IS INDIA HEADING TOWARDS DIGITAL AUTHORITARIANISM?

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Bharatiya Janata Party (BJP), the political arm of Rashtriya Swayamsevak Sangh (RSS), is aiming to convert India into a Hindu- nation state. In this milieu, the government of PM Narendra Modi is using modern technology as a tool to monitor the public to fulfil its agenda and to curb any criticism hurled towards it. The indications are that to achieve its political motives, the BJP is gaining control over the digital lives of Indians by increased surveillance and by creating an atmosphere of digital authoritarianism in the country.

The report released on July 20, 2021, by Washington Post and 16 other news organizations[1] has unveiled the loopholes in digital security in India. According to these reports, NSO, an Israeli-Spyware group, has targeted not only the heads of states but also human rights activists, journalists, and politicians across the globe. NSO Company claims that it has sold spyware to the vetted governments to monitor terrorism and criminals, however, the recent investigations have ruled out this claim. Agnes Callamard, Secretary General of Amnesty International, has said that the Pegasus

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[1]   Michael Birnbaum Craig Timberg, *"*On the List: Ten Prime Ministers, Three Presidents and a King," *The Washington Post ,* July 20, 2021, https://www.washingtonpost.com/world/2021/07/20/heads-of-state-pegasus-spyware/.

Project lays bare how NSO's spyware is a weapon of choice for repressive governments seeking to silence journalists and to attack activists by crushing dissent and placing countless lives in peril.[2]

In this regard, the forensic testing of thirty-seven phones indicate that they were under the target of Pegasus spyware. Out of these thirty-seven phones, ten belonged to Indians which include opposition leaders, members of constitutional authority and members of numerous security organizations.[3] Rahul Gandhi, India's leading opposition leader and Ashok Lavasa, former Election Commissioner of India are to name a few prominent personalities under surveillance. In addition to this, there were also forty journalists whose phones were spied. It was later revealed that these journalists were often critical of the governmental policies.

This controversial event has brought opposition parties closer. The united opposition has asked the government to hold parliamentary debates on Pegasus but in vain. According to the opposition, this was an abrogation of democratic principles of India. Moreover, it sparked high concerns on digital rights of netizens in India. Rahul Gandhi criticised Modi in a Tweet saying, "we know what he's been reading – everything on your phone!"

Source: Twitter, July 19, 2021. [4]

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2   *"Massive data leak reveals Israeli NSO spyware used to TARGET activists, journalists, and political leaders,"* *Amnesty International.* August, 17, 2021, https://www.amnesty.org/en/latest/press-release/2021/07/the-pegasus-project/.

3   "Pegasus Project: How Phones of Journalists, Ministers, Activists May Have Been Used to Spy on Them," *The Wire August 12, 2021,* https://thewire.in/government/project-pegasus-journalists-ministers-activists-phones-spying.

4   Rahul Gandhi, Twitter Post, July 19, 2021, 8:01 am, https://twitter.com/RahulGandhi/status/1416956352379949059.

The opposition party, Congress, accused the ruling party of being anti-national in an other tweet.

Source: Twitter, August 5, 2021[5]

This is not the first time that the Modi government is accused of snooping on people. In 2019, the government of India illegally used NSO spyware to spy on 24 Indians and hacked the accounts of 121 people through WhatsApp messaging application.[6] Also, on March 11, 2020, the Indian government announced the use of facial recognition technology that is another tool of surveillance.[7] The actual use began in March 2021 in which the technology was installed in schools for the safety of students. The world's biggest democracies and technologically advanced countries are reducing the use of facial recognition technology because of its negative implications on human rights. This technology not only imposes restrictions on human freedom and privacy but also eases the opportunities for fraud and other crimes.[8] However, the government of India has come up with the justification to monitor public movement during the COVID pandemic to legitimize its excessive use of technology for illegal purposes.

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[5]   Congress, Twitter Handle, August 5, 2021, 12:45 pm,
      https://twitter.com/INCIndia/status/1423188271887159296

[6]   Mishi Choudhary, "Pegasus Scandal Points to the Making of a Surveillance State in India. Our Freedoms
      Are at Stake," *The Indian Express*, August 10, 2021,
      https://indianexpress.com/article/opinion/columns/pegasus-spyware-surveillance-state-indian-govt-
      freedom-7446179/.

[7]   "Peril of Face Recognition Tech: Facing the End of Freedom, One Face at a Time. Supreme Court Must
      Intervene*," Times of India Blog*, June 29, 2020, https://timesofindia.indiatimes.com/blogs/toi-edit-
      page/peril-of-face-recognition-tech-facing-the-end-of-freedom-one-face-at-a-time-supreme-court-must-
      intervene/.

[8]   David Gargaro "The pros and cons of facial recognition technology." *IT Pro,* July 20, 2021
      https://www.itpro.com/security/privacy/356882/the-pros-and-cons-of-facial-recognition-technology.

The use of tools of surveillance is not limited to these spying tactics alone. It is also suspected that the Indian government is using three projects named CMS, NATGRID and NETRA for surveillance. These projects function under complete secrecy and no information about them is available to the public.[9] These allow the agencies to intercept all the information flowing through various digital platforms used by an Indian citizen. CMS can monitor and listen to the phone conversations; NATGRID has access to the twelve categories of user data whereas NETRA keeps a track of everything that is done online by any individual.[10] All of these provide a befitting recipe for surveillance and control to the Indian government.

On the other hand, the advent of 2021 brought with it an ever-increasing tussle between twitter and BJP's government. The Indian government asked twitter to suspend and block the twitter accounts promoting any hashtag related to farmers' protest. In this backdrop, Twitter blocked 250 accounts but due to insufficient justification provided by the government to block these accounts, they were restored.[11] This tussle between a social media platform which has 1.75 crore Indian users, and the BJP government implies that the government wants to control the freedom of speech in the country both in the physical and digital world. Such restrictions on freedom of expression and speech raise a lot of questions about the nature of democracy in India where people are monitored, censored, and controlled on every single step.

When a government wants to gain control over the masses, it limits the freedom of its people, case in point freedom of speech and expression. Incessant surveillance of the people allows the government to be more vigilant and to keep record of all the activities of its citizens. Modi's government is doing the same by using technology to gain control over Indians. Given the recent activities of BJP, it will not be an exaggeration to conclude that at present, digital authoritarianism is at rise in India. Thus, turning the nature of the state from democratic to authoritarian. The need of the hour is that the real and digital rights of the people in India are protected by increased accountability of the government and introducing stringent laws safeguarding the rights of people.

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9   Choudhary, "Pegasus Scandal."

10   "India's Three Main Surveillance Projects Natgrid, CMS and NETRA Have Been Directed to Stop Collecting Data Citing Breach of Privacy," *Business Insider,* December 2, 2020, https://www.businessinsider.in/tech/news/indias-three-main-surveillance-projects-natgrid-cms-and-netra-have-been-directed-to-stop-collecting-data-citing-breach-of-privacy/articleshow/79529256.cms.

11   Soutik Biswas, "The Indian Government's War with Twitter," *BBC News*, February 12, 2021, https://www.bbc.com/news/world-asia-india-56007451.