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THE ROLE OF SOCIAL MEDIA IN SHAPING PUBLIC OPINION AND LAW

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I. ABSTRACT

*Social media has become a defining element of the 21st century, transforming how individuals express opinions, mobilize communities, and engage with the law. Digital platforms like X (formerly Twitter), Facebook, and Instagram have evolved into virtual forums that influence public perception, social behavior, and even judicial decision-making. This paper examines how social media functions as a double-edged tool – serving as both a democratic space for awareness and a breeding ground for misinformation. It explores the interrelationship between law and online expression in India, analyzing landmark cases such as *Shreya Singhal v. Union of India* (2015) and *Anuradha Bhasin v. Union of India* (2020). The study highlights how public opinion generated through social media has influenced judicial trends, legislative amendments, and activism. It further discusses the challenges of regulating digital spaces while preserving the constitutional right to free speech. Ultimately, this paper argues that a balanced approach between freedom and accountability is essential to ensure that social media remains a tool of empowerment rather than manipulation.*

II. KEYWORDS

Social Media, Public Opinion, Law, Democracy, Legal Regulation

III. INTRODUCTION

The emergence of social media has revolutionized global communication, enabling billions of users to share opinions instantly and influence social discourse. In India, with over 600 million internet users, platforms such as Facebook, Instagram, and X have reshaped public dialogue and democratic participation. Social media has blurred the

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line between personal expression and public activism, giving rise to a new form of digital democracy. From political campaigns and human rights movements to legal reforms, the power of online mobilization has altered how citizens engage with the law. The #MeToo movement, the protests against the Citizenship Amendment Act (CAA), and the 'Justice for Nirbhaya' campaign reflect how collective social media action can pressure policymakers and the judiciary. However, this influence also raises legal and ethical concerns related to privacy, hate speech, misinformation, and digital surveillance. This paper aims to explore the evolving role of social media in shaping public opinion and its consequential impact on lawmaking and judicial interpretation in India.

A. RESEARCH OBJECTIVES

- To analyze how social media affects public perception of legal and political issues.
- To study the role of online activism in shaping legislative and judicial outcomes.
- To examine legal challenges associated with the regulation of social media.
- To propose a balanced legal framework for digital accountability and free expression.

B. RESEARCH METHODOLOGY

This research follows a doctrinal and analytical approach, relying on secondary data sources including judicial decisions, journal articles, government reports, and news publications. The paper emphasizes statutory interpretation, case law analysis, and socio-legal perspectives to understand how digital communication affects legal evolution.

C. LITERATURE REVIEW

Scholars have examined the role of social media as a participatory tool in democracy. According to Prasad (2020), social platforms act as 'digital courts of public opinion' where narratives often precede facts. Similarly, Sharma and Das (2021) note that social media accelerates both awareness and polarization by amplifying selective information. Research also indicates that online activism directly influences legal reforms. For instance, the Nirbhaya protests of 2012, fueled by mass outrage on social media, compelled the legislature to amend criminal laws concerning sexual violence. Conversely, the proliferation of hate speech and fake news demonstrates how unregulated digital freedom can destabilize legal systems. This dual impact underscores the necessity of legal intervention that upholds freedom of speech without compromising national harmony.

IV. SOCIAL MEDIA AS A TOOL FOR PUBLIC PARTICIPATION

Social media enables ordinary citizens to participate in discussions once dominated by elites. Hashtags and viral campaigns have democratized access to public debate, empowering marginalized voices to influence mainstream narratives. Movements such as #MeToo and #BlackLivesMatter have transcended borders, highlighting the capacity of digital activism to effect global change. In India, online protests against the CAA and farmers' laws showcased how digital spaces could unify millions around shared causes. Such instances reflect what scholars' term 'participatory constitutionalism,' where public engagement through online platforms indirectly shapes governance and judicial accountability.

V. IMPACT OF SOCIAL MEDIA ON LEGAL AWARENESS

The widespread reach of social media has transformed legal education and awareness. Legal professionals, journalists, and courts now use platforms to communicate judgments and rights-related information to the public. For example, the Supreme Court of India's official Twitter account regularly updates citizens about key verdicts

and constitutional developments. NGOs and legal aid organizations also utilize social media to spread awareness about rights under Article 14 (equality), Article 19 (freedom of speech), and Article 21 (right to life and personal liberty). However, the accessibility of information has also led to half-truths, misinformation, and contemptuous commentary against judicial institutions, raising concerns about the sanctity of the legal process.

VI. JUDICIAL RESPONSE TO ONLINE EXPRESSION

Shreya Singhal v. Union of India (2015) 5 SCC 1 struck down Section 66A of the IT Act for violating Article 19(1)(a), reaffirming the need for clear boundaries on state power over online speech. *Anuradha Bhasin v. Union of India* (2020) 3 SCC 637 recognized internet access as essential to free expression and trade, reinforcing constitutional liberty in the digital sphere.

VII. CHALLENGES OF REGULATING SOCIAL MEDIA

The anonymity of online communication enables the spread of hate speech and misinformation. Events like the Delhi riots (2020) demonstrate how social platforms can escalate violence. The *Puttaswamy v. Union of India* (2017) 10 SCC 1 privacy ruling highlighted the dangers of data misuse and surveillance. Additionally, the IT Rules, 2021 have been criticized for granting excessive governmental control over online platforms, raising concerns over censorship.

VIII. GLOBAL PERSPECTIVE

Countries like the United States safeguard free speech under the First Amendment, while the EU enforces stricter moderation via the Digital Services Act, 2022. India adopts a balanced approach—preserving liberty under Article 19(1)(a) with reasonable restrictions under Article 19(2).

IX. SUGGESTIONS AND RECOMMENDATIONS

- Enact comprehensive social media legislation outlining user rights and intermediary duties.
- Promote digital literacy and fact-checking initiatives.
- Establish an independent digital oversight commission.
- Provide judicial training on cyberlaw and digital evidence.
- Encourage collaboration between platforms and legal institutions.

X. CONCLUSION

Social media has redefined how law interacts with society. It empowers citizens, fosters transparency, and challenges authority, yet misuse threatens democratic integrity. Judicial interventions in Shreya Singhal and Anuradha Bhasin reveal India's evolving balance between liberty and order. A progressive legal framework must ensure that digital spaces remain avenues of empowerment, grounded in accountability and truth.

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