



## The Peoples's voice in the Digital Age needs a Policy

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### Abstract

In the digital age, social media has transformed communication in Sri Lanka, serving as a vital platform for democratic participation, citizen journalism, and public discourse. With over 8.2 million users engaging on platforms like Facebook, X (Twitter), Instagram, YouTube, TikTok, and WhatsApp, these tools empower individuals to share real-time information, opinions, and creative content, often bypassing traditional media constraints. However, this democratization brings significant challenges, including misinformation, hate speech, privacy invasions, cyber harassment, and national security threats, exacerbated by advanced AI technologies that facilitate the creation of deceptive content.

This study, employing a qualitative methodology involving literature review, analysis of Sri Lankan laws, regulations, and case studies such as the Galle Face protests, argues for a dedicated Social Media Policy. It highlights the superiority of social media journalism over traditional mass media in terms of autonomy and influence, while noting the lack of accountability and ethical training among citizen journalists. The proposed policy seeks to balance the constitutional right to freedom of expression (Article 14(1)(a)) with responsible usage, aligning with existing laws like the Penal Code, ICCPR Act, and international standards.

Key elements include prohibitions on hate speech, disinformation, defamation, obscenity, child exploitation, and content endangering public order; guidelines for ethical government use of social media; citizen rights to privacy, safety, and information access; and enforcement through a neutral authority with proportionate penalties. Implementation requires collaboration among government, platforms, and citizens, supported by education and international cooperation. Ultimately, the policy aims to foster a safe, inclusive, and democratic digital ecosystem that protects human dignity while promoting societal progress.

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### Introduction

Social media has emerged as one of the key communications channels in Sri Lanka, influencing public opinion, bringing together disparate communities, and opening up new channels of democratic participation. Social media sites such as Facebook, Twitter (X), Instagram, YouTube, TikTok, and WhatsApp are accessed by 8.2 million of citizens (Data reportal web, 2025) <sup>[3]</sup>. They use it to engage in social interactions, political discussions, learning, promotion of businesses, and entertainment. Although digital platforms offer opportunities specially for free expression and access to information, they also give rise to difficulties such as

misinformation, hate speech, online annoyance, incursion of privacy and threats to security of the country. The social media Policy in Sri Lanka aims to establish a set of standards that balance the constitutional guarantee of freedom of speech with the duty to use social media in a style that respects the law and observes ethical norms.

Social media has become an extremely powerful form of communication in today's world. Through these platforms, virtually everyone has the ability to act as a journalist, sharing news, opinions, and information. In this digital platform, social media has given rise to citizen journalism, where the citizens can be as news contributors by sharing real time news, information, images and their ideas about the public events. users itself serves as a platform where all users can participate in journalistic activity.

### Literature Review

This study argues that social media journalists have become more influential than traditional mass media journalists as Kehinde (2024)<sup>[2]</sup> notes that citizen journalism has emerged as a powerful force in shaping contemporary media dynamics, challenging the monopoly of traditional media outlets and democratizing the flow of information. Unlike mass media journalists, who must operate within the editorial agenda of their media organizations—often influenced by political or private interests of the owners—social media journalists are not bound by such constraints. For instance, during the Galle Face protests, some newspaper cartoonists produced content that aligned with government interests, even though they personally opposed it. However, on their personal social media accounts, they were able to express their true perspectives freely. Social media, therefore, provides journalists with a platform where they can share opinions, report stories, and engage audiences without external control. This autonomy has made social media journalists uniquely powerful in shaping public discourse compared to their mass media counterparts.

Sribreindran (2019)<sup>[9]</sup> argues that the After the Internet era spread-out throughout the world for sharing ideas and gathering knowledge, social media helped people to ineffective tool in bringing social change. The term of Internet time or Internet age refers to the era in which the internet has become a ubiquitous transformative force in society (Quora, 2023)<sup>[1]</sup>. In today's era, digital creativity and technology have advanced significantly. People no longer need extensive ICT knowledge to create content, as AI technologies make it easy to produce videos, images, voices, and other digital media. These tools allow individuals to communicate more effectively and creatively on social media. However, the same technologies can be misused with alarming ease. For instance, individuals can create inappropriate content, such as fake videos or manipulated images using celebrities' faces, often making it difficult to distinguish between what is real and what is fabricated. The power of these technologies is immense, and if AI is used irresponsibly on social media, it poses a serious risk to the future.

### Research Methodology

A qualitative approach was used for this research. Literature study, study of state laws and regulations, study of common law of the country, as well as formal information related to the use of social media in Sri Lanka were studied. The recent

Galleface struggle in Sri Lanka and the youth mobilizations carried out by human groups in connection with it were also studied. This was based on the researcher's previous research data on the Galleface protest and social media culture. The data obtained was analyzed using Nvivo software.

### Discussion

When discussing mass media journalism and mass media culture, it is clear that they differ significantly from social media. Mass media journalists are well trained well in journalism, media ethics, responsibility and other theoretical knowledge. They have a responsibility to both their audience and the government, which makes their content more accountable compared to social media content. Social media journalists are people who use social media as a stage to share information, sometimes as a source of income. Also, anyone reports, comments or share news on social media can be considered as social media journalist. on the other hand, do not carry the same responsibilities as mass media journalists, social media journalists are not accountable to the government or the public.

Nowadays, many young people use social media excessively, spending a significant portion of their day on these platforms. Up to 95% of youth ages 13-17 report using a social media platform, with more than a third saying they use social media almost constantly (Office of the surgeon General, 2023)<sup>[4]</sup>. This overuse often leads them to view the world primarily through the lens of social media content. Consequently, when they encounter harmful, misleading, or false information, they are more likely to accept it as reality. Such trends pose a serious risk to the growth, thinking patterns, and overall well-being of future generations. Therefore, the absence of a proper social media policy could make the lives of upcoming generations increasingly vulnerable and unsafe. There have been reports of school students taking their own lives as a result of deceptive relationships formed on social media. In addition, many marriages have been disrupted due to individuals engaging in inappropriate affairs through these platforms. Countless other incidents reported in the news highlight how the misuse of social media can lead to serious personal and social consequences. The researcher wrote this because the lives of future generations are extremely valuable for the progress and well-being of our country. Social media not only exposes young people to harmful relationships and personal conflicts but also spreads a wide range of fake and misleading content. Even well-known or influential individuals can be misled by such content, as it is often presented in a way that appears credible and authentic.

Ultimately, Social media must uphold the law, safeguard human dignity, and promote humanity. Its role is not only to enable free expression but also to ensure that such expression is used responsibly for the betterment of society. This policy is grounded in international human rights standards. In line with all relevant laws and the Constitution of Sri Lanka, social media should operate in accordance with these principles. The act in Thailand on Computer related crimes Act, B.E.2550 (2007)" (Robert, 2016, para.1)<sup>[7]</sup> addresses unauthorized access, hacking, and cybercrime, and the act on telecommunications deals with the requirements for using telecommunication networks. Provisions of the penal code include those predating to defamation, obscenity, and incitement to violence, and under the right to Information Act of 2016, there is an effort, however modest to enhance

transparency and the culture of accountability in governance. The 2007 ICCPR Act (Schmitt, 2017) <sup>[8]</sup> also outlaws hate speech that directly encourages hatred against other individuals on the ground of their national, racial, or religious background. Cumulatively these instruments mark the limits of what can be expressed legally and help keep digital spaces safe, equal and democratic. Sri Lanka has observed certain content on social media being banned by the government under existing general laws. At times, these decisions may appear questionable but as they are based on the law, there is little room for public objection. While it is essential to recognize social media as a legitimate form of media, all platforms should operate within the framework of the country's general laws. However, given the unique nature of social media, there is a need for specific legislation to regulate and minimize its content effectively. Many instances arise where general laws do not clearly define what constitutes prohibited content, leaving the public uncertain about the reason for bans and who is responsible for the platform, the content or the content creator. Therefore, social media in Sri Lanka requires dedicated legal provisions, while still remaining aligned with the nation's overarching legal framework.

The policy also includes guidance on how government departments should be using social media. Government institutions are to have relationships with these carriers that are designed to be transparent, factual and non-political, and respectful of all citizens. Official accounts cannot be used as instruments for political propaganda or for stifling opposing opinions. Instead, they ought to be used to engender citizen involvement, engage the public on significant issues, and promote trust between the state and the citizen. Furthermore, state organizations are urged to embrace digital communication tactics to make available any information produced available in Sinhala, Tamil and English in such a manner no single community is isolated in the digital dialogue.

It takes the cooperation of the government, the social media companies and the citizens to implement and enforce the policy. Oversight will come from the Ministry of Mass Media, the Telecommunications Regulatory Commission, and other enforcing authorities subject to constitutional safeguards. Some powerful individuals are calling us to be up in arms over it, while others are questioning the government why clauses criminalizing child pornography are not being implemented against this filth. Citizens can report to the platforms or a suggested National Digital Rights Authority that would serve as a neutral institution to entertain complaints, rights of the users will be protected. Penalties for breaching regulations may involve warnings, bans, removal of content, suspension of accounts, and fines, or in some cases prosecution. But any enforcement action should be proportionate and judicially supervised – in order not to open a door to misuse and abuse of power. Communication and public awareness campaigns will also be very important in implementation. National programmes on how to be a responsible digital citizen, on how to stay safe online and on how to use social media responsibly should be encouraged through schools, universities and civil society. Sri Lanka too understands international collaboration when it comes to governing social media. Cybercrime, misinformation and online extremism frequently cross-national boundaries which is why we need to work alongside international organisations,

technology companies and our regional partners. This cooperation can involve exchanging best practice on digital governance, increasing cyber security capacity and maintaining international standards in relation to human rights and online freedom of expression.

Mass media employs trained journalists who rely on their qualifications and professional skills to operate within the media stream. In contrast, social media requires no formal qualifications—anyone can become a social media journalist, citizen journalists or content creators. Media professionals work under established media laws and ethical guidelines, whereas social media operates largely under general laws without specific media-focused regulations. This lack of formal oversight contributes to the insecurity and unreliability often associated with social media platforms.

This policy, in its overall strategy, is one that seeks to ensure that the right to expression freedom which is guaranteed under Article 14(1)(a) of the Sri Lanka's Fundamental Law (Parliament of Sri Lanka, 2023) <sup>[5]</sup> is not misused such that it results in the limitation of the rights of others. People in Sri Lanka, as well as in other countries around the world, commonly use social media in today's era. Social media has become a shared space for communication, where individuals connect with one another. Interestingly, many people interact online without ever meeting in person they know each other only through comments, posts, and shared content. However, this virtual gathering space also allows the spread of fake news, harmful ideas, and dangerous content. As a result, people often struggle to distinguish between truth and falsehood. Therefore, freedom of expression on social media has become a critical and sometimes challenging issue today. Freedom doesn't mean the absence of all restrictions. It means possessing unshakable conviction in the face of any obstacle (Quotefancy, 2025). A social media policy should be founded on clear and essential principles. First and foremost, it must align with Article 19 of the Constitution of Sri Lanka, which guarantees the people's freedom of speech as a fundamental human right. While this right is recognized, it may also be subject to certain restrictions in accordance with the provisions of Sri Lankan law.

Social media, like traditional mass media, carries the responsibility of being accountable and ethical. It should function as a platform for the people, encouraging dialogue, unity, and inclusivity. At the same time, it must respect diversity and provide a space where individuals can gather without fear of harm. Social media should serve to protect people, not to endanger them. In recent weeks, some drug dealers gained notoriety in Sri Lanka, with social media content creators even producing material that appeared to glorify them. However, after the police arrested these individuals, the focus quickly shifted: the police became the prominent figures on social media, while the drug dealers were largely ignored. Their images and actions are now often used humorously or satirically online. This illustrates the volatile and ever-changing nature of social media attention. In this context, the policy acknowledges the rights of Sri Lankan citizens in the digital space. There is a basic right for citizens to express themselves with respect to politics, art, academia and criticism of state institutions in a peaceful manner. They also have a right to privacy, personal data and private communications may not be inspected, scanned or monitored. Moreover: Citizens have the right to know, from having online access to facts to institutions providing real,

clear information. Social media is also seen to play a crucial role in participation in public debate in which communities and individuals conduct forms of advocacy and civil action. Furthermore, everyone also deserves a right to digital safety, which includes being defended against online harassment, identity theft, cyberstalking, etc.

Nowadays, social media has the power to both build and destroy a person's reputation in an instant. Someone who was admired yesterday can quickly become criticized today - this is the nature of social media. As a result, it can be highly detrimental to personal reputation. Individuals with strong skills to influence others on social media have the potential to take the first step toward making the world better- or worse. Therefore, responsibility and protective measures are essential on these virtual platforms.

Those who have experienced problems on social media understand the importance of having a clear social media policy. However, many people who have never faced such issues fail to recognize the potential dangers. This lack of awareness contributes to the absence of a unified voice advocating for social media regulations. Yet these rights are attached with obligations. The public should practice being truthful and accurate, not to disseminate false or misleading content because it can lead to confusion and social harm. They must be respectful of human dignity, and not resort to commentary that demeans, insults or humiliates others on the basis of race, sex, religion, ethnicity or party affiliation. Hate speech is not allowed, particularly comments that promote violence or discrimination against people or groups. Users should also refrain from generating content that endangers national security or disrupts public order, such as terrorist, rioting or separatist content. Respect for cultural and religious sensitivities should be kept in mind, Sri Lanka being a multi-religious and multi-cultural society. Lastly, the users should neither create, nor share, any material that is likely to harm and disturb children and youth - like explicit, violent or exploitative content.

There are some kinds of content that are prohibited. There's no place in cyberspace for hate speech that foments violence or hostility toward individuals on the grounds of religion, ethnicity, race, gender or language. Fake news and disinformation shared with the intention of causing the public harm, or to misled people, are also prohibited. Slander against man or God shall be punished as a crime. Obscene and pornographic, particularly those with minors, and not infrequent. Any kind of content that supports or encourages violence, terrorist and criminal activities is completely prohibited. Cyber-stalking and other threatening, abusive language will also fall under this policy. Illegal commercial activities including but not limited to fraud, scams, and the promotion of counterfeit goods are also prohibited.

### Conclusion

In conclusion, the future of social media in Sri Lanka is extremely promising in terms of promoting democracy, empowering citizens and promoting access to information. Yet at the same time, it is also fraught with dangers that can only be managed through a nuanced policy. This Social Media Policy forms a balanced structure, safeguarding rights of the citizenry and at the same time ensuring a responsible/ethical use of digital platforms. In upholding freedom of expression and responsibility, while also promoting transparency and accountability, and protecting the dignity

and safety of all users, this policy strives to create a digital environment that is fair, respectful, and democratic. The objective is ultimately to establish a social media ecosystem that serves the national interest and to do so with freedom, justice, equality and the flourishing of networks everywhere.

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