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Social Media Regulation: Provision of Security or Stifling of Freedom of Expression.

-Outline-

A. Introduction

- (i) 'Nexus' by Yuval Noah Harari
- (ii) Regulating Social Media from past to present
- (iii) Thesis statement

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B. Social Media Regulation is a Curb on Freedom of Expression

1) The Rise of Totalitarianism and Fascist Regimes.

1a) Reference to 'Animal Farm' by George Orwell.

1b) Book Reference: '1984' by George Orwell.

1c) From the Rise of Nazism and Fascism to the contemporary dictatorial regimes.

1d) Harari View on current state of Fascism.

2) Digital censorship

2a) Noam Chomsky's 'Manufacturing Consent'

2b) 'Dangerous Ideas' by Eric Bellamy.

3) Infringing the Constitutional Democratic rights of the people

3a. Article 19 of the 1973 constitution of Pakistan promising Freedom of speech

3b. Setting up 'firewalls' infringing citizens' Freedom of expression.

4) The Infallible flow of information.

4a. Article 19A of constitution ensure right of free flow of information.

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4b. The concept of infallible flow of information in contemporary social media regulation given by 'Hans A. Wouters'.

5) Suppressing Economic demands of the people

5a) Rept of IT firm (\$300 million loss)

5b) In 2022, digital freelancers brought \$500 million.

5c) Oxford Online Labor Index - Palisto's largest global online workforce.

6) Stifling Democratic Political Participation of the citizens and Political Parties.

6a. Article 15 and 16 of constitution ensures freedom of movement and assembly.

6b. Reference of Book 'Newly' by Hossain.

7) Restricting the use of VPNs and downgrading Internet services.

7a. Growing central interest in the region.

7b. Trust deficit between the people and the state.

10. Quoting Zahid Hossain, a Palisto author and Journalist.

8) Infringing people from critical thinking and digital literacy.

8a. Australia ban on social media apps for teenagers under 16 and teenager's response.

9) Privacy and Security concerns.

9a. Article 9 and 10 promising right to Privacy and Dignity

9b. Article 12 of UDHR.

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c. However some Intellectuals believe that social media regulation is a necessary reform for the provision of security because of various reasons:

1. Exacerbating Political Instability and Security concerns

1a. The concept of digital terrorism

1b. Rebuttal: Internal political clashes and growing wave of insurgencies will cause a widening gap between civil-military relations

2. Terrorist and Extremist Outfits use social media platforms to promote their ideology

2a. Al-Qaeda and Israel promote their ideologies by using social media apps

2b. Rebuttal: International collaboration and multilateral organizations can reduce such threats while preserving freedom of expression and security.

3. Threat of Propaganda and Misinformation

3a. The concept of 'Great wall' of china

3b. Rebuttal: Higher state authorities can restrict the flow of information for their personal political interests

4. Deterioration of the Rule of Law

4a. Free hand will promote Anarchy

4b. Rebuttal: No, it will increase the

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trust gap between the state and its citizens and will further aggravate the situation.

S. To Curb Social Unrest

5a. Rebuttal: Growing civil unrest amid internet crack down during the 'Arab Spring Revolution'

5b) Bangladesh case study.

D. How the State Security and Freedom of Expression can be Maintained while Regulating Social Media?

(i) Key lessons from Finland: A case study

(ii) Changing the concept of Digital Terrorism.

E. Conclusion.

"Essay"

The basic purpose of digital platforms like social or mainstream media was to ensure the free-flow of information, accountability of the oppressive regimes, social networking, digital economic production and democratic processes. However, the current wave of regulating social media has given the space for disguised democratic governments, following the dictatorial control over its people. As Yusuf Noah Kauri, said in his book 'News', that the modern flow of information, empowered by the modern technological tools, has been

passed through a highly centralised system that not only stifles the freedom of expression and information, but also a risk for security of the state used by dictatorial regimes.

... history is evident that after the advent of printing press, radios, and the social media platforms, many totalitarian regimes like Hitler's Nazism and Mussolini's Fascism had curtailed the freedom of expression of the people and as well as suppressed their political opponents. In the contemporary world as well, social media regulation has been used to curb the free flow of information and to stifle the civil liberties of citizens which is provided to them by the state's constitution. Moreover, it has exacerbated the power totalitarian and fascist regimes, empowered digital censorship for political gains, curtailed the freedom of speech of the people, provided the platform for the infallible flow of information, impaired the digital economy of the state, and much more. Conversely, the other viewpoint on social media regulations that views that social media regulation is more important for the provision of state's security due to high risk of security challenges like the prevailing terror threat and extremism, unprecedented rise of false propaganda

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and misinformation, and necessary for preserving Rule of law, etc. ~~Therefore,~~ one can say that such measures or ~~reforms~~ are necessary but stifling the ~~constitutional and democratic rights~~ of the people will not solve the state's security problem. Instead, it will further aggravate the situation while promoting civil unrest in the society. Hence, ~~the~~ regulation while maintaining freedom of thought or expression and security concerns are necessary reform. To sum ~~up~~ regulating social media platforms is a ~~second~~ way to curb ~~the~~ freedom of expression than to ~~preserve~~ security condition. However, a necessary reform ~~should~~ be taken that not only ~~preserves~~ security ~~and~~ but also ~~maintains~~ the very due rights of the people.

In an era, where social media platforms serve as the modern public squares, ~~regulatory~~ measures risk silencing individuals ~~and~~ curtailing the free exchange of ideas. This gives a ~~great~~ ~~use~~ to ~~Authoritarian~~ and ~~dictatorial~~ regimes which directly ~~violate~~ the rights of the people. As George Orwell in his book "Animal Farm" illustrates that "All Animals are equal but some are more equal than the others". This statement can be applied to the core idea of current authoritarian governments which controls the

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state at one hand and put the constitutional rights of its citizens at stake. Moreover, this dictatorial control over social media platforms further empowers such regimes it has been in the past when the Nazi and Fascist regimes under Hitler and Mussolini specifically appointed propaganda Ministers to hold their power on printing press, radio channels, and other social media platforms. This very idea of authoritarian governments has been presented in the book '1984' by George Orwell. where he made his story that governments are controlling the overall media platforms that is just for infringing the democratic rights of the people to express their ideas openly. However, in our contemporary era, as viewed by Koval Hawaii during his TED Talk conference, examined that fascist regimes have returned under the disguised form of democracy which not only curtails the freedom of expression of the people, but also their right to get true information. To conclude, all such arguments is a testament to the idea that the empowered totalitarian regimes use ~~to~~ to regulate social media only to infringe the rights of free expression. Furthermore, adding up to the idea of empowered state controlled regimes, digital censorship has also ~~been~~ ^{become} common now a days. Some state use social media

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platforms to control the right of flow of truth based information and eventually curb their citizens right of ~~speech~~ free speech.

Additionally, ~~the~~ such state authorities censor ~~the~~ not only ~~the~~ social media but also the main stream media by adopting a high surveillance system that pass the information from a centralised system which removes the narrative ~~promoted~~ against the higher authority. Thus, in the name of security concerns of the people and the state, such authorities ~~are~~ safeguard their ~~vested~~ interest and

maintains their hegemonic control. This very idea has been presented by Noam Chomsky in his book "Manufacturing Consent"

~~say~~ ~~said~~ that the media serve the interests of the state and corporate powers which are closely interlinked. It is a propaganda system that makes it appear that the opinions of the ~~powerful~~ are the only reasonable ones to hold, thus framing the narrative of the mass." Similarly, Eric Berkowitz claims in his book "Dangerous Ideas" that

censorship has shaped our society, but its forms and effects are quite disturbing. Hence, it is clear the regularising the social media is just curbing the right of expression of the people and under the ~~disguised~~ ~~lame~~ of security concerns.

Moreover, it is also important to highlight that contemporary media

regulations are not only used for the purpose to establish a public perception but also it infringes or neglects the democratic constitutional rights of the people which has to be promoted for them. Instead, such neglect or promotes a way to exacerbate the social disorder. For instance, state the constitution of Pakistan under Article 19 promises the right of freedom of speech.

But, the ongoing process of establishing a Firewall system is a testament to curtail the rights of free expression of the people. Such the measures like internet crackdown, the centralised surveillance system on media apps is just to curb people's right of speech. By making a strict initiative to provide the security to the citizens and the state and putting a tight censorship and firewall around the digital regimes like Chinese firewall system. Thus, such measures do not provide security but only infringes the due constitutional rights of the people.

Furthermore, regulating social media is just another step to proceed the process of inflexible flow of information. The flow of information used is controlled by the state's authorities by using a mechanism that purify the narrative which is promoted against the state ruling elites. In a democratic governments, for

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instance, people have given the right to free flow of information under **Article 19A of the Constitution of Pakistan**. However, using ~~string~~ strict ~~act~~ ~~regulating~~ reforms not only stifle the people right to information but also stifle down the journalists right to express their ~~new points~~ ~~that is~~ to serve their ~~purpose~~ to ~~make the state~~ accountable ~~of~~ for their ~~every actions~~. Similarly, the same idea has been presented by Yuval Noah Harari in his book "**Nexus**", in which he argued that in democratic states, information distributes from top to bottom directly in a true and defined way. The people are well-informed about everything in their true nature. On the other hand, in dictatorial or authoritarian regimes, information passes from a centralised system of ~~infallible~~ means that it is errorless but have severe consequences like the Chinese Great Wall. To sum, today's democratic regimes seems like adopting the authoritarian methodologies which only stifle the right of free expression of the people.

Along with breaching the right to information by regulation of social media, such measures has also devastating impacts on digital economy. Countries like Pakistan is highly dependent on its IT sector, Entrepreneurship, and free-lancing sector. However, regulation of media

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for security provision, will only exacerbate the already grim economic situation prevailing in Pakistan. This can be proved by a recent Report published by an IT Firm, Internet Restrictions and firewall could inflict "devastating financial losses estimated to reach \$300 million" which can further increase exponentially other restrictions on online services can exacerbate the crisis. Public dependent on local services like Food Panda, Careem, or uber, etc. facing economic struggles to earn their basic livelihoods. Similarly, as per Oxford Online labor Index, Pakistan is among the third largest online global workforce. In 2022 only, digital freelancers brought \$500 million to digital economy of Pakistan. Thus, placing a firewall and following strict regulatory reforms on social media for security purposes will also stifle down the demands of the youngsters for their online earning and would suppress their economic rights, also resulting in the economic devastation of Pakistan.

Afterwards, regulating the social media encroaches the democratic political rights of the people and the state parties. Although democracy has a beauty to provide people their right to political participation and which allows them to raise their voices under the banner.

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banner of a state party which they support. Yet, suppressing the right to protest of the political parties only will put a curb on people's right to express their political demands on social media platforms. As people are more involved in the social media for their political debate because they now have more social media than members of parliament. It is a strong censorship by the state. Because state impose strict regulatory reforms on social apps like Instagram, Facebook and Twitter (Banned in Pakistan etc. as well slowing down of WhatsApp and TikTok, only serves the purpose to curtail the right to express their ideas through their favored political party. Article 15 and 16 of constitution of Pakistan ensures freedom of movement and assembly but upholding such strict regulations will only violate people's and party's rights. Haidt in his book 'The Righteous Mind' argues that the beauty of democracy is dialogue and political conversation among the people. However, adopting the right surveillance system curtails the political rights and the political engagement on social media apps.

Moreover, Internet throttling is also a major concern along with political conversations of the people. Imposing strict

regulations on social media apps and slowing the internet and restricting the use of VPNs as well ~~for~~ only is a way to fuel public unrest. This will eventually lead to a trust deficit between the people and the state, ~~exacerbating the social media and monitoring of the state as well.~~ For instance, a renowned Pakistani Author and a Journalist, Zahid Hossain, said that, "Downgrading internet services and restricting the use of VPNs seems to be a part of the effort to stifle freedom of expression and to prevent access to information". Such restrictions are being enforced in the name of national security. It leaves one wondering how the country can be a safer place by shutting down social media and curbing the freedom of expression. Hence, for the provision of states and people security imposing harsh reforms and surveillance system only stifles the people's right to free expression on social media.

Despite the implications of downgrading internet services and restricting the use of VPNs, people are facing another concern as their right to critical think and get education is on stake. People who are victims of ignorance, are not only weak in their critical thinking, but also they cannot express

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their ideas and held the state accountable especially for their reforms and policies in the process of democracy. The measures taken by the Australian government, for instance, are highly criticized. Australia has banned the use of social media apps for teenagers under 16 year old. However, various parliamentarians, criticized the initiative ~~and~~ claiming that this step taken by the government will not work because social media has not only implications on the minds of the children but also on the youngsters as well. One of them favored the Finland's strategy to provide digital literacy to everyone instead of banning the apps. Similarly, most teenagers claim that they learn skills from such apps which boosts their creative abilities which and is not provided to them by textbooks. Hence, strict regulations in the name of security concerns cannot help but it further hinders the people right to critical think and express the ideas freely.

Afterwards, one of the major concerns of the right of freedom while imposing strict regulations on social media, includes the privacy and security concerns of the people. The constitution in liberal democratic governments enshrine the rights of privacy and security of the

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people. However, the citizens rights of privacy and security infringes when state adopts ~~the~~ laws that violates their privacy. Now a days, states use the methodology to allow higher authorities to put a check on terrorist activities and intercept calls, regulate videos circulating on social media, and to allow access of the people's phone and data. This eventually, this erodes their privacy and security which can be used for the negative purposes as well. So However, Article 9 and 14 promises the right to privacy and dignity of the people. Similarly, Article 12 of the Universal Declaration of Human Rights (UNHDR) illustrates that 'no one shall be subjected to arbitrary interference with his/her privacy. If constitution of Pakistan and universal right has given to the people then how a state can violate such rights by implementing a dictatorial methodologies. Thus, the argument proves that strict regulation on social media is a mean to control the people's every action and to suppress their voices if raised against the state.

After explaining ^{the claim} that social media regulations will be used to stifle the freedom of expression. Now there is another viewpoint by some intellectuals that ^{regulating} social media is a necessary

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reform for the provision of state and its citizens security. Due to some reasons that is explained further in the coming paragraphs.

The opposing view claims that due to exacerbating political instability and security concerns, regulating social media is paramount for the state authorities.

The concept of 'digital terrorism' is quite popular nowadays which is used for those people who spread false ideologies against the state, and cause social unrest, eventually leading to security issues because of massive protests and increasing vandalism.

These people are claimed to be called as 'digital terrorists'. This argument claims by such intellectuals fails to account for the reason that internal political fissures among the political parties and an unprecedented case of political instability in the region, ultimately give the space for terrorist and insurgent groups to fuel the grim situation in the entire region. Thus, regulating the social media

will only serve the interest of the ruling elite who wants to suppress their political opponents and the expression or freedom of speech of the people along with their right to protest. Resultantly, it will create massive public outrage.

in the society which will turn the people against the state. Thus, this omission weakens ~~the~~ ^{its} overall credibility because it will further aggravate the already grim situation by suppressing the voices of the people.

Another view opposing view illustrates that social media regulation is a requirement ~~when it comes to the spreading~~ terrorist and extremist ideologies on the social media platforms like Instagram and Facebook. Many terrorist outfits like Al-Qaeda and Israeli genocidal campaign against prevailing Gaza crisis spread their ideologies and ~~also~~ ^{at} ~~claims their~~ ^{its} right to defense against Hamas group while killing innocent people in the Gaza and West Bank, needs to control the social media apps for not to spread false propaganda. ~~also~~ This will ultimately lead to xenophobia and culture clashes among the people especially through social media apps. However, the ~~contradiction in this stance becomes~~ evident ~~when we consider that now a~~ day, through international collaborations and multilateral organisations like that of UN and SCO ~~that~~ ^{which} provides the platform to take stringent measures against prevailing security issues in the world. This will not only preserve the freedom of expression of the people around the world who raise

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their voices against human rights violations but will also ensure the peace and security throughout the world.

The likewise, the next opposing view claims that there is a massive danger of false propaganda and misinformation which fuels the public outrage against the state and also bring hatred among the people, causes sectarian violence. In this case, placing 'firewall' system for censoring the social media app, spreading propaganda and disinformation, is valid and crucial for the provision of security. However, this idea not holds a strong testament to the fact that such measures like restricting the use of VPNs, placing firewall, cracking down internet, would have disastrous consequences. Such actions would dictate the authoritarian methodology of Chinese Great Firewall system which prohibits its citizens from doing anything which is against the will of the state. In a democratic states, such actions holds no position.

Moreover, higher state authorities can also use to control the people for maintaining their power and position. Such for instance, Yoram Hazony has introduced the concept of 'Silicon Curtain' in his book 'Nexus' in which he says that there would be a divide between the ignorant people and those who. Additionally,

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it may be true that social media is also being used for propaganda and to spread false news. But how does that threaten the national security? If anything it is restrictions on democratic and media freedoms that make the country more insecure. Thus, this omission weakens its ~~and credibility~~.

The Next view of some intellectuals holds the idea that due to emerging poor law and order situation in the country, people have give free hand to ~~the~~ ~~misusing~~ ~~the~~ use of the freedom provided to them by the constitution. Resultantly spreading Anarchy in the society which is harmful for both security of state and the public as well. In such cases, the ~~have~~ curb ~~have~~ mongers, it is very crucial for the state to take stringent measures and put a check on social media platforms which spreads poor law and order situation. However, this arguments holds no clear picture because in reality, the situation is totally opposite. People's voices are curbed who want to raise their concerns on the issues they face on the daily basis to aware the masses. ~~Consequently,~~ putting strict regulations ~~on~~ ~~causing~~ the voices of the ~~voiceless~~ people ~~which~~ eventually ~~leads~~ ~~to~~ ~~create~~ public outrage and create ~~loopholes~~ in relation between

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the state and its citizens. This will not calm down the situation. Instead, it will aggravate the already insecure regions, providing open space for extremist groups to burn fires in the hearts of the people, turning them against the state. Thus, this omission weakens its overall credibility as well.

Furthermore, the opposing stance also claims that regulating social media is paramount when it comes to deal with the exacerbating civil unrest in the society. Because people moved towards social media apps to take stand against human rights violations and raise the voices, state has started stifling the social apps like Facebook, Instagram, TikTok, along with banning apps like Twitter etc.

However, thinking that to control the accelerating civil unrest in the region, the situation will only be devastating.

For instance, during the **Arab Spring Revolution**, Arab countries like Egypt, Libya, and many other regions, faced severe internet crisis but it further aggravated the situation. People moved from online protest to more violent street protest against the ruling authorities.

Similarly, the recent **Bangladesh crisis**, is also the testament that after having an immense internet crackdown, students

came to violent street protests, demanding PM Hasina to give resignation from her position. Thus, the opposite claim holds no ground realities to the fact that social media regulation is necessary for security. Instead, the above arguments clearly states that such harsh regulatory measures only is used to stifle down the freedom of expression of the people and suppressing their voices.

Moving forward, a multifaceted approach which can be crucial for both maintaining the state security and preserving the freedom of the people while dealing the social media regulation.

For example, in Finland's case, it demonstrates that regulating social media while preserving freedom of expression requires strong legal protection for free speech, as its Article 12 of constitution guarantees freedom of expression, including the right to receive and impart information without prior censorship. The next policy of Finland's is to make targeted laws against harmful content. For instance, the Finnish criminal code addresses hate speech, cyberbullying, defamation, and incitement to violence. Likewise, it also emphasizes on digital literacy and inculcating critical thinking skills which is a part of their curriculum. Moreover, international collaborations like EU's Digital Service Act (DSA),

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in which Finland is a member of, enhances content moderation across the member states. Also helps for Finland to ^{ensure} protect security and while also maintaining the due rights of the people. Additionally, the concept of ~~of digital terrorism~~ which has been discussed in the essay is require to change. Because labelling rightful protesters as they raise their voice for their political rights under a particular party that they support does not means that the state should label them as terrorist outfits. Instead, for security concerns, the state must learn the key lesson from Finland as well as take intelligence-based operations against the prevailing terrorist and insurgents groups spreading in the region. Hence, such lessons and need to be learned and adapt the multifaceted approach to regulate social media which work as a double-edged sword.

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Some ~~of the~~ give arguments in an essay to highlight the state that social media regulation is ^{can} mean to single the freedom of expression of the people than to ensure security of the state and its citizen. Therefore, regulations does not mean that state should neglect the constitutional rights of the people especially when one talks about the democratic states. Reg. Instead, it requires a neutral

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approach is required so that such reforms is beneficial for public good as well as for the state's security. It must have an double-edged sword approach while dealing with dangerous situations. However, following the strict regulatory reforms like internet disruptions, pulling firewall system, restricting the use of VPNs, would have an immense devastating implications. It will empower authoritarian regimes, allow the state to pass an infallible flow of information, suppress people's economic and political concerns, as well as curb their critical thinking abilities etc. while the opposing view claims that such measures is a necessary step to ensure the state provision of security and will be beneficial for public good. The reason it claims are exacerbating poor law and order situation, growing civil unrest, and dissemination of false propaganda and misinformation, which promotes hate speech on social media apps like Instagram, Facebook, X, whatsapp groups etc. This view idea holds no ground realities because it only exacerbates the already suppressed voices which allows people to turn against the state. Thus, give rise to unprecedented harmful situation in the country. Hence, following a medium and safe

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approach like that of Finland's case is crucial while regulating social apps for public and state's good. As, Elon Musk ~~em~~ ~~truly~~ said, "I think there should be regulation on social media to the degree that it negatively affects the public good." This reflects his belief in balancing innovation with accountability to safe-guard societal well being.

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