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# The Double-Edged Sword of Social Media: Amplifying vs. Addressing Gender-Based Violence

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## ABSTRACT

*Presenting a 'double-edged sword' argument, the article outlines how social media in India has simultaneously been used to enhance gender-based violence (GBV) but also to advocate against it, connect groups trying to support victims of GBV, disseminate information surrounding GBV, and raise awareness about GBV. Social media provides anonymity, virality and echo chambers, allowing cyberstalking, non-consensual pornography and other forms of online harassment to enhance GBV. However, social media also provides the best way for advocacy against GBV, as well as connecting those yearning for assistance with those who can provide it, spreading information about GBV and increasing awareness of the issue. The article uses the highly successful #MeToo campaign as an exemplar of how social media has facilitated public discourse and action. The article calls for a comprehensive strategy laden with legal reforms, policy innovation, technological advancements and cultural shifts towards gender sensitization and digital responsibility, appealing to all stakeholders to build a collective response to harness the positive capabilities of social media as well as mitigate its negative impacts on GBV.*

**Keywords:** Gender-Based Violence (GBV), Social Media, Cyberstalking, Online Harassment, #MeToo, Digital Citizenship.

## I. INTRODUCTION

As one of the most frequency violations of human rights worldwide, Gender-Based Violence or GBV is concerned with any form of violence that appears to be linked to gender. It is also known to have a deep impact upon the physical, psychological and social wellbeing of the victim. Sadly, despite concerted international, national and local efforts to curb GBB, the challenges have remained stubbornly high, underscoring the need to develop innovative avenues and platforms for not just exposure of the crime, but also to curb them. Then, against the background of incessant violence besetting not just the United States, the UK or Canada,

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but also my village in Enugu, my hometown in Anambra, other parts of south-east Nigeria and indeed countries of the world, something new has happened to wrest attention to matters of violence against women and children – the emergence of social media. While social media has provided activists and non-governmental organisations with a platform for mobilization against GBV, it also seems to provide fresh avenues with which these crimes are perpetrated. Indeed, like Duchene’s observation that the slave became a slave of the revolution, social media has emerged as a double-edged sword. Despite the fact that it has helped racial minorities, working women, the LGBT world, students and every other group with axe(s) to grind to position their agenda(s) for global debates, discourses and dialogues, strangely enough, the platform is being used to sustain violence against women and children.

Gender-based violence (GBV) is a continuum of harmful acts that are perpetrated against women and girls, men and boys and people who do not conform to traditional gender norms, or a combination of these groups. GBV is perpetuated by and occurs within the context of gender inequality, gendered power relations and harmful gender norms, and is a leading driver of both inequality and unsustainable development, interpersonal violence, and is a violation of women and girls’ rights, which are universal rights for all. While women and girls are predominantly the targets, human rights experts acknowledge that men and boys or people who don’t conform to gender norms may also be affected by gender and/or GBV, particularly if they are in relationships with women and girls. The forms of GBV vary and can be violent, such as physical, sexual and psychological violence and harm, to nonviolent in that they are based mostly on discrimination and economic deprivation, such as lack of access to food and support. Gender-based violence violates the human rights of all citizens, particularly the most vulnerable.

GBV in India includes domestic violence; sexual harassment; dowry-related violence; ‘honour’ killing; and other forms. The Indian legal regime against GBV consists of several legislations, such as Protection of Women from Domestic Violence Act (2005), Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act (2013), and Indian Penal Code (IPC) provisions pertaining to sexual offences including rape (Section 376), dowry death (Section 304B) unlawful cruelty by husband or his relatives (Section 498A), and other crimes under the IPC.

Still, with these legislative provisions in place, GBV persists, owing to societal taboos, victim blaming, inefficient legal prosecution and victim-witnessing, as well as under-reporting. Realistically, tackling GBV may be more than about legislations; it entails a societal change, awareness and education – and an overall paradigm shift that can address deep-rooted GB-based

taboos and discriminations.

## **II. THE RISE OF SOCIAL MEDIA: A GLOBAL DIGITAL PLATFORM**

The global rise of social media over that period – with its many online platforms such as Facebook, Twitter, Instagram, WhatsApp, etc – in the mature years of the 21st century, has made it the most powerful communications gadget in history and arguably a global digital public square that influences almost every aspect of human life. It is rapidly democratizing content, as anyone can generate and disseminate information, ideas and personal experiences to any citizens of the world, instantaneously. Digital platforms have become the virtual mega-city that shares millions of stories hourly, offering subscribers massive opportunities to project their voices and increase awareness – including about GBV.

Social media has helped to increase awareness of GBV, for example through survivors or advocates telling stories, or challenging pervasive myths, stereotypes and normalized behaviour. It has been a platform for survivors and advocates to make their voices heard, and to gain visibility, often in a way that could not have been achieved through more traditional channels. Through hashtags such as #MeToo, #TimesUp and #NiUnaMenos, the issue of GBV and GBV-related injustices have received international attention through social media amplification and by mustering public opinion and action.

But these very characteristics that make social media an engine for activism also make it a vehicle for GBV in various forms: cyberbullying, online harassment, doxing and non-consensual distribution of intimate images are a few of the GBV phenomena that have emerged thanks to digital platforms. In so doing, digital abuses amplify the effects of violence by extending it over space and time, and reaching into the safe spaces of victims. The nature of digital violence – where perpetrators are often shielded by both anonymity and impunity – makes these crimes difficult to tackle at a legal and social level.

That duality mirrors the inherent complexities in the fight against GBV online, where social media has gradually become the promulgator of rights and freedoms just as it has become the site of violence and harm. To capitalize on this paradox will require significant jurisprudence reform, a reshaping of technology that reduces harm and opportunities for grooming, and a reimagining of social life to allow individuals to feel safe and seen.

### **(A) Social Media as an Amplifier of Gender-Based Violence**

From messaging apps to social networks, on which 90 per cent of American teens are active, digital tools provide multiple platforms where GBV occur. The digital era brought about many

benefits, but it also created new challenges in eradicating violence stemming from gender-based discrimination. In many ways, social media acts as an amplifier of GBV. At the same time, it is an arena that amplifies prevention mechanisms.

### **(B) The Mechanisms of Amplification**

#### *Anonymity and Impunity*

The anonymity that a social media platform affords users can be seen as enabling, as it adds to second scenarios mentioned earlier where perpetrators, when carried out in a space where perpetrators can feel safe from ethical consequences, emboldens perpetrators to commit GBV with no immediate, tangible repercussions. The lack of a sudden, tangible wake-up call gives room to harass, threaten and abuse others, rendering it harder to identify perpetrators on these platforms.

#### *Virality of Content*

The virality of social media content – where pieces of content are more likely to travel further, and further across networks, if they garner high levels of engagement – means that content can be spread far and wide without consideration to the kind of content being shared. Not only this, but interventions targeted at GBV can spread at viral speeds, exposing large audiences to off-target content, possibly triggering vulnerable members of the online community. Virality clearly spells trouble: a single stolen image can gather millions of shares on social media, perpetuating GBV and radiating virulence deep into the digital plane.

#### *The Echo Chamber Effect*

Social media algorithms can also generate echo chambers, environments where the user only sees viewpoints like their own. In these echo chambers, GBV can be exacerbated by reinforcing harmful stereotypes and rendering violence against certain groups routine. Inside these echo chambers, GBV might be trivialized, victim-blaming narratives can multiply, undercutting efforts to eradicate and denounce gender-based violence..

### **(C) Types of GBV Amplified by Social Media**

#### *Cyberstalking*

Cyberstalking describes the repeated and unwanted pursuit of an individual through Internet venues in a manner that is threatening or harassing. Social media enables all of this, allowing targets of harassment to be identified more immediately or inadvertently, and making it easier to communicate relentlessly through various media.

#### *Non-consensual Sharing of Intimate Images*

Social media presents justice seekers with a new avenue for the traumatizing practice of circulating nude images of others without their consent. Survivors of nonconsensual pornography often report that the digital circulation of intimate images irreparably bruises their reputations, relationships and mental-health outlooks. Posting these images is a GBV in its own right, but the ease and have-it-our-way nature with which images can be reproduced and redistributed across and within sites presents new and terrifying dimensions of violation that erode user privacy and pose entirely new challenges for removing the content from public view.

#### *Online Harassment and Threats*

The scale and scope of social media empower forms of harassment and threat-making that are so pervasive they can harm targets not merely because they are women, or feminists, but also because they attract a population that responds to creating tough guys. This can include everything from a single comment to a swarm of users who band together to attack someone online..

#### *Doxing and Privacy Violations*

Thus, the publishing of private information – known as doxing (short for documenting) – is one form of GBV that has been facilitated by social media, often leading to further forms of harassment and ostracism online and offline, and putting the physical safety of the victim at risk.

### **III. CASE STUDIES**

In the context of India, the ‘Bois Locker Room’ or the 2020 scandal where a private Instagram group used to circulate nude images of teenage girls and discuss how to rape them has drawn attention to how social media normalizes GBV. Embedding gender-based violence into online contexts continues to create rhetorical spaces for discrimination, Robertson notes.

#### **(A) Impact on Victims**

##### *Psychological Effects*

The psychological impact of GBV augmented by social media may be especially devastating for victims, as it impedes their ability to assimilate what happened to them and become empowered to deal with it. Anxiety, depression and post-traumatic stress disorder (PTSD) are obvious potential psychological consequences of GBV spread across social media, but they may also provoke a sense of victimization, vulnerability and loss of control. This corrosive ‘mining of the psyche’ is amplified if relatives and friends see it, reinforcing the denigration of the victim even long after the original abuse took place.

### *Social and Professional Repercussions*

Cumulative amplification of GBV on social media increases the risk of social shaming, reputation damage and economic insecurity (especially if the victim is forced out of employment as a result). Widespread distribution of harmful content can permanently damage the victim's standing with peers, colleagues and society at large.

### *Access to Justice Challenges*

As social media has its way with their lives, victims of cyber-violence often face an uphill battle trying to achieve justice, involving challenges with legal frameworks and law-enforcement agencies, their capacity to respond to emergent digital violence, the inherent problem of jurisdiction over a morally global but legally bounded set of laws and the digital literacy, or lack thereof, of some of the victims and those entrusted with investigating, reporting and ultimately facilitating legal recourse for online GBV.

The amplification of GBV on social media is a multi-faceted challenge and thus requires a multi-faceted response. Legal reforms, technological interventions and societal shifts are critical to ensure that the exploitative use of these spaces comes to an end and, to the extent possible, prevents and mitigates the harms women, girls and other marginalized populations experience as a result of gender-based violence on social media. How can we ensure that the tide of GBV on social media can turn? Answers include critical legal frameworks, digital citizenship education and reinventing gatekeeping mechanisms that can hold this class of perpetrators accountable.

### **(B) Legal Frameworks and Social Media Policies**

The legal and regulatory regime that addresses GBV in India is correspondingly complex, and aims to prevent and mitigate online harassment, cyberstalking and the unauthorized publication of intimate images. The rationale for and impact of India's online anti-violence regime point to the possibilities and pitfalls of adapting legal concepts to digital dynamics. India's legal and regulatory regime to prevent and address GBV is modular. The defense of a woman's dignity and right to live free from violence as an underlying rationale for anti-GBV laws assumes greater significance in the digital context. Legal scholars globally have pointed to the centrality of privacy as a broad umbrella concept for legislation that prohibits and mitigates violence based on one's sex, gender, sexuality or sexual orientation online.

## **IV. EXISTING LEGAL FRAMEWORKS**

### *Information Technology (IT) Act, 2000 (Amended in 2008)*

Mainstream cyberlaw in India, represented by the IT Act, is our key legislation on the subject and contains a number of specific provisions addressing online GBV.

- Section 66E. Harassing invasions of privacy through the circulation or transmission of graphic materials recording an individual's intimate parts or private activities (for example, circulation of a nude or sexually explicit video or pictures taken without the consent of the person or persons depicted, commonly known as revenge porn). At a minimum, violations under 66E highlight the legal framing of privacy in the online age and are in keeping with broader global trends in data protection and concerns of the right to dignity.
- Section 67: Punishment for publishing or transmitting obscene material in electronic form.
- Section 67A: criminalises the publication of any material containing 'sexual acts or conduct', acting to further restrict the broad legal definition of pornography which can be used to ground and amplify other forms of GBV through legal redress.
- Section 67B: Bans the production, transmission or consumption of child pornography reflecting zero tolerance to sexualizing children in sexually explicit activities, an extreme GBV harm.

#### *Indian Penal Code (IPC), 1860*

Though predating digital technologies, the IPC has prevailed in prohibiting GBV through provisions interpreted and applied to online behaviour:

- Section 354A: Penalizes sexual harassment, explicitly extending to online sexual misbehavior, such as persistent or unwelcome sexual advances or sexually colored remarks, etc. Dealing with this amendment calls attention to the legal recognition accorded to shifting modalities of sexual harassment.
- Section 354D: TARGETS stalking, specifically drawing attention to online stalking to make clear that unwanted and persistent attention online would fall within the scope of the law.
- Section 509: Scandalizing words, gestures or acts is targeted at language; online insults and intimidation are a compelling example of how case law is adjusting to the specificity of digital expression.

#### *The Protection of Women from Domestic Violence Act, 2005*



As the primary concern of this Act is physical forms of intimate partner violence (IPV), its provisions have been employed in cases of digital harassment that take place in a domestic space. This is illustrative of the flexibility of legal frameworks to extend to digital forms of GBV as well.

#### *The Indecent Representation of Women (Prohibition) Act, 1986*

This Act means that it's illegal to indecently (or 'with intent to gratify sexual curiosity') represent women in 'any bye, placard, poster, card, printing type or other description of manner', including any 'text in digital form'. The mention of digital refers to the fact that this criminal statute was one of the first in British law to seek extension to the digital sphere in order to prohibit the publication or distribution of pornographic material. This Act of Parliament reflects a legislative desire to prohibit the reproduction and circulation of representations of women that commit or perpetuate the disrespect, disorientation or injury of women.

Taken together, these laws constitute a comprehensive legal framework that seeks to tackle and prevent GBV in cyberspace. In reality, however, the usefulness of such laws will be shaped by levels of legal literacy among users, the tech-savviness of law enforcement agencies, and the willingness of victims to come forward. The ephemeral and fluid nature of the internet is also a challenge in enforcement, as laws must be revised periodically to keep up with changing technology.

At the same time, social media policies – developed and enforced by the social-media platforms themselves – are essential to complement these laws. These include community standards, terms of use and reporting mechanisms that the social-media platforms have created to prevent and protect against GBV on their platforms. The strength and influence of these policies varies by the investment the social-media platform has put into enforcement, the well-articulated nature of the guidelines, and the attentive nature of their offline and online support systems for those who report potential breaches.

## **V. LIMITATIONS AND CHALLENGES IN ENFORCEMENT**

As it stands today, various legal and technical challenges make the implementation of laws that aim to curb Gender-Based Violence (GBV) on social media in India extremely difficult. These challenges reveal the ways in which contemporary legal toolkits lack clarity on tackling GBV online, while simultaneously exposing the limits of the law in navigating this space.

#### *Jurisdictional Issues*

The notably transnational nature of the internet is arguably one of the gravest obstacles in

addressing online GBV. Perpetrators, victims and witnesses may be based in different locations, and the filing of complaints, conducting of investigations and prosecution of offenders often incurs issues of jurisdictional overlap and legal incongruence, as well as a relatively lower level of international cooperation.

#### *Lack of Awareness*

There is also a widespread lack of awareness among victims (and sometimes law enforcement) about the existing legal remedies available to victims of online GBV and how to report incidences and pursue them. This can deter victims from reporting and law enforcement from taking action.

#### *Underreporting*

Underreporting is endemic, due to fear of reprisal, stigma, victim-blaming and lack of faith in the courts giving any remedy at all, when the case is brought to light. The typical victim simply does not want to go to the trouble of a legal action.

#### *Technological Sophistication of Crimes*

The very speed of technological progress has produced a similar effect regarding online GBV: although the crime itself has become more sophisticated, so too have the methods of the perpetrator itself, which increasingly incorporate complex anonymization techniques to make it harder for those in law enforcement to track and prosecute them.

#### *Evidence Collection and Preservation*

Its ephemeral nature adds to the challenges of digital research and evidence collection. Valuable information can be deleted, manipulated or encoded, which can thwart the necessary collection of evidence for either administrative procedures or prosecution..

#### *Delayed Legal Process*

as victims of online GBV know first-hand, the legal process for policing and responding to online violence can be slow and inefficient, with unduly long lag times that undermine the efficacy of legal remedies and exacerbate the trauma of victims.

#### *Need for Comprehensive Laws*

Although India has witnessed an upsurge in measures to legislate online GBV, there is a need for more substantive laws that ensure violence specific to the platform gains recognition – by way of codifying a more focused definition of online GBV, improved tools for inter-country coordination, and up-to-date legal cursors that reflect technological change..

## VI. SOCIAL MEDIA PLATFORMS' POLICIES

Social media companies have a very elementary part to play: their own policies and implementation of these policies play a significant role in increasing (or decreasing) the prevalence and/or response to GBV on their platforms.

### *Content Moderation Policies and Their Effectiveness*

There are content moderation policies in place among many social media platforms, which ban our types of GBV, such as harassment, threats and non-consensual intimate images. But these are often not very effective because of the reported lack of locus or capacity to enforce the policies consistently and transparently, such as through under-resourced moderation teams or reliance on automated systems and a lack of clarity around what constitutes GBV.

### *User Reporting Mechanisms and Response Times*

Platforms typically offer users the ability to report violations of their policies. However, the effectiveness of these reporting mechanisms is variable, with users often experiencing long response times or receiving inadequate resolutions. This can discourage victims from reporting incidents and contribute to a sense of impunity among perpetrators.

### *Collaborations with Law Enforcement*

Collaboration among social media platforms and law enforcement agencies is critical for the effective response to GBV, but there are several challenges, such as user privacy issues, data sharing speed and legal frameworks governing such collaboration that need to be enhanced for improved response to GBV online.

### *Shreya Singhal v. Union of India*

In this case, the Supreme Court of India held that, by violating the right to freedom of speech and expression, Section 66A of the Information Technology Act, 2000 was unconstitutional (although it should be noted that this is not a case explicitly taking up gender-based violence). While this judgment stands for the proposition that states must protect speech online – including speech that is aimed at or that may contribute to the fight against gender-based violence on social media platforms.

### **(A) Social Media as a Tool for Addressing Gender-Based Violence**

Social media which, as we have seen, has often been criticized for abetting GBV, turns out to be potentially a powerful tool for prevention of GBV, particularly because of the global reach, rapid reaction, interactivity and the potential of using social media for awareness, advocacy,

support, education and technological innovation in the realm of GBV.

### **(B) Awareness and Advocacy Campaigns**

#### *Successful Social Media Campaigns Against GBV*

Street mosaics against sexual violence such as #MeToo, #TimesUp and the UN campaign #HeForShe have exemplified the power of social media to amplify GBV and start a global dialogue around it. In India particularly, the #MeToo campaign exploded, exposing sexual misconduct and assault in fields such as Bollywood, the media and politics. These efforts have been vital in breaking the silence surrounding GBV, providing a platform for survivors to narrate their experiences, and pressing for change from both societal and legal sectors.

#### *Role of Influencers and Celebrities in Amplifying Voices*

It was fueled by celebrities and social media influencers with a large reach online who helped to magnify and give voice to the seeds of social change sown by the survivors, and urged the crowd to stop accepting these social practices. Their contribution pushed the campaign to reach a heightened visibility due to their megaphones which could bring the issue to new circles around the world and mobilize public opinion to push for legal changes to provide more protection against GBV.

### **(C) Support and Solidarity Networks**

#### *Online Communities for Survivors*

Social media networks also make it easier to form and sustain many groups that can serve as a space for the expression, experience-sharing and support of GBV survivors, a way to create community in lieu of the groups and communities from which they've been alienated during the expression, experience and support of survival from GBV in offline spaces.

#### *Crowdsourced Support and Resources*

More than just emotional support, the rise of social media has led to enhanced access to pro bono legal advice, counselling services and safe shelters for GBV survivors. Crowd-funding initiatives online to 'donate to the cause' are now an established way of raising money for various purposes.

### **(D) Educational Platforms**

#### *Using Social Media for GBV Education and Prevention*

Furthermore, these same social media platforms can serve as spaces for educating people, including a brief history or deeper reflection about people's rights, about the impact of GBV on

nature and others, or on how to prevent it. They can also be a space for sharing videos, infographics and articles.

#### *Role of Digital Literacy in Combating GBV*

Imposing legal limitations on social media usage can support online literacy in users, while digital literacy empowerment must be employed both as a means to make people aware of the harms associated with GBV online, so they can protect themselves when accessing the platforms – for instance, by informing them about the risks of receiving messages from unknown persons and how to report such harassment in their country of residence – and, moving even further, digital literacy-based campaigns can lead people to report violence online, understand its features and limits, and minimize their risk of being targeted in cases of digital violence.

### **(E) Technology-Driven Solutions**

#### *AI and Machine Learning for Detecting and Preventing GBV Content*

Furthermore, automated detection and mitigation of GBV content online, using artificial intelligence (AI) and machine learning technologies, is also promising. I have demonstrated how such technologies can assist platforms to detect malicious content at its very outset, and intervene quickly and efficiently to address offending content, thereby preventing harm inflicted on victims.

#### *Blockchain for Secure and Anonymous Reporting*

With the blockchain technology, reporting of GBV incidents may look differently. The blockchain empowers reporting of GBV incidents, increasing the guarantee of truth, and the level of anonymity from the reports of the incident. This provides an avenue, crafted by blockchain technology, through which GBV survivors would report the events in confidence (which may act as protection against prosecution) and empower such survivors to ‘speak up’ in private, not relying on the authorities to get justice but increasing the potential of recovering it.

## **VII. THE PATH FORWARD**

The debate about how social media makes gender-based violence in India both distinct and worse – and how it also allows for new ways of saying ‘No’ – includes positions that are not always correct, or inessential within a legal problem set that contains more complexity and opportunity than we might have thought. Moving forward means seeking a difficult middle-ground, one that encourages thoughtful reflection on questions of free expression, safety, privacy, the ethics of content moderation, the role of government and regulatory bodies, and

nanced stakeholder engagement. It's about harm reduction – but it's also about the transformative potential of social media to bring about a safer, more female-friendly worldwide web.

#### **(A) Balancing Act: Freedom of Expression vs. Safety and Privacy**

The primary dilemma of addressing GBV on social media lies in reconciling the right to freedom of expression with the need to safeguard the safety and privacy of users. Social media platforms operate as facilitators of public discourse and, therefore, should steer a course between freedom of expression and protection from GBV. This balance requires applying parameters in the creation and distribution of content, as it relates to users of social media platforms. Of course, this delicate act is complex and multi-layered. Content moderation policies need to be drafted and implemented by social media platforms, and these policies must consider the contexts in which content is created and disseminated, and how individual users and vulnerable communities can be impacted by GBV..

#### **(B) The Ethical Considerations of Content Moderation**

Content moderation raises an array of ethical quandaries, related to what can and cannot be considered GBV; who can make these determinations; and how to ensure that these determinations should be part of a transparent, accountable process and reviewed fairly. Moderation strategies should be informed by diverse viewpoints to avoid the creation of algorithm-driven echo-chambers. Ensuring the multidimensionality of GBV should also involve a greater consideration of its socioeconomic and structural elements. As should decisions about the potential for deleting pages and other material as a means of extinguishing a platform's link to GBV, rather than relying on user moderation, which depends on humans flagging offending posts. Automated tools cannot function without human judgment. Yet algorithmic processes can create situations whereby commentary can be deleted by automation that may not be sufficiently refined to distinguish inadvertent from intended offence, leading to absurd and unfortunate error rates.

#### **(C) The Role of Government and Regulatory Bodies**

Indian legal and regulatory frameworks also play a role in shaping the ecosystem in which social media operates, through laws and regulations that establish clear provisions and safeguards on GBV on social media, requiring social media platforms to be answerable for noncompliance, and protecting user rights to security and privacy. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, appears headed in this direction towards more robust regulatory oversight. Regulatory initiatives, however, must be fashioned

with an eye towards the reciprocal demands of accountability of social media platforms and protection of user rights, and refrain from legislative measures that may result in the chilling of expressions on social media or the surveillance and censorship of marginalized voices.

#### **(D) Collaborative Efforts Among Tech Companies, NGOs, and Governments**

In other words: there is no single endgame in the fight against the use of social media for GBV; rather, the various threads (legal, ethical, technological and social) all need to be simultaneously pulled in the same direction, such that the political economy of each sector's orientation is likewise pulling what it can to the core. The tech companies would need to be constantly improving the performance of their platforms, in a way that limits the possibilities for abuse, while still protecting the important guardrails of speech and of privacy. The ground reality for GBV survivors, and the specific needs and harms they face, would be crucial inputs for NGOs to draw on in that process; empowered governments remain critical to creating, and enforcing, an appropriate legal context in which perpetrator harassment is deterred, and victims are protected in ways such that justice prevails.

This could range from agreeing upon and enacting content-moderation best practices, to co-developing reporting mechanisms, all the way to working on public education campaigns, where the reach of social media companies (not to mention their technical expertise) could be leveraged alongside the content acumen of NGOs. Governments can help. This might look like policy-making, funding projects and partnerships that help close the space between the online and the offline worlds.

#### **(E) The Importance of Survivor Input in Shaping Policies**

Survivor input is essential to developing policies and interventions to counter GBV on social media. Survivors have much to share about the dynamics of online abuse, the efficacy of existing support and reporting systems, and the emotional and psychological repercussions of digital GBV. Policies developed without the input of those most impacted risk leaving out key elements of the user experience in order to develop well-rounded policies.

Survivor-led advocacy and feedback mechanisms can help the tech companies re-adjust their content moderation policies, reporting mechanisms and support services. Similarly, guideline-giving from survivors can help governments and nongovernmental organisations (NGOs) design victim support services, legal interventions and educational programmes grounded in the actual realities of survivors. Taking survivors seriously, and engaging with them in a non-exploitative manner, is also about respecting their agency; it is essential if we want to support and find ways to prevent harm caused by non-consensual images.

## **(F) Future Technologies and Innovations**

### *Emerging Technologies and Their Potential Impact on Combating GBV*

Just as GBV has evolved with social media, technologies to curb and address it have also transformed. The promise of new media technologies such as artificial intelligence (AI), blockchain or augmented reality (AR) will bring valuable new possibilities for prevention, detection and support. AI and machine learning – that is, forms of learning that mimic human intelligence – can give content moderation the precision that policing doesn't allow and enable mass moderation at scale. Blockchain can support anonymous reporting systems, which are crucial but haven't yet been successfully created, while empowering survivors to report without fear of revenge or recrimination.

But as these technologies proliferate at a rapid clip, new problems come to light: how do we make sure that advances don't compromise privacy rights or enable new forms of surveillance? And how do we judge whether these technologies work in the first place, so that we don't put too much faith in automated systems that might lack the granular perspective needed to engage with human behaviour – and informed by the contours of culture.

### *Preparing Legal Frameworks for Future and the Challenges*

Given that technological development (and misuse) is ongoing, legal frameworks must be forward-thinking when it comes to social media and GBV – capable not just of catching up with where we are today, but frankly with where we believe we'll be tomorrow. This means that it doesn't just refer to reform of existing laws, but also to predicting where technology may go next and what kind of wrongs it may commit. The necessary legal provisions should be clear, wide-ranging, and future-proof: the legal response to GBV must be flexible enough to catch up with emerging situations.

Finally, cross-border legal standards and mechanisms for enforcement should be coordinated internationally. As social media becomes borderless, so must GBV in this space. This will necessitate sustained dialogue, research and policy development involving big tech, legal experts, NGOs and survivors alike.

## **VIII. CONCLUSION**

Consequently, Indian scholars writing on the double-edged sword of social media have established that, on one hand, digital media has amplified GBV, providing new avenues to threaten, harass and abuse as well as violate the privacy and dignity of women and marginalized communities worldwide. This is partly because of increased anonymity that social media



affords and the virality of digital content disseminated through these platforms, which have brought about an intensified scale of digital violence, especially affecting women, that might not traditionally be recognized and redressed within the ambit of the law and society. On the other hand, social media has become an effective means of redressing GBV through awareness, advocacy, peer-support and education initiatives that have burst the barriers of conventional law and society to increasingly combine individual strength and agency in effectively combatting GBV through widespread mobilization.

This duality reflects the simultaneous emancipatory and oppressive nature of social media in shaping social norms and behaviour. The very platforms that perpetuate and enable the perpetration of GBV are also potentially revolutionary tools for challenging how GBV has been perceived and what recourse society takes to prevent it. Such a nuanced portrait of digital spaces requires exploring the human capacity to mobilize, educate and advance social connections online to finally address the stubborn human capacity to engage in odious, irrational or outrageous behaviour. This is not only a political challenge but also a moral one. It requires an equal degree of rigor to understand how the online harm arising from social media platforms can be dealt with and mitigated over the long term via efficient and far-reaching legal frameworks, content moderation policies and technological innovation.

Ultimately though, it must also be transformative – encompassing multifarious tools of legal reforms, policy imaginings and technological innovations, packaged with a culture-awareness and adaptivity to chart new pathways towards increasing gender sensitivities and digital accountabilities. Legal reform should reflect the shifts that are taking place in digital architecture and enable states to keep pace with the dynamic reconfigurations of GBV in digital space. It must accordingly advance both, traditional legal interventions and also ensure reforming legislations to respond to new forms of digital violence in furtherance of better accountabilities and justice to the survivors.

Finally, technological innovation can be harnessed to improve the digital security and safety of online spaces by providing high-quality content moderation tools capable of identifying and mitigating GBV, and by developing reporting mechanisms for victims that are safe, private and promote disclosure in secure ways.

A significant aspect of this is ensuring true engagement with stakeholders: tech companies, government bodies, civil society organisations, the legal sector and the wider community will need to collectively work out how to create a digital world that takes proper account of the social context within which we all live, and that provides a security and wellbeing that is

embracing and grounded in a proper regard for human dignity. That, too, will require some expert voices to work themselves out of a job by listening to survivors' stories – and to learn from them, supporting and amplifying their voices, making them actors and not just the objects of intervention.

Finally, we need an ongoing cultural shift – a shift in which we learn to be continually more aware and responsive in relation to gender-based violence, and to developments in digital citizenship. Education. Awareness-raising. These are ways to cultivate a digital culture in which GBV is considered abhorrent, and respect, empathy and equality are promoted.

Overall, the binarization of GBV by social media in India engenders new threats alongside opportunities that might lead us towards a less safe, less inclusive world of digital space. Then again, it might facilitate new forms of solidarity that are unlike anything we have experienced in human history. The way that we address these issues will be determined by the proper combination of vigilant activism, juridical reform, digital and technological innovation, and collaborative community action. If there is one takeaway from this piece, it is that we must strive to harness the power of social media by engaging GBV therein, so as to build a digital world that not only emulates but also ultimately supersedes many of the finest values and aspirations of the human existence.

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## IX. REFERENCES

1. Cuklanz, L. M. (Ed.). (2023). Gender violence, social media, and online environments when the virtual becomes real.
2. Edwards, L., Philip, F., & Gerrard, Y. (2019). Communicating feminist politics? The double-edged sword of using social media in a feminist organisation. *Feminist Media Studies*, 1468-0777. <https://doi.org/10.1080/14680777.2019.1599036>
3. European Institute for Gender Equality. (2020). Gender equality index 2020: Digitalisation and the future of work. [https://eige.europa.eu/publications-resources/toolkits-guides/gender-equality-index-2020-report/when-gender-based-violence-goes-digital?language\\_content\\_entity=en](https://eige.europa.eu/publications-resources/toolkits-guides/gender-equality-index-2020-report/when-gender-based-violence-goes-digital?language_content_entity=en)
4. Flynn, A., Bailey, J., & Henry, N. (2021). The Emerald International Handbook of Technology-Facilitated Violence and Abuse. *Emerald Publishing Limited*.
5. Gurman, T. A., Nichols, C. G., & Greenberg, E. S. (2018). Potential for social media to challenge gender-based violence in India: A quantitative analysis of Twitter use. *Feminist Media Studies*, 10.1080/13552074.2018.1473230
6. Menon, V., Pattnaik, J. I., Bascarane, S., & Padhy, S. K. (2020). Role of media in preventing gender-based violence and crimes during the COVID-19 pandemic. *Asian Journal of Psychiatry*, 54, 102449. <https://doi.org/10.1016/j.ajp.2020.102449>
7. Miller, K., & Demirbilek, M. (2023). The role of social media in the fight against gender violence. In *Cyberfeminism and Gender Violence in Social Media* (pp. 90-99). *IGI Global*. <https://doi.org/10.4018/978-1-6684-8893-5.ch006>
8. Muigai, R. N. (Date not provided). Silenced voices: Exploring the prevalence and impact of gender-based violence on social media in East Africa. *LinkedIn*. <https://www.linkedin.com/pulse/silenced-voices-exploring-prevalence-impact-violence-social-muigai/>
9. NORC at the University of Chicago & International Center for Research on Women (ICRW). (2022). Landscape analysis of technology-facilitated gender-based violence: Findings from Asia. *USAID*. [https://pdf.usaid.gov/pdf\\_docs/PA00Z7GS.pdf](https://pdf.usaid.gov/pdf_docs/PA00Z7GS.pdf)
10. Silva, M., Anaba, U., Jani Tulsani, N., Sripad, P., Walker, J., & Aisiri, A. (2023). Gender-Based Violence Narratives in Internet-Based Conversations in Nigeria: Social Listening Study. *Journal of Medical Internet Research*, 25, e46814. <https://doi.org/10.2196/46814>

11. Suzor, N., Dragiewicz, M., Harris, B. A., & Gillett, R. (2018). Human rights by design: The responsibilities of social media platforms to address gender-based violence online. *Policy & Internet*, 11(1). <https://doi.org/10.1002/poi3.185>
12. UN Women. (2022). Online gender-based violence against women with a public voice. *Impact on freedom of expression*. [https://lac.unwomen.org/sites/default/files/2023-12/report\\_onlineviolence\\_21dec23.pdf](https://lac.unwomen.org/sites/default/files/2023-12/report_onlineviolence_21dec23.pdf)
13. Walsh, J. P. (2020). Social media and moral panics: Assessing the effects of technological change on societal reaction. *International Journal of Cultural Studies*, 23(6), 840-859. <https://doi.org/10.1177/1367877920912257>
14. Watson, S. (2022). The role of social media abuse in gender-based violence: The challenge of vituperative communication in the age of new technology [*Doctoral dissertation*, University of York].
15. Shreya Singhal vs. Union of India. (2015). *AIR 2015 SC 1523*. Supreme Court of India.
16. World Bank. (2019, September 25). Gender-based violence (violence against women and girls). <https://www.worldbank.org/en/topic/socialsustainability/brief/violence-against-women-and-girls>
17. Cernik, L. (2021, April 21). The double-edged sword of social media and rape culture. *Media Diversity Institute*. <https://www.media-diversity.org/the-double-edged-sword-of-social-media-and-rape-culture/>
18. Sanusi, T. (2021, November 17). Online gender-based violence: What you need to know. *Global Citizen*. <https://www.globalcitizen.org/en/content/what-is-online-gender-based-violence-2/>
19. Vázquez Galobart, P. (2021, November 25). Gender-based violence continues to grow with social media and working from home. *Esade Do Better*. <https://dobetter.esade.edu/en/gender-based-violence-continues-grow-social-media-and-working-home>
20. de Meco, L., & MacKay, A. (2022, January 19). Social media, violence and gender norms: the need for a new digital social contract. *ALIGN Platform*. <https://www.alignplatform.org/resources/blog/social-media-violence-and-gender-norms-need-new-digital-social-contract>
21. Crelinsten, R. (2022, February 28). Online gender-based violence is endemic: It should be considered a form of terrorism. *Centre for International Governance Innovation*.

<https://www.cigionline.org/articles/online-gender-based-violence-is-endemic-it-should-be-considered-a-form-of-terrorism/>

22. van der Heyde, J., & Bengu, S. (2022, July 26). Analysis: Social media can change actions that drive gender-based violence. *Premium Times*. <https://www.premiumtimesng.com/news/headlines/544957-analysis-social-media-can-change-actions-that-drive-gender-based-violence.html?tztc=1>
23. United Nations. (2023, March 8). Speakers stress digital violence must be addressed, inclusion in technology strengthened, as Commission continues session on International Women's Day. *UN Press*. <https://press.un.org/en/2023/wom2223.doc.htm>
24. Sharland, L., & Dahir, I. (2023, March 30). Ending violence against women and girls in digital contexts. *Stimson Center*. [https://www.stimson.org/wp-content/uploads/2023/03/Ending-VAWG-Blueprint\\_3.30.23LR.pdf](https://www.stimson.org/wp-content/uploads/2023/03/Ending-VAWG-Blueprint_3.30.23LR.pdf)
25. Milenkovska, S. (2023, June 7). For women in the Balkans, digital space is a double-edged sword. *Balkan Insight*. <https://balkaninsight.com/2023/06/07/for-women-in-the-balkans-digital-space-is-a-double-edged-sword/>
26. Taskin, B. (2023, October 16). Remember 'Bois Locker Room'? Trial in 2020 case yet to start, forensic report on mobiles awaited. *The Print*. <https://theprint.in/india/remember-bois-locker-room-trial-in-2020-case-yet-to-start-forensic-report-on-mobiles-awaited/1804635/>
27. Dupriet, R. (2023, December 4). Artificial intelligence and gender-based violence. *Soroptimist International*. <https://www.soroptimistinternational.org/artificial-intelligence-and-gender-based-violence/>
28. Jaishankar, K. (2023, December 12). Why are women harassed online? - A global perspective. *LinkedIn*. <https://www.linkedin.com/pulse/why-women-harassed-online-global-perspective-prof-k-jaishankar-b4gwc/>

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