, is witnessing a decisive moment of governance. With regard to current penetration of social media in India; as per Singh[24], in terms of *Facebook* usage, India is the second largest country in the world, just a notch below the United States; it is the second largest base of *LinkedIn* users and also happens to be the second largest user base for *Google+*. Although India's Internet penetration rate of less than 10 percent is low by global standards, placed third behind only China and the United States as of early 2012[25] ; nonetheless at present, in the year 2014, the country is home to over 213 million users[26]. The latest scenario of status of social media in India can be graphically understood from the pictorial data enclosed herewith (Figure-3). The Government of India (GOI) in the meanwhile has just started understanding what the social media is all about.

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[24] B. K. SINGH, *Future of Social Media in India - A Report*, 2012:
http://www.imediaconnection.in/ article/971/Digital /future-of-social-media-in-india-a-report.html..

[25] http://www.Internetworldstats.com/top20.htm.

[26] http://wearesocial.net/tag/statistics/.

Figure-3: Social Media Use in India (January, 2014)

Source: http://was-sg.wascdn.net/wp-content/uploads/2014/01/Slide092.png

The study now attempts to trace the genesis of social media, especially in terms of its usage by public authorities, departments and governments and also by politicians, with special reference to issues related to governance and of public interest to India.

A) E-Engaging Indian Citizens Using Social Media: From Then till Now

The use of social media by Indians was first highlighted during Mumbai attacks in the year 2008 when a popular five-star property in the city of Mumbai was attacked by terrorists; at that point *Twitter* and *Flicker* became the primary source of information about the attacks for Indians and the outside world. As per Mishra[27], an Indian social media expert, a new way of crisis reporting had emerged when journalists from all over the world had mined *Twitter* posts by people in Mumbai for details on attacks. The second mass usage of social media in India was the May 2009 national elections, when, for the first time, online voter registration and transparency campaigns had started in the country. The political parties had tried to reach out to first time voters through social networking websites. The Twitter tag "#indiavotes09" became the number-one topic on the trends list of Twitter search.

By the advent of the year 2010, several government institutions and politicians had joined social media bandwagon. For instance, as part of its communications strategy, the Diplomacy division of the Ministry of External Affairs (MEA) became India's one of the

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[27] G. MISHRA: http://www.gauravonomics.com.

initial government departments to start using Twitter[28] in July 2010. In February 2011, its head, then Foreign Secretary Nirupama Rao, became the first senior diplomat in India to begin using Twitter for official use (*https://twitter.com/ForeignSecNRao)*. In the year 2012, as the security-situation deteriorated in Libya, India became increasingly concerned about the fate and welfare of 18,000 of its citizens living there. While the government tried to organise the evacuation of these citizens, MEA decided to use Twitter to communicate timely information about the evacuation schedule, by air and sea, from the Libyan cities of Tripoli, Alexandria and Benghazi[29]. Not only did they put up relevant information about the situation, but they also helped Indians stuck in Libya to return home safely.

Constitutional bodies such as 'Election Commission of India' also have *Facebook* profiles[30] enabling citizens to interact with the highest government offices of the democracy from the comforts of their own homes. Even the usually tight-lipped 'Indian Foreign Services' has launched diplomatic initiatives on *YouTube, Facebook, Twitter, and Blog* spot for public diplomacy. Another good example of government body that has effectively used social media is the 'Traffic Police' in Chandigarh, Bangalore, Delhi and Mumbai. Apart from the regular traffic updates, they also respond to people's complaints and even educate citizens about road safety rules.

In the spirit of adopting new technology, it is heartening to see even politicians and celebrities of India are taking up social media to share their thoughts on governance and other significant issues affecting majority of citizens in the country; for instance, the veteran politicians, both from the ruling party and the opposition[31] well as celebrities[32] and activists use blogs to mobilize their fans in various philanthropic and activist projects, just the way it had been forecasted in the literature[33].

In India, the most interesting proof of emergence, a mass anti-corruption movement catalysed by social media, has been in the year 2011. In April 2011, 76-year-old activist Anna Hazare went on hunger strike, pending the enactment of a *Jan Lokpal[34]* bill. Hazare

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[28] https://twitter.com/IndianDiplomacy.

[29] *Social media to the rescue*, THE CANBERRA TIMES, 25 June 2012: http://www.canberratimes.com.au/opinion/social-media-to-the-rescue-20120624-20w6v.html.

[30] https://www.facebook.com/ElectionCommissionIndia.

[31] Such as Prime Minister of India: Manmohan Singh: https://twitter.com/PMOIndia; Shashi Tharoor: https://twitter.com/ShashiTharoor; Narendar Modi: https://www.facebook.com/narendramodi and https://twitter.com/narendramodi; Sushma Swaraj: https://www.facebook.com/pages/Sushma-swaraj and https://twitter.com/SushmaSwarajbjp; Delhi Chief Minister Arvind Kejriwal: https://twitter.com/ArvindKejriwal.

[32] Such as popular cine super-star Amitabh Bachchan: https://twitter.com/SrBachchan

[33] L. BENNETT, *Fan Activism for Social Mobilization: A Critical Review of the Literature in Transformative Works and Fan Activism*, TRANSFORMATIVE WORKS AND CULTURES, n° 10/2012: http://journal.transformativeworks.org/index.php/twc/ article/view/346/277.

[34] Lokpal is an Hindi word that means 'Citizen's Ombudsman'. *Lokpal* is an independent body with the power to prosecute politicians and bureaucrats without prior government

began this peaceful "fast to the death", to compel the Government of India to enact legislation for creating an autonomous anti-corruption agency under the popular slogan of "India Against Corruption". News and support for him poured from masses from all over the country, propelled in large part by online media. As reported on a popular web-site[35], « Online, loads of people (including many celebrities) signed up to the India Against Corruption feeds via Facebook and Twitter. They tweeted, shared, commented and raised an army of online supporters that spread the word about peaceful offline support actions happening worldwide. Information could be exchanged easily and instantly, and the movement gathered momentum within hours ». As a result, within days, his name became the most searched term on India's Google search engine; it was trending on Twitter, and his Facebook page garnered more than 70,000 fans. The movement led to a ripple effect to include dozens of protests and rallies across India. After ending his fast in 16 days, Hazare resorted further to online media[36] to directly communicate with his fans, launching a personal blog the following month with the help of aides, who say some posts have received over one million hits. Another recent repercussion of this social media propelled revolution has been that the close aide of Hazare, who was an income tax officer-turned-social activist Arvind Kejriwal who moved on to form his own Aam Aadmi[37] Party (AAP) won Delhi elections in the year 2014 to become Chief Minister of Delhi. The victory comes with rising popularity of his party both within the country and in the expats, because of its extensive social media campaigns (and of course, also due to the novel ideas of governance)[38] . In its own words, the official website of the Kejriwal states, « The party ideologies are being shared with individuals through social media, and then passed to friends, followers, groups and pages so that to have multiple effect » (http://arvindkejriwal.co.in/social-media-to-play-a-vital-role-in-delhi-2013-elections/).

Certainly, the emergence of social media in Indian governance scenario comes at the critical juncture with recent attempts of Indian government to improve transparency by enhancing technology-enabled government and by spear-heading citizen direct interaction and participation in democratic processes including the state polling. In the recently concluded elections to the state legislatures in the states of Delhi, Rajasthan, Madhya Pradesh, Chhattisgarh and Mizoram, there has been a refreshingly higher participation of voters with voting percentages of 65.93, 75.67, 72.66, 77.32 and 81.29 respectively. These elections in

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permission. The proposed bill is designed to create an anti-corruption and grievance redressal system that deters corruption by introducing severe punishment while providing effective protection to whistleblowers.

[35] http://www.dutiee.com/social-media-citizen-activism-powering-indias-new-freedom-movement.

[36] https://twitter.com/annahazaresays and https://www.facebook.com/annahazare.

[37] Aam Aadmi is a Hindi word meaning "common man".

[38] http://indiatoday.intoday.in/story/kejriwal-fast-gaining-popularity-among-indian-expats-in-uae/1/334193.html.

general, as already indicated above for Delhi election in particular, had witnessed extensive use of Internet, *Facebook, Twitter* and other modern communication tools being used in election processes. In the forthcoming general elections to be conducted in the year 2014, approximately 15 crore new and young voters are likely to be enrolled. In view of this, all the major political parties are strengthening their arsenal in modern tools of communication. This is all the more important in the background of the findings from a survey by IRIS Knowledge Foundation supported by Internet and Mobile Association of India in June 2013[39]. The study grouped constituencies as "high impact" if they had *Facebook* users more than the margin of the winning candidates in the last election or where the *Facebook* users has been more than 10% of the population. It was found that as many as 160 *Lok Sabha*[40] constituencies are high impact in terms of the extent to which *Facebook* could impact the results of 2014 elections. Consequently, there are several *Twitter* and *Facebook* profiles being operated by the political aspirants and parties to influence potential voters[41]. With overall wireless tele-density in India reaching 70.96[42], prudent use of social media along with version customised for mobile phones, it is expected to enhance citizen participation in elections making Indian politics more inclusive in nature.

B) Opportunities and Challenges in India on Use of Social Media for Transparency

1) *Social-Political Changes in the Attitude*

This widespread utilisation of social media by public organisations and authorities to connect to its citizenry on relevant governance concerns in India has been justifiably accompanied by notable peculiar characteristics. Several subtle changes can be perceived in the socio-political attitudes of these users such as a stronger affinity for social media, willing suspension of disbelief amongst political veterans and so on. Some of these percreived changes are listed herewith.

– Technology adoption by politicians. Like a fish taking to water: For instance, Prime Minister of India Manmohan Singh has been tweeting since late January, 2012 and as per a report[43] that annually ranks leaders in terms of their online influence, Singh in less than 12 months has 342,612 followers; he has been ranked 19th in the list, leaving behind the likes of David Cameron (Prime

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[39] IRIS KNOWLEDGE FOUNDATION and IAMAI, *Social Media & Lok Sabha Elections*, 2013: http://www.iamai.in/PRelease_detail.aspx?nid=2969&NMonth=4&NYear=2013.

[40] '*Lok Sabha*' is a Hindi word that means 'House of the People' and represents the lower house of the Parliament of India.

[41] http://blog.digitalinsights.in/2014-election-india-on-social-media/0561687.html.

[42] http://www.trai.gov.in/WriteReadData/WhatsNew/Documents/PR-TSD-Oct--13.pdf.

[43] http://timesofindia.indiatimes.com/tech/social-media/PM-Manmohan-Singh-19th-most-followed-leader-on-Twitter/articleshow/17879607.cms.

Minister of the United Kingdom) and Julia Gillard (First woman and 27th Prime Minister of Australia).

– The political arrogance stands defeated: Second notable feature of use of social media by Indian politicians is that even the defiant politicians ones such as the Chief Minister of West Bengal Mamata Banerjee, who had earlier courted controversy for being "intolerant" of comments and cartoons about her on social networking sites, had joined the social media by registering her presence on Facebook[44]. "In an age of 360 degrees communication, we want to stay in touch with people by using all available platforms for communication – from street meetings to posters, stage events to electronic and print media. And, now it has stretched to social media platforms," Trinamool Congress spokesperson Derek O'Brien said.

– Politicians Now Accepting Public Bouquets and Brickbats in Stride: In general, the elderly Indian politicians, who had been quite accustomed to docile and usually deferential reactions from the masses during their public gatherings, have suddenly discovered as well as accepted a vital change of attitudes in the cyber world. This change can be primarily attributed to the fact 75 percent of total Internet Indian users are below the age of 35 years, who, unlike their seniors, can be very critical on social media of the performance and activities of their political leaders. "This (younger) group (Indian citizens) is active on social networking sites, sharing views on various issues that are not always complimentary to authorities, using sarcasm and irony to discuss politicians and politics" (comScore, 2012)[45].

– Mass Protests by Unknown Faces Acceptable: Moreover, it has begun to dawn on the politicians that Internet power may be not easier to manipulate to their political gains. Whether it is privacy, secrecy, mobilizing public opinion or mobilizing public activism the rules have now become quite different. This aspect has been amply proved in the 'Indian Spring', a wave of mass protests by the Indian citizens after brutal gang rape case on December 16, 2012 (Barn, 2013[46]).

In short, this gradual acceptance of using social media for campaigning, disseminating or networking is a sign of technology adoption and utilization by political class which ultimately is expected slowly and gradually to chaperon 'Open Government' in India (Malhotra, 2014).

2) Internet Governance: Is National Security an Anti-thesis to Transparency?

The other side of coin is that more frequent the use of electronic media for information sharing, acquiring or transfer, more could

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[44] https://www.facebook.com/MamataBanerjeeOfficial.

[45] *Internet Censorship*, INDIA TODAY, 17 December, 2012, p. 20.

[46] R. BARN, *Social Media and Protest - The Indian Spring?*, HUFFINGTON POST, 2013:
http://www.huffingtonpost.co.uk/professor-ravinder-barn/india-social-media-and-protest_b_2430194.html.

be the state vulnerability to external threats. More specifically reckless usage of social media, especially by public officials who are related to sensitive government departments such as defence, paramilitary and diplomacy could breed national security threat. Therefore, freedom of expression and communication, even at the cost of transparency, has to stop where the sensitive issue of national security begins. A popular case to the point has been the case of General David Petraeus (the former CIA director) where the *Facebook* status of Paula Broadwell, his biographer has been claimed to have disclosed sensitive details of military operations in Afghanistan[47]. In India too, the vast space of the world wide web is not the easiest to regulate but GoI has been trying to regulate the cyber world with the laws and acts at its disposal. A tale-telling official circular issued by the Union Home Ministry of India, in August 2011, which bans the access of social networking sites such as *Google+, Facebook* from official computers clearly indicates that indiscretions by government officials on social media are not stray instances in other countries alone. However, it is interesting to note that the instances of such official notifications or any perceptible efforts by Central Government in India to regulate/censor public cyberspace had been relatively rare and sporadic in late 1990s or early 2000s but subsequently became extensive to public dislike. These controls and regulations could be historically traced as below.

It was in the year 2003 that an institutional structure of Internet censorship and filtering referred as, Indian Computer Emergency Response Team (CERT-IN), had been created under Department of Electronics and Information Technology (DeitY), within the Ministry of Communication and Information Technology(MCIT), Government of India (GoI). CERT-IN serves as a nodal agency for accepting and reviewing requests from a designated pool of government officials to block access to specific websites. When it decides to block a site, it directs the Department of Telecommunications (DoT), also a part of the MCIT, GoI, to order licensed Indian Internet service providers (ISPs) to comply with the decision. The first instance of stringent Internet regulation in India came on July 13, 2006, when CERT-IN had ordered to blocked access to seventeen web sites in wake of Mumbai train bombings on July 11, 2006, reportedly because the attackers were believed to have communicated by means of the blogosphere[48]. Apart from CERT-IN, police commissioners, who can exercise the powers of executive magistrates in times of emergency in India, can also order blocking of web sites containing material that constitutes a nuisance or threat to public safety under Section 155 of the Indian Penal Code of Criminal Procedure. The one of the initial occurrences of such an action had been in the year 2004, when Mumbai police blocked *http://www. hinduunity.org* on the grounds

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[47]   http://www.dailymail.co.uk/news/article-2231569/Did-David-Petraeus-mistress-Paula-Broadwell-leak-sensitive-information-Facebook.html.

[48] Open Net Initiative: http://opennet.net/research/profiles/india.

that it was supposed to contain anti-Islamic material that could be deemed to be inflammatory[49].

After the surviving gunman of the terrorist-attacks on a five star property in Mumbai attacks in November 2008 (already mentioned in earlier sections), had claimed that *Google* satellite images had been used in planning these unfortunate attacks, the centre as well as the Maharastra state governments began examining legal options for censoring *Google Earth*[50]. It is in this context that Parliament of India finally passed amendments to the Information Technology Act (ITA) in 2008, expanding its censorship and monitoring capabilities to restrict "*offensive*" content (discussed in detail in the subsequent sections).

In the year 2012, Department of Electronics and Information Technology (DeitY), framed important Central cyber security policy guidelines. These guidelines have been elaborated in two frameworks *viz.* Framework for use of social media by government agencies[51] and Framework for citizen engagement for e-governance projects[52]. The chief objective of these frameworks has been to advise prudent use of social media for instilling participative democracy in India as well as to regulate its government officials from disclosing confidential information on the social media.

Here are some of the relevant highlights from the guidelines.[53]

a) *Framework on Use of social media by governance agencies*

– On using social media: The framework notes that social media should not be used by Government agencies just to broadcast information but also to undertake meaningful participation from the public to formulate public policies. Government agencies can use social media to receive feedback from citizens, re-pronouncing public policy, conduct general and issue-based interactions, spreading awareness and educating citizens on various National Action Plans and its implementation strategies and for brand building.

– Platforms: Government agencies can make use of any existing social media platforms which includes social networking sites, social bookmarking sites such as StumbleUpon; e-commerce platforms like Amazon and eBay and self-publishing media platforms like YouTube or create their own communication platform. In case of existing platforms, government agencies

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[49] Ministry of Communications & Information Technology, *Blocking Website*, 22 September, 2003:
http://pib.nic.in/archieve/lreleng/lyr2003/rsep2003/22092003/r2209200314.html.
[50] *Maharashtra wants Google Earth censored*, THE HINDU, 10 March, 2009:
http://www.hindu.com/ holnus/004200903101511.html.
[51] http://deity.gov.in/sites/upload_files/dit/files/Approved_Social_Media_Framewor k_and_Guidelines.pdf.
[52] http://deity.gov.in/sites/upload_files/dit/files/Approved_Framework_for_Citizen_ Engagement_in_NeGP.pdf.
[53] http://www.medianama.com/2012/08/223-indian-govt-releases-social-media-guidelines-for-its-agencies-highlights/.

should identify and choose one or two key platforms to start their interaction and later expand to other platforms based on their objective and response received. Agencies should choose the initial platform based on the duration of the engagement (ongoing or time bound), consultation type (public or a specific group), consultation period (hourly, daily, weekly and bi-weekly), and compliance to existing laws which includes compliance to data protection, security, privacy, archiving requirements of the law.

– Same Names During Account Creation: Wherever possible, the same name should be used at the time of account creation at various social media platforms to enable citizens find the accounts easily. A proper record of the login ids and passwords of the official accounts must be maintained. It should also be determined by agencies whether the officials should use official accounts to post response or they can post official responses through their personal accounts.

– Prompt Accountable Responses: Officials should state the turnaround time and the scope of the response upfront. The responses should be short and to the point and it's not necessary to respond to each post or comment immediately and individually. Officials can express their personal opinions after disclosing their position, however confidential information should not be disclosed and these opinions will not be termed as the official opinion of the agency. Officials who are designated for citizen engagement should be covered under a well-defined immunity provision which is in agreement with the RTI act, the IT act and the IT Amendment Act 2008.

– Content Creation: Content should be created and posted in Indian languages to enable wider participation and it should not be limited to text only. Content should be shared consistently across all platforms but it should be tailor made to that specific platform on which it is being shared. None of the sites should ideally be abandoned for more than a week or two without any new content and the content should be topical and up to date.

– Service Level Agreements (SLAs): Agencies can sign service level agreements with social media service providers to store and have shared access of the content and its archival mechanisms since majority of the social media platforms are based outside India and are therefore not governed by Indian laws.

– No Online Rumour Mongering: Government should use social media platforms to only announce existing information and agencies should take great care to avoid the propagation of unverified facts and frivolous misleading rumours on these platforms. Further, social media should only be a part of the government's citizen engagement strategy and agencies should not depend solely on these platforms to have talks with their stakeholders.
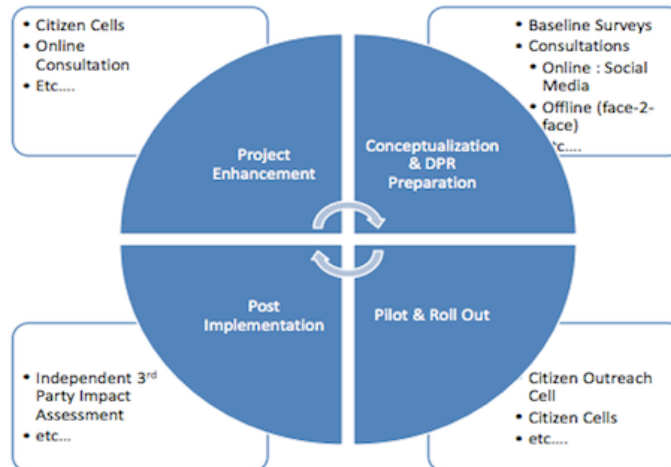
b) Framework for Citizen Engagement for e-Governance projects

The framework states that citizens can collaborate on e-governance projects from the initial conceptualisation to the final implementation in an ideal scenario, however it recommends e-governance project managers to seek citizen engagement only in the first three levels (Inform, Consult and Involve) initially, however as the process matures the implementers can seek engagement in collaboration and empowerment.

– Stakeholders: It recommends implementers to create a citizen engagement team which should comprise of internal stakeholders like decision makers, service providers and service/process influencers and external stakeholders like civil society organizations, elected representatives and beneficiaries.

– Project Management: This team would be responsible for various tasks like developing all the background information needed for the project, designing benchmark and the evaluation criteria for the project, publicizing the project, identifying and recruiting the potential participants for it and selecting necessary tools for citizen participation and finally reporting the project results and making relevant recommendations based on the result.

Figure 4: Techniques of Citizen Participation using Social Media in India

Source: http://www.medianama.com/2012/08/223-indian-govt-releases-social-media-guidelines-for-its-agencies-highlights/).

– On Techniques of Engagement: The framework notes that there is no specific technique for citizen engagement in the e-governance projects since it depends on the situation. However, the techniques can be broadly divided into online or ICT-enabled techniques and offline techniques. The framework reiterates that social media platform should be just one of the platforms for citizen engagement. Other techniques include face-to-face meetings, focus groups, newsletters, bulletin boards, citizen

charters, and mass media which includes print, TV, radio and community.

Ever since October 2011, India has also been pushing for creation of a United Nations forum called 'Committee for Internet Related Policies (CIRP)', to develop a "collaborative, consultative, inclusive and consensual" system[54] for dealing with policies involving the Internet in U.N member states. At present Internet is being governed by a voluntary, multi-stake holder group called Internet Corporation for Assigned Names and Numbers ICANN, which keeps Internet free and decentralised. ICANN already has a Government Advisory Council (GAC), which invites participation from governments across the world including India. India's move is perhaps due to its apprehensions over Western Governments' proximity to ICANN.

3) *The Digital Dilemma: Clamping Individual's Freedom to Speech?*

As already indicated above, post Mumbai-2008 riots, there have been some critical amendments in Information Technology Act, 2008 (also referred IT ACT-2008) to ensure national security. One general public perception has been that the use of social media by the activists who continue to embarrass the Government still won't go well with public authorities/ bodies. On the other hand, the other popular perception has been that Government of India (GoI) seems to be in a dilemma of balancing delicately the national security concerns when pitted against "freedom of speech/ expression". This nationwide debate has been provoked by quite a few instances, (cited herewith) that rightly questions the legitimacy of Government's intention of national security *versus* its intent of stifling the freedom of the cyber world, which had otherwise been regarded as a free expressions and idea exchange domain (also referred to as flouting the basic principle of 'liberal fundamentalism'[55]).

For instance, an amendment titled as 'Section 66A of the IT (Amendment) Act, 2008' had been *passed* by the Lok Sabha on December 22, 2008 that states: 'punishment for sending offensive messages through communication service, etc.'

There has been gradual increase of Government mishandling of certain cases, based on this amendment. Some of these public cases have been:

– April 2012: Professor (Dr.) Ambikesh Mahapatra of Jadavpur was arrested for a cartoon that showed Chief Minister, West Bengal Mamta Banerjee and then Railway Minister Mukul Roy plotting how to get rid of a member of parliament Dinesh Trivedi.

– September 2012: The website "Cartoons against Corruption" run by artist Asseem Trivedi was suspended by its hosting company on basis of a complaint to the Mumbai police that the site

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[54] For exact details, *see* http://itforchange.net/Techgovernance/IndiaCIRP.

[55] This principle renders freedom on Internet as absolute freedom that cannot be circumscribed.

contained cartoons that "ridicule the Indian Parliament, the national emblem and the national flag"[56]. Trivedi was arrested for sedition and released in a few days after a wide public outrage including on social media. Subsequent to his release he reopened a blog on Google's Blogger platform where he reposted the cartoons.

– October 2012: A small scale industrialist in Puducherry, Ravi Srinivasan was arrested for posting on twitter that Union Minister Chidambaram's son Karti had amassed more wealth than Robert Vadra (who happens to be the son-in-law of Congress President). November 2012 :Two young girls named Shahheen Dhada and Rinu Srinivasan were arrested in Palghar for questioning on Facebook the Mumbai closure that had followed (Mr.) Bal Thackeray's death. All such cases have been indeed a sign of clear regress of Article 19 (1a) (Constitution of India), which confers a universal 'Freedom of speech' to all its citizens. The definition of what is 'offensive' is very vague and too loosely defined under the IT Act. Even in the cases discussed above, a series of arrests in succession only made the citizens active on the Internet apprehensive that these arrests are a deliberate play by the government to muzzle their freedom of speech especially their dissenting views against the powers to be.

More common than website blocking is the removal of content based on judicial orders, government directives, and citizen complaints. In April 2011, the government instituted Information Technology (Intermediary Guidelines) Rules, which require intermediaries, including search engines and social-networking sites to pre-screen all user-generated content and remove content within 36 hours if an individual complains that it is '*offensive'*. This phenomenon that has increased in recent years and in some cases, targeted content on political, social, and religious topics. Some such instances indicate the same.

Google's "Transparency Report" showed that in July-December 2011, *Google* had received 2,207 requests for removal of user data from Indian authorities. Besides, *Google* was also asked by Indian authorities to remove as many as 596 items (including photos, web pages, videos etc) from its various platforms and websites like Youtube, Orkut and Google Images.

In December 2011, the government sanctioned pursuit of a criminal case against 21 foreign Internet firms including Facebook, Microsoft, Google, and Yahoo, accusing them of negligence for not removing offensive content.

Subsequently, Google received content removal requests in a total of 84 cases in the first half of 2012, including 20 cases related to court orders and 64 requests made by the agencies like government departments and police.

The total number of items sought to be removed more than doubled from 255 from the preceding six-month period (July-December 2012). Other reasons for removal included

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[56] CNN, *Indian cartoonist facing sedition charges freed on bail*, 12 September 2012: http://edition.cnn.com/2012/09/12/world/asia/ india-cartoonist-sedition/.

pornography, government criticism, impersonation, national security and copyright[57].

Indicating a growing trend of the government surveillance of Internet activities of people and organizations, India in the year 2012 sought confidential web user details in as many as 2,319 cases from Google in the first six months of 2012.

All such instances, gives a perception that the freedom on the electronic media is being restricted when the political class credibility is at its lowest ebb mired in various scams and scandals. Experts and intelligentsia further feel that in such instances the favorite target of the state's paranoia is Internet and hence the state exhibits no compunction flouting the basic principle of 'liberal fundamentalism'.

C) Limitations of the study

The present study had expected to uncover the gaps that exist between the literature insights on transparency (§ 1) and its actual implementation on grassroots by chronologically charting the application of social media in context of Indian governance (§ 2).

In Part-A, the study has proposed a two-pronged transparency paradigm and its application for specifically resolving governance concerns SAARC countries. However, these submissions have been derived from analysis of secondary data only. Owing to the pre-ordained scope of the present study; and because of obvious resource constraints, the practical validity of each of these dimensions could not be undertaken.

Moreover, the study has been undertaken only for India that happens to be one of the leading SAARC countries unlike all other seven which have lower literacy rates, higher density of population, higher unemployment rates, poor poverty indicators and thus higher digital divide. For instance, according to the 2011 census of India, the literacy rate in India has been steadily increasing at the rate of 9 % in the last 10 years. As the literacy rate is growing up in India, so is the usage of social media. Can this be said for all the SAARC countries? Similarly, India has almost equi-share of urban wireless subscribers of 59.65% and rural subscribers of 40.35% (TRAI, 2013), indicating a better mobile phones usage, which stays an important medium of communication levelling the proverbial rural-urban digital divide. Therefore, the conclusions drawn in context of Indian scenario may not be universally applicable to other SAARC countries, where the local contextual realities are still different than that in India.

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[57] IBN Live, *India 2nd on the snoopy countries list: Google Transparency Report*, 15 November 2012:
http://ibnlive.in.com/news/india-2nd-on-the-snoopy-countries-list-google-transparency-report/305637-11.html.

CONCLUSIONS

Governments that regularly share their policies and plans with their citizens and invoke their views in decision making can be far more corruption-free and inclusive in nature than the ones that unilaterally 'provide' or 'control' local development plans for its citizens. Emerging technological trends, such as social media are expected to usher transparency and accelerate this process of democratisation by providing public information and services to its citizens anywhere and anytime. It is not the technology itself but its imprudent utilization that could pose any potential threat for the state. This concurrently raises fundamental issues about the lines that democratic societies, such as SAARC countries, must draw between the collective right to national security versus individual's freedom of speech. Undisputedly, till not enough stakeholders are involved in the processes of governance, or specifically in Internet governance, such paradoxical concerns shall keep assailing transparency paradigm. Therefore, technology trends, such as social media, can make any tangible contribution to governance only if a congenial and inclusive network of social trust has been well developed as well as if a healthy social and legal ecosystem has been assured by public authorities to addresses the complex governance issues that typically haunt SAARC countries. Such an inclusive, multi-stakeholder approach can be the bedrock of transparency beyond the mere delineation of related regulations or instruments.