



Protests in the 21st Century: A Dual-Edged Weapon

Dr. Afroz Ahmad^{1*}, Mr. Ashok Prem¹, Mr. Ashok Karnani¹

¹*RNB Global University-Bikaner

*Corresponding Author: Dr. Afroz Ahmad

*RNB Global University-Bikaner

Received: 12th Aug 2022
Revised: 16th Sept 2022
Accepted: 20th Oct 2022

Abstract

The act of protest doesn't necessarily signify disrespect towards the government; rather, it serves as a means of expressing people's needs and desires. Public protests are emblematic of a free and democratic society, where the voices of the people are expected to be heard by those in power, and decisions are made following thorough discussions and consultations. Protests can occur in either violent or peaceful forms, but they always emerge from demands that have gone unheard. Throughout history, protests have played a significant role in shaping events. In the modern era, people's protests can be categorized into political, economic, cultural, and social spheres. While some protests lead to positive changes and improvements in welfare, others result in unwanted tensions within society. This article will explore the nature of protests and their advantages and disadvantage

Keywords: *Protest, Indian Constitution, Hong Kong, political protest, economical protest, social protest.*

CC License
CC-BY-NC-SA 4.0

I. INTRODUCTION

“The opposite of love is not hate, its indifference. The opposite of art is not ugliness, its indifference. The opposite of faith is not heresy, its indifference. And the opposite of life is not death, its indifference.”

— **Elie Wiesel** The art of protest is not always denotes the disrespect towards the government, rather it is the mode of expressing people's need and wish. Public protests are the hallmark of a free and a democratic society, which demands the voice of the people, should be heard by those in power and decisions are reached after proper discussions and consultations. There are two types of protest one peaceful protest which is accepted by many scholars and the other is violent protest.

Political scientist Erica Chenoweth used to believe that, “Researchers used to say that no government could survive if just 5 percent of their population rose up against it.....But every single campaign that exceeded that 3.5 percent point was a nonviolent one. The nonviolent campaigns were on an average four times larger than the average violent campaigns”. The comparison between non-violent and violent protest may be made in the mode the people express their feelings and agitation towards the violation of their basic rights. Indian

Supreme court in Ashutosh Dubey V. Union of India ¹ has also observed that people has the right to raise their voice against the government policy but it never allows public nuisances as the outbreak of the protest.

II. LEGAL PERSPECTIVE OF PROTEST

The Right to protest peacefully is enshrined in Constitution—

Article 19(1) (a) guarantees the freedom of speech and expression;

Article 19(1) (b) assures citizens the right to assemble peaceably and without arms.

Article 19(2) imposes reasonable restrictions on the right to assemble peaceably and without arms. o These reasonable restrictions are imposed in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

In Ramlila Maidan Incident v. Home Secretary², the Supreme Court had stated, “Citizens have a fundamental right to assembly and peaceful protest which cannot be taken away by an arbitrary executive or legislative action.”

However, resorting to violence during the protest is a violation of a key fundamental duty of citizens as enumerated in **Article 51A**; it is a **fundamental duty** of every citizen **“to safeguard public property and to abjure violence”**.

Article 19 of the Universal Declaration of Human Rights,

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

The International Covenant on Civil and Political Rights provides in Article 21 that

“21. The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (order public), the protection of public health or morals or the protection of the rights and freedoms of others”.

III. CLASSIFICATION OF PROTEST

The classification of protest can be made based on the subject matter the public are protesting for and the end result of the said protest. The protest either by way of violent or non-violent will affect the political or social or economic or cultural condition of the respective nation and the political or social or economic or cultural condition will give rise to the protest.

Political Protest

The story of political protest has always given a new form of government to the people, from stating of the century till the last year many countries have faced transformation because of the people’s protest on the political condition of the nation.

- **HONG KONG**:- after the competition of the agreement Hong Kong was handed over to china at 1997 from British control. During the British control Hong Kong was self admistrated, after 1997 China tried to administer Hong Kong with its law which gave dissatisfaction to the Hong Kong people. This out broke the protest for the change of administration. As a result, China agreed for non execution of some laws in Hong Kong.
- **NEPAL**:- in 2006 Nepal had a larger democracy movement for the change of historically monarchical government. All the major political parties formed a seven party alliance (SPA) and with three to five lakhs of protesters on 24th April the king was forced to concede to their demand, resulting in formation of democracy.

Economic Protest

Many protests around the world were due the extreme poverty or inequality in wages or taxation. For example, dissatisfied subjects on the government due to its act towards corruption have seen the Gaza Economic protest on 2019-2020 which aimed at reducing cost of living and reducing the taxation.

¹ WP(C) NO 453 OF 2020

² (2012) 5 SCC 1

Available online at: <https://jazindia.com>

- INDIA:-in 2011 Indian Anti corruption movement was lead by Anna Hazare that was a non violent protest. This had a series of demonstrations and protest across India for enactment of anti-corruption legislature and Jan Lokpal Bill for Ombudsman. This lead to his follower to step into politics and form a government in Delhi.
- CAUVERY DELTA PROTEST:- The Cauvery delta people in Tamil Nadu protested against Hydrocarbon project. The project includes the extraction of oil, shale gas and methane from sand belt from agricultural land, which may result in potential contamination of drinking water with chemicals used in the extraction process. As a result of the protest Tamil Nadu state government declared the Cauvery delta region as a 'Protected Special Agriculture Zone (PSAZ)'.

Social Protest

The social protests are the result of actions by individuals, groups, organizations and coalitions where in the social conditions are tend to be changed or the act of government and the policies which affects the social status of the people.

□ JALLIKATTU PROTEST:- in 2017 against supreme court the order on ban jallikattu which is a traditional Tamil bull taming sport. The ban was based on the cruelty to animals, filed by the People for the Ethical Treatment of Animals (PETA) stating that the tradition violates the Prevention of Cruelty to Animals Act. Due to the huge protest by the youngster of the state, government of Tamil Nadu was forced to urge the central government of India to cancel the ban, subsequently the ban was removed and the bill was passed supporting the sport.

IV. CONCLUSION

The people raising their voice against the government through protest and movement have always created a path in the history. Especially the Non-violence method have served its purpose, protesting in the present scenario has two dimension one leading to a better government for the people and other ending up as terrorism and increase of casualties. The protest is double edged sword which has created history with blood and gave garden for the people