

Social Media, Defamation, and International Law: Case Studies Analysis

Rakhee

Department of Computer Science and Applications
Bharati Vidyapeeth's Institute of Computer Applications and
Management
New Delhi, India
rakhee@bvicam.in

Sunil Pratap Singh

Department of Computer Science and Applications
Bharati Vidyapeeth's Institute of Computer Applications and
Management
New Delhi, India
sunil.pratap@bvicam.in

Abstract - The rise of social media has transformed how people communicate, express themselves, and share information. However, it has also created new challenges for defamation laws, as traditional legal boundaries struggle to keep up with the global nature of online content. This study examines how social media, defamation, and international law interact, focusing on the difficulties that arise when harmful content spreads across countries. By analyzing three cases—Arvind Kejriwal's defamation case, Kalandi Charan Lenka vs. State of Odisha, and Reynolds v. Times Newspapers Ltd.—this research highlights the key legal challenges and possible solutions for handling defamation in a digital, borderless world.

Keywords – Social Media, Defamation, Law Framework, Boundation, Influence, Online Behavior, Media Capacity

I. INTRODUCTION

Social media's applications and abuses are growing in popularity, allowing anybody to communicate or trade information from anywhere in the world. Given that misinformation and misconceptions spread along with it, this might be a serious drawback. People tend to believe what they see and hear without questioning it, which makes it easy to damage someone's reputation by persuading others of harsh and untrue claims. People may quickly spread information, viewpoints, and accusations, reaching large audiences [1]. Social media is a formidable weapon for both positive and negative influence because of how quickly it may damage someone's reputation. Harmful comments, Fake news, and misleading statements on social media can damage relationships, hamper reputations, and even affect career prospects badly. The viral nature of social media often leads to swift and widespread public backlash, increasing pressure on individuals or organizations [2]. Dealing with the online defamation requires quick action, and legal route shall be taken when required, along with the strategies which can be drafted time to time.

The power of social media to shape public opinion highlights the need for ethical content sharing, responsible digital behavior, and awareness of the legal consequences of online actions. As the digital world continues to evolve, understanding the impact of social media defamation is crucial for maintaining a respectful and accountable online space [3].

This research explores the relationship between international law, defamation and social media, highlighting both the difficulties and as well as various possibilities involved in regulating online content across different jurisdictions [4]. Upon reading and analyzing existing legal frameworks, case studies and policies, the research was able to contribute to the broader discussion on addressing social media defamation in today's digital and interconnected environment. In the past decades there was rapid increase in number of online defamation cases which has shown significant gaps in digital content regulation [5], as national laws most of them have proved to be insufficient in providing effective solutions for victims in a globally networked space. Differences in legal systems, cultural amalgam, and the absence of a standardized global strategy further complicate efforts to manage digital defamation. While some countries have enacted laws to combat online defamation, others remain cautious, raising concerns about state sovereignty and freedom of expression.

II. METHODOLOGY

This research paper examines the intersection of social media, defamation and international law by considering three case studies including two of national and one international. The methodology has multiple steps as follows:

A. Case Selection

Three case studies have been finalised after studying various cases of national and international importance. Out of the three, two are national and one being international of nature as per the research done in India. The cases were chosen based on their relevance to the research questions, representation of different social media platforms, and involvement of international law. The cases selected for National study were of Mr. Arvind Kejriwal's Defamation case in 2018, Kalandi Charan Lenka Vs. State of Odisha. These cases were taken under national law whereas Reynolds v. Times Newspapers Ltd. (1999) case was taken from international perspective of study.

B. Data Collection

The second step in the methodology is of data collection. In this study secondary data has been collected from various books, journals, newspaper articles and information available on the internet. The data has also been scrapped from the web throw

web crawler. The pre-processing of these collected data is done through its classification as real and fake.

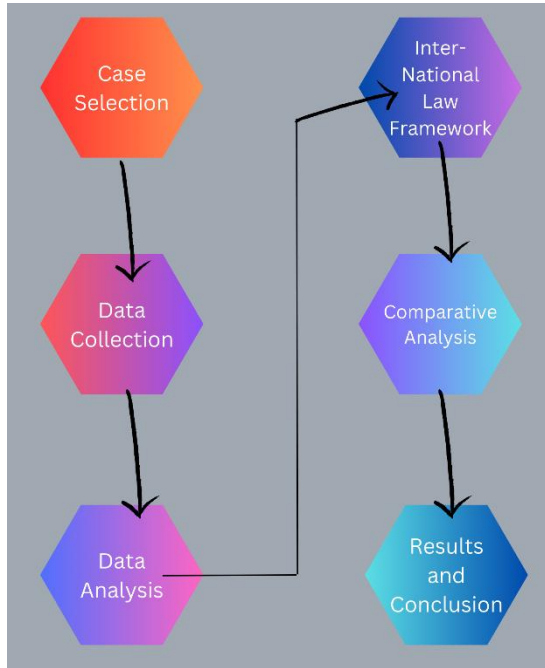


Fig. 1. Approach Adopted for the Study

C. Data Analysis

The next step after data collection is to analyse these data, interpretation of data is at most important to carry out any important information. Identifying any pattern or trends associated with the collected data is important to consider the intersection point of social media, defamation and international laws in this case studies.

D. International Law Framework

This research paper also discusses about the legal framework to examine the case studies. It also discusses about the freedom of expression, regulations set against the defamation, national and international conventions etc.

E. Comparative Analysis

The last step under the methodology is the comparative analysis where similarities and the significant differences between the three case studies has been discussed. This evaluation provided insights into best practices, challenges, and potential areas for enhancement in handling defamation cases on social media.

III. RESULTS AND ANALYSIS

The trend in defamation cases over time is illustrated in Figure 2, highlighting a significant rise between 2008 and 2025. The data reveals a steady increase up to 2016, followed by a sharp surge after 2018. The most substantial growth occurs between 2020 and 2025, suggesting a recent acceleration in the frequency of defamation claims.

The predicted or significant growth is indicated by the red line from 2023 to 2025. Increased digital contacts, social media use, or legal awareness are a few potential causes. This pattern

emphasises how defamation-related problems are becoming more and more significant in the current day.

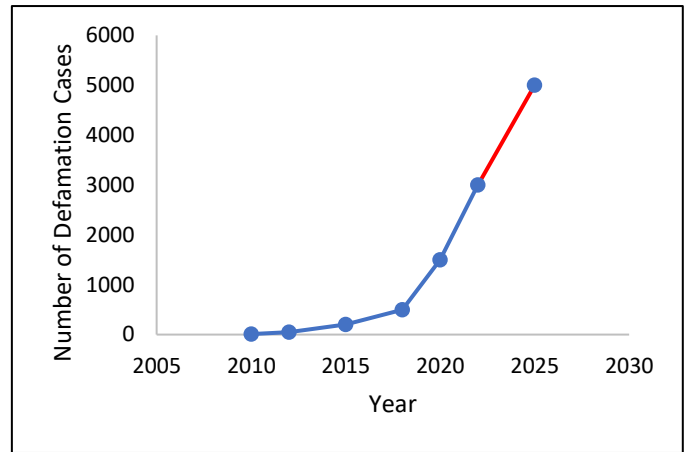


Fig. 2. Defamation Cases Involving social media (2010-2025)

TABLE I. TYPES OF SOCIAL MEDIA PLATFORMS INVOLVED IN DEFAMATION CASES [6]

S. No.	Platform	Percentage of Cases
	Facebook	40
	Twitter	30
	Instagram	15
	YouTube	10
	Others	05

The information in table 1 shows how defamation lawsuits are distributed throughout the main social media networks. Facebook leads with 40% of incidents, most likely as a result of its large user base, robust content-sharing features, and high level of participation in public discourse. Facebook continues to be a major site for defamation-related legal matters since it is a platform where postings, comments, and false material may spread quickly. Twitter comes in second with 30%, which is indicative of its function in public discourse and real-time communication. Because it's a microblogging site where people, celebrities, and organisations often express their ideas, it's easy for libellous content to spread swiftly and gain widespread attention. Because Twitter moves quickly, there is a greater chance of reputational harm.

YouTube (10%) and Instagram (15%) have a moderate impact on defamation lawsuits. Defamation charges on Instagram may result from deceptive posts, edited photographs, or offensive captions because the platform largely concentrates on visual content. As a leading video-sharing platform, YouTube frequently encounters defamation issues related to offensive content in videos, comment sections, or misinformation spread by influencers. Notably, smaller platforms also contribute to such cases, as indicated by the "Others" category (5%), emphasizing that defamation is not exclusive to major social media networks. This distribution highlights growing ethical and legal concerns in digital communication, reinforcing the need for stricter content moderation and regulatory frameworks to effectively tackle online defamation.

IV. DEFAMATION CASE INVOLVING ARVIND KEJRIWAL

In 2018, the then Chief Minister of Delhi, India, Mr. Arvind Kejriwal faced a defamation lawsuit due to his retweet on his tweeter handle. The controversy arises when, Kejriwal had retweeted the video shared by a youtube names Dhruv Rathee. In the video, Vikas Sankrityayan, who was the supporter of Narendra Modi has been shown in a negative image. The video said Sankrityayan tried to bribe Mahavir Prasad to drop his claims against the BJP's IT cell. The court decided that sharing defamatory content online could also be defamation. Because of this, Sankrityayan filed a case against Kejriwal [7].

The Delhi High Court refused to drop the case, saying Kejriwal, as a public figure, should have been more careful before supporting the content. Later, the Supreme Court stepped in, allowing Kejriwal to skip in-person court visits and telling the trial court not to take strict action against him. This case highlights the complexities of India's legal system, especially when it comes to jurisdiction. The main concern over this case was to decide which laws applied and which court had the authority to handle the case, since the individuals involved in the defamation case were from different states. Arvind Kejriwal, as the then Chief Minister of Delhi, was based in the national capital, whereas Sankrityayan resided in another state. This geographical difference led to debates over the appropriate legal venue for the case. Additionally, the case was not straightforward, as it involved multiple legal provisions. It touched upon both criminal and civil defamation laws, bringing in sections from the Indian Penal Code (IPC) related to criminal defamation, as well as the Code of Criminal Procedure (CrPC). The multiple legal aspects made it even more complicated, requiring the courts to carefully determine the correct legal framework and the appropriate jurisdiction to hear the case.

In this particular case the court has assess to three key factors: one is territorial jurisdiction, which would determine whether the Delhi High Court had the authority or not since the alleged case of defamation occurred in Delhi; second is the personal jurisdiction, which has considered Kejriwal's influential status and social media reach to the people; and lastly the choice of law, which shall be considered for the given multi-jurisdiction cases for any legal provision. The Supreme Court's decision has helped to clarify the legal challenges in online defamation cases, emphasizing more on the importance of proper legal interpretation to ensure fair trials.

V. JURISDICTIONAL CHALLENGES IN ONLINE DEFAMATION: THE KALANDI CHARAN LENKA CASE

The Orissa High Court addressed the intersection of social media, defamation, and international law in the important and famous case of Kalandi Charan Lenka vs. State of Odisha (2019). The case arose from a criminal complaint filed by the State of Odisha over an allegedly defamatory Facebook post targeting a public official. This become very famous as the platform involved is facebook [8].

Central to the court's decision was Section 499 of the IPC, which defines defamation. The court ruled that although the post was shared online, it was legally considered published in India since it was accessible there and involved an Indian citizen. The ruling also take into account about Indian courts' extraterritorial

jurisdiction, stating that if defamatory content was accessible in India and harmed an Indian citizen, Indian courts could hold overseas defendants accountable under international legal principles.

This case highlights the challenges of regulating online speech and the necessity of cross-border legal cooperation in handling international defamation disputes. Several factors contributed to the jurisdictional complexity:

- **Cross-border publication** – When the defamatory posts are available in multiple regions, then its raises concerns about which country's laws should apply.
- **Legal jurisdictions of involved parties** – The public official, the Odisha state government, and the content creator fell under different legal authorities.
- **Application of multiple laws** – The case involved both Indian laws (IPC and the Information Technology Act, 2000) and international legal norms on online defamation.

To resolve the above issues, the court has examined territorial jurisdiction (whether Indian courts had authority over the case given the content's accessibility in India), secondly, personal jurisdiction (whether Indian courts could summon a defendant based outside India), and choice of law (determining which legal framework applied given the international dimension). The decision underlined the necessity of precise legal rules in online defamation proceedings in order to maintain justice and protect the rights of all parties

VI. REYNOLDS VS. TIMES NEWSPAPERS LTD. (1999) AND INTERNATIONAL DEFAMATION LAW

The third case which has been taken into consideration for this study is of international nature. It's the defamation case in UK which involves the Reynolds and Times Newspapers Ltd in 1999. In this case the former Irish Prime Minister Reynolds sued the Sunday Times for libel. The article accused Reynolds of misleading the Irish parliament and the public regarding a controversy involving the Attorney General. Reynolds argued that the publication damaged his reputation. The court ultimately says that the case cannot be considered to be defamatory, if it was made with good faith, served the public interest and was proved after the reasonable evidence [9]. This ruling introduced a more nuanced approach to defamation liability, emphasizing the need to balance free speech, particularly in matters concerning public figures, with reputational protection. This case also depicts the diversity in international law of defamation. Given that the allegedly defamatory article was published in *The Sunday Times* in the UK but was also accessible in Ireland—where Reynolds had a prominent reputation—it raised questions about which legal system had authority.

In this scenario, the prominent three key jurisdictional factors were considered:

- **Territorial jurisdiction** – Since the article was published in the UK, the court assessed whether UK laws applied or the law should apply of the country where the defamatory individual belongs.

- **Personal jurisdiction** – As Reynolds was an Irish citizen, the court examined whether UK courts had authority over a case involving a person from other nation.
- **Choice of law** – The case required consideration of both UK and Irish defamation laws, along with broader European Union principles on free expression and jurisdiction.

By addressing these challenges, the court set a precedent for handling defamation claims involving multiple jurisdictions, ensuring a balance between freedom of speech and the protection of reputations in a globally connected world.

VII. CONCLUSION AND FUTURE SCOPE

Due to the ever-evolving nature of social media platforms, addressing jurisdictional complexities in online defamation cases presents significant challenges. The rapid expansion of these platforms complicates the establishment of a unified legal framework. We know that cross-border collaboration is essential but the differences, observed amongst legal systems, cultural perspectives and regulations have created further obstacles. Another key issue is balancing the right of expression and the protection of reputation against derogatory remarks, as both of them can be conflicting at times. Technological barriers also make it difficult to detect and remove the defamatory content, its mainly due to encryption, various social media algorithms which are not easy to track and the automated moderation systems. Further, to prove online defamation cases, substantial resources are needed, which makes them easy for the legal proceedings. They are financially demanding for the courts, governments and the affected persons. Creating global rules and

guidelines could make it easier to handle jurisdiction issues more smoothly. Encouraging accountability and transparency in these cases can help build trust and ensure justice is fair for everyone.

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